

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JANUARY 13, 1997

PRESENT: Councilmembers Platt, Picinich, Markovich, Ekberg, Owel and Mayor Wilbert.

PUBLIC COMMENT/DISCUSSION: None.

CALL TO ORDER: 7:10 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the December 9th, 1996 meeting, as presented.
Platt/Picinich - unanimously approved.

CORRESPONDENCE/PROCLAMATIONS: None scheduled.

OLD BUSINESS: None scheduled.

NEW BUSINESS:

1. **First Reading of Ordinance - Gig Harbor North Annexation (ANX91-04).** Ray Gilmore presented this ordinance and explained that it was almost one year to date that Council adopted the resolution accepting the annexation petition for the Gig Harbor North area. He added that the Boundary Review Board of Pierce County finished reviewing and had passed the annexation request in September of last year. He explained that Staff has suggested changes to Section 4, to identify all zoning districts by tracts. In addition, a legal description, zoning agreement, development agreement, and a general annexation map would be included with the ordinance before it returns for its second reading.
2. **First Reading of Ordinance - Amendments to Title 17 of the GHMC - GH North Annexation Zoning.** Mr. Gilmore introduced this ordinance that adopts new sections for the zoning code related to the Gig Harbor North area. He added that this ordinance would also return for a second reading and offered to answer questions.
3. **First Reading of Ordinance - Sewer Rate Increase Ordinance.** Tom Enlow introduced this ordinance that would provide for a five percent sewer rate increase. He added this increase would go into effect with billings issued after February 1, 1997. He said that the increase would provide approximately \$40,000 per year to be used to offset biosolids disposal and energy costs. He said that this would return for a second reading at the next meeting.
4. **Prosecutor Employment Agreement.** Mark Hoppen explained that Gary Johnson, the City's prosecuting attorney, was requesting a contract increase for the upcoming year. He gave an overview of the rate increases requested and explained that the services that had been provided to date were satisfactory. He introduced Mr. Johnson who gave a brief presentation and answered questions. Mr. Hoppen suggested that rather than approving a two-year

contract, that the contract be approved for one year to evaluate both performance and terms in light of the probable increased case load. Councilmember Platt suggested placing the contract on the table until a worksession could be held to explore other options due to the high costs. After discussion on the proposed annexations and the Court becoming a Court of Record, Mr. Hoppen suggested approving the contract and forming a committee during the year to work on options. Councilmember Markovich agreed and voiced his willingness to work on a committee to discuss Municipal Court vs District Court II to determine where the legal system would be in five years.

MOTION: Move to approve the contract with Mann & Johnson for one year at the proposed rates.
Markovich/Picinich - unanimously approved.

5. Resolution - Adjustments to Personnel Manual. Mark Hoppen introduced this resolution as housekeeping in nature taking care of two minor policy issues. The first revision is to reconcile the personnel manual with the employee guild contract and to reflect current practice of paying for license fees and dues. The second revision would allow for the City to provide coffee or lunch for volunteers as suggested by the auditor.

MOTION: Move to approve Resolution No. 486 as presented.
Picinich/Ekberg - unanimously approved.

6. First Reading of Ordinance - Adopting New Job Description and Salary Range - Public Works Clerk. Mark Hoppen explained that this ordinance accomplishes two things; first, adopting a new job description for the Public Works Clerk, and second; to add the salary range for this position to the salary schedule. This will return for a second reading at the next meeting with a correction to the titles in the salary schedule.

7. P & H Partnership - Request for Refund. Mark Hoppen explained that the City had entered into a contract in March of 1996 to provide both water and sewer to the Northharbor Business Campus off Burnham Drive NW. He said it was later determined that the proposed water line from the Department of Corrections to Burnham Drive proved infeasible without broad participation, which was not available. Because of this, Mr. Perrow and Mr. Holmaas were asking for a refund for the \$11,142.50 that they paid to reserve these services, which would not be available during the one-year term of the contract. Carol Morris explained that Mr. Perrow also requested that a document be filed with the Pierce County Auditor revising the current recorded document. She pointed out a document that was not included in the packet canceling the Utility Extension Capacity Agreement to be recorded.

MOTION: Move we refund P & H Partnership the commitment agreement payment in the amount of \$11,142.50.
Picinich/Markovich - unanimously approved.

MOTION: Move for adoption of the cancellation of agreement for Utility Extension and Capacity Agreement and Agreement Waiving Right to Protest LID document that is before us.

Picinich/Markovich - unanimously approved.

8. Voice Mail Contract - PTI Communications. Molly Towslee presented this contract with PTI Communications to install a voice-mail system at City Hall, and answered questions.

MOTION: Move we authorize the Mayor to sign the PTI Communications contract in the amount of \$8,148 plus tax.

Ekberg/Owel - unanimously approved.

9. Resolution - Designating Borgen's Corner. Mayor Wilbert introduced this Resolution designating the corner at Harborview and North Harborview Drive as Borgen's Corner. She added that she had spoken with the business owners in the area and they all agreed to the designation to honor George Borgen.

MOTION: Move to approved Resolution No. 487 to designate that area as Borgen's Corner.

Owel/Ekberg - unanimously approved.

10. Liquor License Renewals - Marco's Restaurant / Mimi's Pantry; Gourmet Essentials; Harbor Inn; and Neville's Shoreline. Mayor Wilbert asked that the liquor board be notified that Neville's Shoreline was no longer in business.

MAYOR'S REPORT:

Legislative Priorities. Mayor Wilbert explained that she had placed the information she had been receiving lately in a notebook for Council to review. She gave a brief overview of the contents of the notebook and asked that they take a look at the information and pass it on.

STAFF REPORT:

1. Gig Harbor Police Department. Chief Barker showed Council the plaque awarded to the Explorers Scouts that was presented at the conclusion of the Winter Academy at Camp Murray.

APPROVAL OF BILLS

MOTION: Move approval of checks #17028 through #17172 in the amount of \$102,596.06.

Owel/Ekberg - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of checks #13522 through #13641 in the amount of \$198,297.94.
Owel/Ekberg - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 7:42 p.m. for the purpose of discussing litigation.
Platt/Picinich - unanimously approved.

MOTION: Move to return to regular session at 8:20 p.m.
Picinich/Platt - unanimously approved.

ADJOURN:

MOTION: Move to adjourn at 8:20 p.m.
Platt/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 450 Side A 000-end.
Tape 450 Side A 000 - 068.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JANUARY 27, 1997

PRESENT: Councilmembers Platt, Picinich, Markovich, Ekberg, Owel and Mayor Wilbert.

PUBLIC COMMENT/DISCUSSION: None.

CALL TO ORDER: 7:10 p.m.

APPOINTMENT OF MAYOR PRO TEM: Mayor Wilbert thanked Councilmember Picinich for acting as Mayor Pro Tem during 1996, and announced that Councilmember Ekberg had accepted the appointment for 1997.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the January 13th, 1997 meeting, with correction. Picinich/Platt - unanimously approved.

CORRESPONDENCE/PROCLAMATIONS: None scheduled.

OLD BUSINESS:

1. **Second Reading of Ordinance - Gig Harbor North Annexation (ANX91-04).** Ray Gilmore presented the second reading of this ordinance and explained that the suggested changes mentioned at the first reading had been incorporated, along with minor text changes to make it consistent with the current code and zoning maps and to correct typographical errors.

MOTION: Move to adopt Ordinance No. 746 with changes as noted. Markovich/Ekberg - unanimously approved.

2. **Second Reading of Ordinance - Amendments to Title 17 of the GHMC - GH North Annexation Zoning.** Mr. Gilmore introduced the ordinance adopting new sections for the zoning code related to the Gig Harbor North area. He said that amendments recommended by the Planning Commission had been added to include warehousing and storage in the mixed use district. He also said he had made several text changes and corrections suggested by legal counsel that did not change the intent, only the language.

MOTION: Move to adopt Ordinance No. 747. Markovich/Owel - unanimously approved.

Mayor Wilbert thanked everyone who participated in this process and invited Mr. Cunningham and Mr. Elderkin to speak.

Dave Cunningham - Pope Resources. Mr. Cunningham said thank you and added that they are looking forward to a partnership that would involve actual work on the ground, such as

the East/West road, the water supply and to bringing development plans to the city.

Bob Elderkin - Logan International. Mr. Elderkin explained that his son, Greg, had done most of the work on the project. He added that it had been a pleasure working with the city and Planning Department and that they are looking forward to a continued cooperation.

3. First Reading of Ordinance - Sewer Rate Increase Ordinance. Tom Enlow introduced the second reading of this ordinance that would provide for a five percent sewer rate increase. He added this increase would go into effect with billings issued after February 1st and would increase the revenues approximately \$40,000 per year.

MOTION: Move adoption of Ordinance No. 748.
Markovich/Picinich - unanimously approved.

6. First Reading of Ordinance - Adopting New Job Description and Salary Range - Public Works Clerk. Mark Hoppen introduced the second reading of this ordinance adopting a new job description for the Public Works Clerk and making an adjustment to the 1997 salary schedule.

MOTION: Move adoption of Ordinance No. 749.
Picinich/Ekberg - unanimously approved.

NEW BUSINESS:

1. Resolution - AWC Insurance Company Contract. Mark Hoppen explained that action on this item was two-fold. First, approval of the resolution approving the Mayor's signature on the Interlocal Agreement for a two-year relationship, and the second act is a motion for approval of the payment of the premium in the amount of \$60,562.

Carol Morris, legal counsel, apologized for not being able to review the agreement, as it had been drafted by AWC, and suggested approving the contract subject to review by legal counsel. She also recommended changing the word "Trust Agreement" to "Interlocal Agreement" in the resolution for clarification.

MOTION: Move adoption of Resolution No. 488 with the change in the last paragraph changing the word "Trust" to "Interlocal."
Markovich/Picinich - unanimously approved.

MOTION: Move to approve the premium payment in the amount of \$60,562.
Picinich/Markovich - unanimously approved.

2. Radio Maintenance Agreement - Police / Public Works. Chief Mitch Barker presented these renewals for an existing agreement with Pierce County Radio Shop for repair and service for the communications equipment for the Police and Public Works departments.

MOTION: Move to authorize the Mayor to sign both the Police and Public Works' maintenance agreements as submitted.
Platt/Ekberg - unanimously approved.

3. Distribution of State Marine Services Funding. Chief Barker presented this Boating Safety Agreement with Pierce County to allow the City to receive a portion of the fees received from licensing and vessel registration to be used toward approved boating safety programs. He added that he had expressed concerns that the formula used for dispersement of funds was inequitable, but was told the formula would remain as is.

MOTION: Move to authorize the Mayor to sign the Boating Safety Agreement as submitted.
Picinich/Platt - unanimously approved.

4. Police Radio Dispatching Agreement. Chief Barker presented this renewal of an on-going contract for dispatching and 9-1-1 services with the Law Enforcement Support Agency (LESA), and added that although there was a \$10,000 increase over last year, the cost was locked in for the year and would not change with the upcoming annexations. He said that this was an excellent price for a dispatching service and recommended approval.

MOTION: Move we authorize the Mayor to sign the dispatching agreement as submitted.
Owel/Picinich - unanimously approved.

5. Bid for Official Newspaper - Peninsula Gateway. Mark Hoppen explained that the municipal code requires the City to solicit bids yearly for the "official newspaper," and that as long as he can remember, only one bid has been received.

MOTION: Move to award the official newspaper service to the Peninsula Gateway.
Picinich/Markovich - unanimously approved.

MAYOR'S REPORT: Finholm View Climb Update. Mayor Wilbert gave a brief presentation and urged Councilmembers to purchase a brick.

COUNCIL COMMENTS: Councilmember Picinich said he had received several letters on the sign code and asked if a meeting had been scheduled to address these concerns. Ray Gilmore said that a public meeting was scheduled for March 6th.

STAFF REPORT:

1. Finance Department - Quarterly Report. Tom Enlow gave a review of the quarterly financial reports for the last quarter of 1996, and answered questions.

ANNOUNCEMENT OF OTHER MEETINGS:

Sign Code Meeting - March 6, 1997 - 6:30 p.m. at City Hall.

APPROVAL OF BILLS

MOTION: Move approval of checks #17173 through #17279 in the amount of \$91,064.05.
Owel/Ekberg - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 7:40 p.m. for approximately five minutes for the purpose of discussing litigation and potential litigation.
Platt/Ekberg - unanimously approved.

MOTION: Move to return to regular session at 7:45 p.m.
Picinich/Platt - unanimously approved.

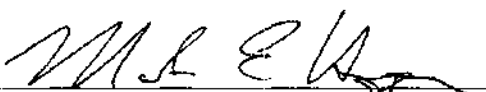
ADJOURN:

MOTION: Move to adjourn at 7:46 p.m.
Platt/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 450 Side B 069 - end.
Tape 451 Side A 000 - 068.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF FEBRUARY 10, 1997

PRESENT: Councilmembers Platt, Picinich, Markovich, Ekberg, Owel and Mayor Wilbert.

SPECIAL PRESENTATION:

1. Presentation to Officer Mark Galligan - 20 years service. Mayor Wilbert introduced Officer Galligan and congratulated him on his 20 years of service to the City of Gig Harbor on the Police force. She presented him with a silver lapel pin representing the City burgee.
2. WSDOT / Technical Team - Update on SR 16/Tacoma Narrows Bridge Project. Bob Kahn, Finance Director for the State Department of Transportation, explained the purpose of the study being done on SR 16/Tacoma Narrows and introduced Tom Horken from United Infrastructure Company. Mr. Horken gave a brief history of the traffic on the Narrows Bridge corridor and gave an overview of the status of the study underway.

PUBLIC COMMENT/DISCUSSION:

Harry Dearth - 4119 10th St NW. Mr. Dearth said he was representing the Gig Harbor Waterfront Retail and Restaurant Association. He read a prepared letter stating their mission and encouraging cooperation from the City in matters such as parking, signage, street lighting, seasonal decoration, and asking that the businesses be included in the distribution of funds accruing from the 2% lodging tax.

Jack Bujacich - 3607 Ross Ave. Mr. Bujacich said he had received notice of a public hearing for an agenda item at this meeting but the letter also stated that only the appellant would be allowed to speak. He said he thought the process should allow all interested parties to speak during a public hearing, and asked that consideration be given to changing the process.

Phil Arenson - 7750 Kimball Dr. Mr. Arenson said he was speaking on behalf of the business community and said that their past position has been to try and work out problems regarding the sign code and its administration through negotiation and mitigation. He added that initiating a review of the sign code is the right first step in an equitable process and urged the City Council to sign a resolution forming an Ad Hoc committee to facilitate this review.

Lois Eyrse - 7116 Stinson Ave. Ms. Eyrse said she was representing the Gig Harbor Peninsula Chamber of Commerce in response to the City Council's proposal to review the City sign code. She read a resolution passed at the Chamber's board meeting urging the creation of an Ad Hoc committee.

Candy Shuman - 3311 Harborview Drive. Ms. Shuman, owner of the Harbor Peddler, stressed how important tourism is to the downtown businesses, which would be discussed on the agenda at a later time.

Linda Gair - 5001 38th Ave. Ms. Gair, who owns two businesses in the Harbor, said she would like to offer her approval of the Waterfront Restaurant and Retail Association's intent to work with the Council and to improve business for everyone. She added that she is also on the board of directors for the Chamber of Commerce and that they are sincerely working to unite both the city, the residents and businesses.

John Paglia - 820 E 'D' St., Tacoma. Mr. Paglia asked for clarification on whether or not anyone but the appellant would be able to speak during the Philpott agenda item.

Carol Morris said no one other than the person appealing the decision would be able to speak.

Diane Skaar - 9320 74th Ave NW. Ms. Skaar said she also would like to add her support of the formation of an Ad Hoc committee. She read a "homily" to illustrate her frustration.

Renee Crist - 6876 Kimball Drive. Ms. Crist talked about her problems with the sign code, which she called vague, poorly written, open to interpretation, not providing helpful information, and difficult and expensive to enforce. She added that she thought the City could do better and requested review of the sign code by an Ad Hoc committee to make the document more "user friendly."

Councilmember Picinich said he would like to more fully discuss this issue later during the Council Comments portion of the agenda, but added that he would like to empower the Planning Commission to form an Ad Hoc committee. He said he would also like the City to have a "cooling-off" period in response to violations. He said this period during which the sign code was being reviewed could be used to educate the business owners.

CALL TO ORDER: 7:44 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the January 27th, 1997 meeting as presented.
Platt/Picinich - unanimously approved.

CORRESPONDENCE/PROCLAMATIONS:

1. Dept. of Defense - Civic Leader Orientation. Mayor Wilbert invited any of the Councilmembers who might be interested to participate in a civic leader orientation flight on February 19th.
2. Pierce County Parks & Recreation - Open Space Planning. Mayor Wilbert said that Pierce County Parks & Recreation had scheduled a series of meetings to plan the open spaces and encouraged participation.
3. P.C. Council - Public Works Committee Hearing. Mayor Wilbert announced the meeting date and time.

4. Letter from Burt Talcott. Mayor Wilbert said this letter was thanking the city for the process recently accomplishing the Westside Annexation.
5. AWC - Matching Grant / 1997 Wellness Calendar. Mayor Wilbert talked briefly about this letter awarding the City \$150 in matching grant funding for the upcoming 1997 Wellness program.
6. Alan Thein Durning - Presentation and Book signing. Mayor Wilbert spoke briefly about this Urban Ecology presentation.

OLD BUSINESS: None scheduled.

NEW BUSINESS:

1. Hearing Examiner Decision and Recommendation on Remand -- SPD 95-06, Robert Philpott; Appeal of the Hearing Examiner's Decision on SDP 95-06 - Appealed by Robert Philpott. Carol Morris, legal counsel, referred Councilmembers to her memo in the packet recommending that Council continue the appeal hearing until after Mr. Philpott had the opportunity to complete the process for the alternative materials and methods section of the Uniform Fire Code. She explained that Mr. Philpott had applied for a variance from the Uniform Fire Code provision, and that the Fire Marshall had not yet made a decision. She further explained that Mr. Philpott would have the option to appeal that decision to the Building Code Advisory Board. Ms. Morris added that after all appeal methods had been exhausted, then the Council could accept the appeal and make a decision at that time.

Ms. Morris then addressed Mr. Bujacich's comments at the beginning of the meeting that only the appellant was being allowed to speak during the appeal hearing. She explained that these procedures as adopted by the City Code to conform with the Regulatory Reform Act, which requires that only one open record hearing and one closed record appeal. So the procedures that have been adopted conform to State law and the City cannot vary from them.

Steve Osguthorpe answered Councilmember Markovich's questions regarding the status of the shoreline permit and site plan permit.

MOTION: Move we continue this decision on the Hearing Examiner's recommendation until the Fire Marshal has made his decision and all appeals have been exhausted.
Picinich/Ekberg - unanimously approved.

2. First Reading - Street Name Ordinance. Steve Bowman presented this ordinance that would designate certain areas within city limits to remain historic for street naming purposes and the remaining, existing streets in the newly annexed areas to be allowed to remain numbered streets. He answered questions and added that the ordinance would return at the next

meeting for a second reading.

3. 1997 Department of Assigned Counsel Contract. Mark Hoppen introduced this renewal of a contract for Assigned Counsel. He explained that the contract was identical to last year's, other than an approximate 18% increase in costs, the first increase in three years.

MOTION: Move to approve the Department of Assigned Council contract for 1997 and authorize the Mayor to sign the same.
Markovich/Picinich - unanimously approved.

4. Introduction - Concurrency Ordinance. Carol Morris introduced this proposed ordinance and explained that would affect transportation improvements due to development. She added that the proposed ordinance would be presented to the Planning Commission for review and public hearing and sent to DCTED sixty days prior to adoption. She further stated that when this process was completed, the ordinance would return to Council for adoption.

5. Supplemental Insurance Purchase. Mark Hoppen presented this policy for additional coverage for the portion of the claims-made coverage within the body of the City's former Reliance coverage.

MOTION: Move we approve the purchase of this coverage for the premium price of \$5,662.12.
Ekberg/Markovich - unanimously approved.

6. Maintenance Agreement - Minolta. Molly Towslee explained that the maintenance agreement for the older Minolta copier at the Public Works Shop had expired and recommended approval of the new agreement.

MOTION: Move to approve the copier maintenance agreement in the amount of \$174.00 plus tax.
Owel/Ekberg - unanimously approved.

7. Liquor License Assumption - Uddenberg's Thriftway, Stockmarket Foods. No action taken.

8. Liquor License Renewals - Spiro's Pizza, The Keeping Room. No action taken.

MAYOR'S REPORT: None scheduled.

COUNCIL COMMENTS:

Councilmember Markovich voiced support for Councilmember Picinich's suggestion to form an Ad Hoc committee to review the sign code. He said that many of the people that were directly impacted were not included in the process to develop the code. He added that he felt it was the Council's obligation to look at the code again on a line-by-line basis and said he thought the fine aspect of the

code should be placed under moratorium while reviewing the code. He offered to serve on any committee formed to review the code and the process of administration.

Councilmember Picinich also volunteered to serve. He added that he thought the sign code was a good document and could be made workable so both merchants and city officials could work together. He mentioned a moratorium or "cooling off" period where no fines would be levied until the committee could be formed and the sign code reviewed.

Councilmember Ekberg said that it was his intent when he suggested having the Planning Commission take another look the sign code to make it easier to administer. He said that there were several public hearings during the process to develop the code and it was not his intent to review the existing sign code line by line. He added that the results from the Planning Commission's public forum would give a better idea which direction to take. He said he would be willing to meet with another Councilmember, Ray and Steve Osguthorpe to discern how to better handle the situation now.

Councilmember Markovich said he felt the formation of an Ad Hoc Committee would be a substantial gesture of cooperation and conciliation with respect to the business community. Councilmember Picinich said an Ad Hoc committee with Council representation would serve the purpose well and he again mentioned the 'cooling off' period. He asked staff about outstanding violations.

Steve Osguthorpe gave an overview the process to date. He added that there were only a few issues left to be resolved, and that 85% of the violations notices were for existing signs that were installed without a permit, which had very little to do with the new sign code. He said that the process to educate the business population had been a main focus.

Councilmember Platt asked Steve what impact delaying any further fines for 90 days would have. Steve said he was concerned that some folks would feel they were being treated differently. He added that staff had been extremely careful to avoid that.

Councilmember Owel said she thought there was a percentage of business owners that found the threat of accruing fines intimidating enough to prevent them from seeking a solution. Carol Morris explained the process to mitigate fines. She offered to come back with a Resolution to form an Ad Hoc committee and place a moratorium on fines.

Ray Gilmore said he did not object to forming an Ad Hoc committee, but he suggested letting the public hearing process take place and then the Planning Commission could make an appropriate recommendation. Councilmember Ekberg agreed with this. Councilmember Owel mentioned the Westside Sub-Area committee which also address some of the same issues. Councilmember Platt suggested separating the issues and dealing with forming an Ad Hoc committee and stopping the accrual of fines, which he strongly supports, as another.

Carol Morris was instructed to come back with a resolution forming a wide-based Ad Hoc Committee to be passed to the Planning Commission for consideration.

Councilmember Platt made a public statement that the City of Gig Harbor is a business friendly community and proposed the following motion:

MOTION: Move we impose a delay of accrual of any fines relating to the sign code for a period of 90 days for any of the recently issued violations.
Platt/Markovich -

Councilmember Ekberg asked for clarification on whether this meant fines accruing from this day forward for 90 days, or whether it would wipe out the fines altogether. Councilmember Platt said he would like to see all fines removed. Councilmember Ekberg said he would like to review the cases before doing that to find out what the infractions were for and the amounts. He offered to meet with another Councilmember and staff and return at the next meeting with a recommendation.

AMENDED MOTION: Move to impose a delay of *further* accrual of fines for a ninety day period and review the existing violations on a case by case basis.
Picinich/Ekberg - unanimously approved.

STAFF REPORT:

1. Chief Mitch Barker - GHPD Stats. Chief Barker spoke briefly about the hiring process for new officers, which was moving along on schedule. He added that he could not reserve spots during the March academy, but that he was working on reserving four slots in the April academy in anticipation of hiring new officers.

Mayor Wilbert commended Officer Emmett and the D.A.R.E. program. She gave a brief report on comments she had received regarding the program.

2. Carol Morris introduced James Fern, newly hired to Ogden Murphy and Wallace. She gave a brief overview of his background and added that he would be assisting her with planning and land use issues.

ANNOUNCEMENT OF OTHER MEETINGS:

Sign Code Meeting - March 6, 1997 - 6:30 p.m. at City Hall.

APPROVAL OF BILLS

MOTION: Move approval of checks #17280 through #17371 in the amount of \$113,633.84.
Owel/Ekberg - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of checks #13642 through #13766 in the amount of \$216,138.14.
Owel/Platt - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 8:54 p.m. for approximately fifteen minutes for the purpose of discussing litigation and potential litigation.
Picinich/Ekberg - unanimously approved.

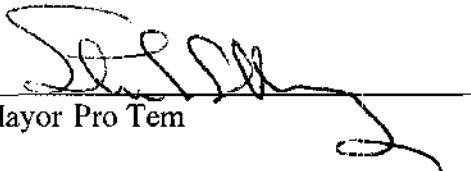
MOTION: Move to return to regular session at 9:10 p.m.
Ekberg/Picinich - unanimously approved.

MOTION: Move that we mitigate the fines to the Peninsula School District to the amount of \$400 to cover the City's actual occurred cost for the violations at Gig Harbor High School and Harbor Ridge Middle School.
Platt/Picinich - unanimously approved.

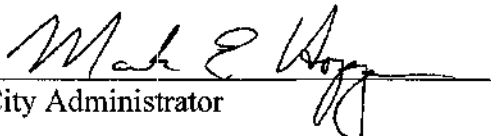
ADJOURN:

MOTION: Move to adjourn at 9:20 p.m.
Platt/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 451 Side A 069 - end.
Tape 451 Side B 000 - end.
Tape 452 Side A 000 - end.
Tape 452 Side B 000 - 357.



Mayor Pro Tem



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF FEBRUARY 24, 1997

PRESENT: Councilmembers Platt, Picinich, Markovich, Ekberg, Owel. Mayor Wilbert was absent and Councilmember Ekberg acted as Mayor Pro Tem.

PUBLIC COMMENT: None.

CALL TO ORDER: 7:05 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the February 10th, 1997 meeting as presented. Picinich/Platt - unanimously approved.

CORRESPONDENCE/PROCLAMATIONS: Mayor Pro Tem Ekberg announced the titles of the correspondence and asked if there were any comments or questions. As there was none he proceeded to Old Business.

1. Puget Sound Regional Council - General Assembly Meeting.
2. The Devolution Project - Tacoma/Pierce County.
3. Greater Pierce County Community Network - Meeting Agenda.

OLD BUSINESS:

1. Second Reading - Street Name Ordinance. Steve Bowman presented the second reading of this ordinance that would designate certain areas within city limits to remain historic for street naming purposes and the remaining, existing streets in the newly annexed areas to be allowed to remain numbered streets. He gave a brief overview and offered to answer questions.

MOTION: Move to approve Ordinance No. 750.
Markovich/Picinich - unanimously approved.

2. Resolution - Forming an Ad Hoc Committee to Review the Sign Code. Carol Morris, Legal Counsel, explained that at the last council meeting, she had been asked to draft a resolution that would allow the council to appoint a committee that would be advisory only. She added that the resolution contained several blanks for council to designate the number of members, length of time to serve, and rules the committee would adopt for their meetings. She said that other changes to the resolution could be made. Councilmember Markovich said he thought the format of the resolution was acceptable and as was discussed in the last meeting, the resolution would be forwarded to the Planning Commission for discussion. Councilmember Owel said she was going to recommend tabling this item until the Planning Commission had an opportunity to complete their review process, and then let the Planning Commission have the option of setting up a committee. She said this process would allow

for time for public comment and broader participation and that it is correct process.

MOTION: Move to table this agenda item until such time that the Planning Commission has completed their review and could elicit further public comment.
Owel/Platt -

Councilmember Markovich asked for discussion on the item. Mayor Pro Tem Ekberg asked for a legal ruling on whether or not a tabled motion could be discussed. Ms. Morris referred to Robert's Rules of Order and determined that a motion to table is not debatable and cannot be amended. Mayor Pro Tem restated the motion and polled the Councilmembers for their individual vote.

MOTION: Move to table this agenda item until such time that the Planning Commission has completed their review and could elicit further public comment.
Owel/Platt - Councilmembers Owel - aye; Councilmember Platt - aye; Councilmember Picinich - no; and Councilmember Markovich - no. Mayor Pro Tem Ekberg voted in favor to break the tie and the motion was carried.

Members of the audience protested the lack of ability to be able to speak. Carol Morris explained the process that did not allow testimony at this time, but that testimony could be allowed at the time of adoption. Mark Hoppen pointed out that there would be an opportunity to speak to this resolution during the Planning Commission process.

NEW BUSINESS:

1. First Reading - Westside Annexation Ordinance. Ray Gilmore explained that the Westside Annexation was approved by a majority vote on February 4th. He added that the second reading of the ordinance would be at the March 10th meeting and the annexation would become effective March 24th.
2. Pierce County Emergency Management Agreement. Mark Hoppen explained that this was a memorandum of renewal for an agreement that was approved last year for emergency management services.

MOTION: Move for approval of the renewal memorandum as submitted and for authority of the Mayor, City Administrator and the City Attorney to sign the same.
Markovich/Picinich - unanimously approved.

3. Resolution - Council Policy on the Processing and Issuance of Development Permits in Newly Annexed Areas. Ray Gilmore explained that with the two annexations recently approved, an official policy for processing and issuance of development permits in these areas was needed. He added that the problem in the past has been when to consider a permit application that has been submitted and/or approved by Pierce County as a vested

application. He explained that the resolution would put in place a policy to which it would be easy to adhere and could be transmitted to Pierce County, not as an agreement, but as policy for the City of Gig Harbor. He added that he had been working with Pierce County to resolve several issues. He answered Councilmembers' questions regarding the process.

MOTION: Move to approve Resolution No. 489.
Picinich/Owel - unanimously approved.

4. Resolution - Appointments to Building Code Advisory Board and Terms of Office. Steve Bowman presented this resolution adopting new members to the BCAB and defined their terms of office.

MOTION: Move to adopt Resolution No. 490.
Picinich/Owel - unanimously approved.

5. Kimball Drive Sanitary Sewer Improvements - CSC. Wes Hill gave a brief overview of the project to install approximately 1,400 linear foot of sanitary sewer line on Kimball Drive. He explained that the engineering firm of Craig Peck and Associates had been chosen from the small works roster to provide the design work based upon their past experience with the City of Gig Harbor. He answered questions about the project and recommended that Council approve the Consultant Services Contract for design of the project.

MOTION: Move to approve execution of the Consultant Services Contract with Craig Peck and Associates in the amount not to exceed \$12,280.00.
Owel/Platt - unanimously approved.

MAYOR'S REPORT:

Our Children Are In Trouble. No report was given.

COUNCIL COMMENTS:

Councilmember Owel said that at the last Council meeting an item was brought up and acted upon under Council Comments. She added that she felt this was highly improper because it had not been published as part of the agenda, which did not allow enough time for public review and input. She further said that the City of Gig Harbor lacked published rules of process, which should be established.

Carol Morris read from the state statute regarding notifying the public and added that the City did have Roberts Rules of Order as their adopted rules of procedure, with very few, if any, amendments. She said that Council could adopt their own rules of procedure to address any concerns relating to where an item should appear on an agenda. The propriety of acting on items under Council Comments was discussed, and Mayor Pro Tem Ekberg added that in the future, if an action needs

to be taken during a Council Meeting, it should be allowed, but the item should come back at the next meeting in written form to be reviewed for consistency and final approval.

STAFF REPORT: None scheduled.

ANNOUNCEMENT OF OTHER MEETINGS:

Sign Code Meeting - March 6, 1997 - 7 p.m. at City Hall.

APPROVAL OF BILLS

MOTION: Move approval of checks #17372 through #17429 in the amount of \$61,389.88.
Owel/Platt - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 8:42 p.m. for approximately thirty minutes for the purpose of discussing litigation and potential litigation.
Picinich/Platt - unanimously approved.


MOTION: Move to return to regular session at 9:10 p.m.
Picinich/Owel - unanimously approved.

MOTION: Move that the Planning Commission initiate a rezone for Providence Ministry to residential.
Picinich/Owel - unanimously approved.


ADJOURN:

MOTION: Move to adjourn at 9:15 p.m.
Markovich/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 453 Side A 000 - end.
Tape 453 Side B 000 - 185.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF MARCH 10, 1997

PRESENT: Councilmembers Platt, Picinich, Markovich, Owel, and Mayor Wilbert.
Councilmember Ekberg was absent.

PUBLIC COMMENT: None.

CALL TO ORDER: 7:05 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the February 24, 1997 meeting as presented.
Picinich/Owel - unanimously approved.

CORRESPONDENCE/PROCLAMATIONS:

1. Professional Fireworks - Display for the Year 2000. Mayor Wilbert spoke briefly on this proposal to provide a fireworks display for New Years, 2000.

OLD BUSINESS:

1. Second Reading - Westside Annexation Ordinance. Ray Gilmore presented the second reading of this ordinance finalizing the annexation of the Westside and explained it would be in effect five days after publication, on March 24th.

MOTION: Move to adopt Ordinance No. 751
Markovich/Picinich - unanimously approved.

NEW BUSINESS:

1. Utility Extension Capacity Agreement - Pape & Sons. Mark Hoppen presented this request for one ERU of sewer service to a site on 96th Avenue. He added that Mr. Pape would be required by this contract to also connect to the City water service.

MOTION: Move we approve the sewer request of Mr. Pape with the understanding that he connect to city water.
Picinich/Markovich - three voted in favor. Councilmember Platt voted against.

2. First Reading of Ordinance, Planning Commission Recommendation, Amendments to Zoning Code, Chapters 17.04 (Definitions) and 17.94 (Clearing and Grading). Ray Gilmore presented this ordinance amending Chapters 17.04 and 17.94 of the zoning code as recommended by the Planning Commission. He explained these amendments to clarify confusing language and correct omissions had come about at the recommendation of the City Council. He added that this would return at the next council meeting for a second reading.

3. First Reading of Ordinance, Planning Commission Recommendation, Amendments to Zoning Code, Chapter 17.45 (Employment District). Ray Gilmore presented this ordinance amending Chapter 17.45 of the zoning code. He gave an overview of the proposed changes recommended by the Planning Commission, primarily affecting the minimum yards and open space requirements in the ED district. He answered questions and the Mayor invited the public to speak.

Scott Wagner - 6507 27th Ave. NW. Mr. Wagner voiced his concerns about the 35' height limitation. He said he was considering purchasing a piece of property that would be affected by the height regulation and said that the limitation may prohibit him from attracting certain tenants.

Douglas Howe - 2025 1st Ave. Suite 730, Seattle. Mr. Howe spoke in favor of the amendments to the code. He said he felt that the 35' height limitation was quite adequate and that the other modifications were workable. He voiced strong support for adoption of the ordinance.

Walt Smit - 11302 Burnham Drive NW. Mr. Smith thanked the City Councilmembers and Ray Gilmore for the proposed amendments to the code. He too voiced strong support for the adoption of the ordinance.

4. Resolution - Proposed amendments to Fee Schedule Resolution. Ray Gilmore gave an overview of the rate changes and proposed that the fee schedule be adopted as an exhibit to the resolution to avoid confusion.

MOTION: Move to adopt Resolution No. 491, deleting section 5 - Radon Testing.
Markovich/Picinich - unanimously approved.

5. Jerisich Dock Improvement Project - Consultant Services Contract. Wes Hill introduced this contract for the design and construction inspection for the dock improvements at Jerisich Park. He explained that although the amount was more than had been anticipated, Layton Sell, Inc. had reduced their fee from the original bid. Wes answered Councilmembers questions about the scope of the project.

MOTION: Move approval of the Consultant Service Contract with Layton Sell, Inc. P.S. in the not-to-exceed amount of thirty-five thousand four-hundred eighty-four dollars and no cents (\$35,484.00).

6. Amended Liquor License Assumption - Stockmarket Foods. No action taken.
7. Liquor License Renewals - Eagles, GH Texaco, Maritime Mart, and Tides Tavern. No action taken.

MAYOR'S REPORT:

Emergency Preparedness on the Fast Track. Mayor Wilbert gave a brief report on the meeting held by Dr. Mitrovich, Peninsula School District, regarding the problems arising from the winter storms. She explained that the importance of the KGHP-FM station was discussed and again asked Council to consider a contribution to the station. Councilmember Markovich said that in the past it had been unclear whether or not the city was allowed to contribute to the station, but since Legal Counsel had advised that it was appropriate, that he would be in favor of contributing.

MOTION: Move to donate \$400 to KGHP.
Markovich/

Mark Hoppen offered to contact the appropriate persons to find out exactly what was needed and to bring back a proposal at the next council meeting. Councilmember Markovich withdrew his motion.

COUNCIL COMMENTS:

Earlier in the meeting, Councilmember Platt voiced his concern that the article in the Sunday News Tribune indicated that Mark Hoppen had spoken during a meeting with the Department of Transportation as a City of Gig Harbor Representative, without officially obtaining Council's direction or input.

Mr. Hoppen responded to this by explaining that during that particular meeting, for the first time, the alternative to bring a passenger ferry into the harbor was adequately defined. He added that the D.O.T. alternative clearly violated elements of the City's Comprehensive Land Use and Transportation Plan, and that he acted appropriately. He apologized that he hadn't spoken to the reporter after the meeting to clarify his intent, but said he felt that it was very important that this information was brought to the attention of the Stakeholder officials and the public before the EIS process began. He gave a detailed explanation of what the alternative entailed, and how it came to be included as an alternative solution to the current bridge traffic problems.

STAFF REPORT:

1. Chief Mitch Barker - GHPD. Chief Barker spoke briefly on the activities and statistics for February and gave a report on the progress of the hiring of new officers. He proposed the purchase of a stationary LED speed readout and radar unit. Carol Morris suggested that because this was not an agenda item, that it be brought back at the next council meeting for approval.
2. Ray Gilmore - Planning / Building Department. Mr. Gilmore gave a brief report on the Sign Forum held March 6th. He added that it seemed to go well and that the Planning Commission had scheduled another forum at their next regular meeting on the 20th to allow anyone who did not get an opportunity to speak to do so. He talked about the progress of the two annexations and the population census that would be upcoming.

ANNOUNCEMENT OF OTHER MEETINGS:

Second Sign Code Forum - Thursday, March 20th - 6:00 p.m. at City Hall.

APPROVAL OF BILLS

MOTION: Move approval of checks #17430 through #17520 in the amount of \$63,410.07.
Owel/Platt - unanimously approved.

APPROVAL OF PAYROLL

MOTION: Move approval of checks # 13767 through #13884 in the amount of \$200,999.82.
Owel/Platt - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 8:18 p.m. for approximately thirty minutes for the purpose of discussing litigation, potential litigation, and property acquisition.
Picinich/Platt - unanimously approved.


MOTION: Move to return to regular session at 8:45 p.m.
Picinich/Platt - unanimously approved.


MOTION: Move we authorize the Mayor to execute the settlement agreement as recommended with the correction of the date from March 10th to March 24th.
Owel/Platt - unanimously approved.

ADJOURN:

MOTION: Move to adjourn at 8:48 p.m.
Markovich/Platt - unanimously approved.

Cassette recorder utilized.
Tape 453 Side B 186 - end.
Tape 454 Side A 000 - end.
Tape 454 Side B 000 - 338.


Mayor


City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF MARCH 24, 1997

PRESENT: Councilmembers Platt, Picinich, Owel, Ekberg and Mayor Wilbert. Councilmember Markovich was absent.

SPECIAL INTRODUCTION: Councilmember Picinich introduced Bryce Buchanan, his student from Kopachuck Middle School, who was attending the Council meeting to fulfill Boy Scout merit badge requirements. Councilmember Picinich asked Bryce to lead the Council and audience in the Pledge of Allegiance.

PUBLIC COMMENT: None.

CALL TO ORDER: 7:05 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the March 10, 1997 meeting as presented. Picinich/Owel - unanimously approved. Councilmember Ekberg abstained.

CORRESPONDENCE/PROCLAMATIONS:

1. Intermodal Surface Transportation Efficiency Act (ISTEA) - Senator Slade Gorton. Mayor Wilbert introduced this letter asking for input into the reauthorization alternatives for this legislation which is nearing its six-year lifespan. Wes Hill, Public Works Director, voiced his concerns that in the past, funds acquired from fuel taxes were spent on non-transportation projects, such as historical preservation. He added that any funds raised from these taxes should be spent toward transportation related projects alone. Mayor Wilbert said she would forward these concerns to Senator Gorton.

OLD BUSINESS:

1. Second Reading of Ordinance, Planning Commission Recommendation, Amendments to Zoning Code, Chapters 17.04 (Definitions) and 17.94 (Clearing and Grading). Ray Gilmore presented the second reading of this ordinance amending Chapters 17.04 and 17.94 of the zoning code to clarify confusing language and correct omissions.

MOTION: Move to adopt Ordinance No. 752 as presented. Picinich/Platt - unanimously approved.

2. Second Reading of Ordinance, Planning Commission Recommendation, Amendments to Zoning Code, Chapter 17.45 (Employment District). Ray Gilmore presented the second reading of this ordinance affecting the minimum yards and open space requirements in the ED district.

MOTION: Move to adopt Ordinance No. 753 as presented.
Picinich/Owel - unanimously approved.

NEW BUSINESS:

1. FEMA Agreement and Resolution. Mark Hoppen introduced the Federal Emergency Management Agreement and accompanying resolution that would allow the city to be reimbursed for the storm damage that occurred during the winter storms.

MOTION: Move we authorize the Mayor to sign the agreement to allow the city to be reimbursed for storm damage.
Platt/Ekberg - unanimously approved.

MOTION: Move to adopt Resolution No. 492 designating the Mayor to be the authorized representative for obtaining emergency or disaster assistance funds.
Platt/Ekberg - unanimously approved.

2. First Reading of Ordinance - Amendments to Zoning Code, Chapter 17.04 and 17.72.030 (Definitions and Parking Standards Respective to Multi-family.) Ray Gilmore introduced this ordinance amending the text in regards to parking standards for multi-family housing. He explained that the owners of the Harborview East Apartments had requested the text amendment to reduce the city's parking requirements from the current two spaces per unit to one parking space per studio apartment, one and one half parking spaces per each one bedroom apartment, and two parking spaces per apartment with two or more bedrooms. He added that a public hearing had been held on February 27th to address these amendments.

Councilmember Ekberg asked if there were any provisions for visitor/common parking spaces for apartment buildings. Councilmember Owel also said she was concerned that the amendment to the code would not provide for sufficient off-street parking. Mr. Gilmore said that this was not addressed in the amendments. Staff was directed to remand the ordinance back to the Planning Commission to address these concerns before the second reading of the ordinance.

3. Contract - Rent-to-Purchase Agreement for Minolta 5050 Copier. Ray Gilmore presented a contract for an additional copier machine needed due to the Planning Department's move to the Bogue Building. Councilmember Platt asked for clarification of the terms of the contract and the need for another large capacity copier. It was determined that the better option would be to purchase a smaller capacity machine to be utilized by the Public Works, Police and Court Departments, and that the existing machine should be moved to the Bogue Building. Staff was directed to pursue this option.
4. Declaration of Surplus Property. Wes Hill gave a brief report on the equipment that he was requesting to be sold as surplus. He explained that all money received for the sale of surplus

equipment would go toward the purchase cost of replacement units.

MOTION: Move to adopt Resolution No. 493 declaring specified equipment surplus and eligible for sale.
Ekberg/Platt - unanimously approved.

MAYOR'S REPORT:

Sister City Update. Mayor Wilbert explained that two other cities have requested to join the Sister City Program with the City of Gig Harbor; Lerdo, Mexico and the City of Takuma in Japan. She added that she had offered to refer the request from the Mayor of Lerdo to the local high school Spanish Teachers, and that Councilmember John Picinich and his wife Nancy had met with the Mayors of the City of Takuma to discuss a program. Councilmember Picinich gave a brief report on the meeting and explained that the representatives from Takuma had offered to pay any fees involved with the exchange program. He added that student from Harbor Heights and Kopachuck had begun a pen-pal program to get the program started.

COUNCIL COMMENTS: None.

STAFF REPORT:

- 1) Mark Hoppen explained that at the last meeting he had been asked to speak to someone representing KGHP Radio Station to determine funding needs. He added that he had contacted Rob Orton at Peninsula Light, and that he would bring the item back to Council as soon as he had received an answer.
- 2) Carol Morris, Legal Counsel, said Council should have received a copy of the letter she had drafted in response to the concerns stated in a letter from Mr. Rosencranz from Pierce County Planning. After discussing the potential for problems, Ray Gilmore explained that Steve Bowman was currently compiling information on the existing projects that could affect the city. Council asked that this information be brought back at a future meeting.

ANNOUNCEMENT OF OTHER MEETINGS:

Tentative: Public Hearing on the Anchorage Park Proposal with Pierce County, the Department of Natural Resources and the City of Gig Harbor - April 29th, 7:00 p.m. at City Hall.

APPROVAL OF BILLS

MOTION: Move approval of checks #17521 through #17602 in the amount of \$76,963.61.
Owel/Ekberg - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 8:02 p.m. for approximately forty-five minutes for the purpose of discussing litigation, potential litigation, and property acquisition.

Owel/Platt - unanimously approved.

MOTION: Move to return to regular session at 8:43 p.m.

Picinich/Platt - unanimously approved.

MOTION: Move we direct Legal Counsel to send the draft letter presented in Executive Session to Bradtrud Middleton.

Picinich/Platt - unanimously approved.

ADJOURN:

MOTION: Move to adjourn at 9:00 p.m.

Platt/Picinich - unanimously approved.


Cassette recorder utilized.

Tape 454 Side B 339 - end.

Tape 455 Side A 000 - end.

Tape 455 Side B 000 - 336.


Mayor


City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF APRIL 14, 1997

PRESENT: Councilmembers Platt, Picinich, Owel, Ekberg, Markovich and Mayor Wilbert.

PUBLIC COMMENT:

Lois Eyrse - 7116 Stinson Ave. #A-208. Ms. Eyrse read a letter from the Chamber of Commerce Board of Directors, thanking the Council for their efforts and willingness to address the issues of the sign code. After reading, she passed out a copy of the letter that listed the Board of Commissioner's concerns that came about as a result of the public hearing held by the Planning Commission on the sign code last Thursday evening, and urging the Council to respond to the requests to form an ad-hoc committee.

Mayor Wilbert introduced the former Mayor, Don McCarty and explained that she had asked a group from the Historical Society to come and speak about their efforts to find a new location.

Don McCarty - 6922 Soundview Drive. Mr. McCarty, Chair of the Relocation Committee for the Gig Harbor Peninsula Historical Society, explained that the Society would loose its current lease at St. Nicholas Church the first of August, and that the Board is requesting that the City to consider volunteering the empty house located at the Wastewater Treatment Plant for use by the Museum. He gave an overview of the process to find a new location and urged Council to consider the request.

Mr. McCarty said that in October of 1996, the Society had received a grant to support a Director's position for two years. He stressed the importance of this position and introduced the new Museum Director, Chris Erlich. Ms. Erlich came forward and said she is looking forward to working with the community.

Mayor Wilbert and Councilmembers asked several questions of Mr. McCarty about utilizing the site at the WWTP. Mr. McCarty said that the City would be receiving another letter in the near future asking for financial support. He referenced the information that he had passed out to Councilmembers listing how other communities work together with their historical societies.

Councilmember Picinich said he was in favor of the City lending support to the Society in an effort to keep them located in Gig Harbor. Mayor Wilbert directed the staff to review the information regarding the building use and to present something for consideration at a subsequent Council meeting.

CALL TO ORDER: 7:27 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the March 24, 1997 meeting as presented.
Picinich/Owel - unanimously approved. Councilmember Markovich abstained.

CORRESPONDENCE/PROCLAMATIONS:

1. Donation to the city parks and street funds - The Morris Foundation. No report given.
2. City Support of American Legion Flag Program. No report given.
3. Gig Harbor Peninsula Historical Society. This letter was addressed during the public comment section of the meeting.

OLD BUSINESS: None scheduled.

NEW BUSINESS:

1. First Reading of Ordinance, Amendment to City of Gig Harbor Environmental Policy Ordinance, Chapter 18.04. Ray Gilmore, Planning Director, introduced this ordinance incorporating changes needed to comply with the Regulatory Reform Act. He gave an overview of the changes to amend the public hearing process for SEPA appeals; procedures for a project “consistency determination”; and setting a maximum time for completion of an EIS. The second reading of this ordinance will be at the next council meeting.
2. First Reading of Ordinance, Amendments to City of Gig Harbor Comprehensive Plan Land Use Map (Planning Commission Recommendation.) Ray Gilmore explained that there were two ordinances in the packet for Council’s consideration; the first ordinance consists of recommendations from the Planning Commission for changes to the Land Use Map, and the second proposing amendments to the Urban Growth Boundary.

Ray then introduced the first ordinance and explained that the changes had been requested by the citizens after the Comprehensive Plan adoption in 1994. He showed the amendments on a map and gave a brief history of the amendments. He added that this would return at the next meeting for the second reading.

3. First Reading of Ordinance, Amendment to City of Gig Harbor Comprehensive Plan Land Use Map, Urban Growth Area Boundary (Planning Commission Recommendation.) Ray Gilmore introduced the first reading of this ordinance to include the neighborhood of Fairway Estates in the Urban Growth Area Boundary. He explained that this proposed amendment was one of several proposed to the Planning Commission, but the only one that they recommended for approval, because the addition is reasonable and does not pose any capacity issues. He added that this would return for a second reading at the next council meeting.
4. First Reading of Ordinance - Separation of City Clerk / City Treasurer Functions. Mark Hoppen, City Administrator, presented the first reading of this ordinance separating the duties of the Clerk and Treasurer functions combined in 1950. He explained that the City Administrator had traditionally held both titles, but that the jobs have been performed by the Administrative Assistant and Finance Director. He added that the titles should be assigned

to the persons who perform the duties. This will return for a second reading at the next council meeting.

5. Copier Purchase. Molly Towslee, Administrative Assistant, explained that at the last meeting, Councilmembers had decided that the current downstairs copier would be best utilized at the Bogue Building, and a new copier should be purchased for the downstairs' use. She presented three bids for a 35 per minute copier and recommend purchasing the Minolta EP3050 CS for \$7,769.35, the lowest bid.

MOTION: Move to authorize the Mayor to sign a purchase agreement with Minolta to purchase the EP3050CS for \$7,769.35.
Ekberg/Owel - unanimously approved.

6. NPDES Consultant Services Contract - Gray & Osborne, Inc. Wes Hill, Public Works Director, explained that the Wastewater Treatment Plant had been under construction for the last two years. He said that part of the process included the need for the National Pollutant Discharge Elimination System permit required for discharges. He said that construction had reached the stage where the expertise of a qualified consultant was required to address the items in the Draft NPDES, and recommended approval of a consultant's contract with Gray & Osborne.

MOTION: Move to approve execution of the Consultant Services Contract with Gray and Osborne in the amount of \$7,234.00.
Picinich/Owel - unanimously approved.

7. East-West Road Construction Project, Consultant Services Contract. Wes Hill explained that three consultant firms had been interviewed and that Parametrix had tentatively been chosen to perform the design consulting and construction support services for the East-West Road. He said that the ability to begin construction this year depended upon several factors and gave an overview of the items that would need to be accomplished before construction could actually begin. He added that the contract, although 15% over the estimated construction cost for design, is approximately \$60,000 less than the amount budgeted in the original estimate for consultant services. He recommended approval of the contract, then read several housekeeping changes to the contract that were recommended by legal counsel.

MOTION: Move to approve execution of the Consultant Services Contract with Parametrix, Inc. in the amount not to exceed \$224,306.00, with recommended amendments to the contract.
Ekberg/Owel - unanimously approved.

8. Special Occasion Liquor License - Tacoma Community College. No action taken.
9. Liquor License Application - Eureka Management Corp. No action taken.

10. Liquor License Renewals - Harvester Restaurant; Keith Uddenberg Thriftway; Stockmarket #332. No action taken.

MAYOR'S REPORT:

A Statewide Earthquake Drop, Cover & Hold Drill. Mayor Wilbert announced this Statewide program to be held on April 24, at 9:56 a.m. to remind people what to do in the first few seconds of an earthquake, and added that the city employees would be encouraged to participate.

COUNCIL COMMENTS:

Councilmember Ekberg and Picinich both commented that the newly remodeled Bogue Building, currently being utilized by the Planning Department, had turned out nicely.

ANNOUNCEMENT OF OTHER MEETINGS:

Westside Resident and Business Owner Advisory Meeting - Wednesday, April 16th, 7:00 p.m. at the Peninsula Branch of the Public Library.

STAFF REPORT:

1. GHPD - Chief Mitch Barker. Chief Barker passed around a photo of the Marine Patrol Boat that had recently been rear-ended on it's way back from being serviced. He gave a brief explanation of the damage and added that the person who was involved was fully insured. He said the boat would be repaired and returned in two to three weeks.
2. Quarterly Report - Tom Enlow, Finance Director. Mark Hoppen gave a brief overview of the report in Tom's absence. He touched on the estimated amount to be received from diverted road tax from the Westside Annexation, which would be spent on road maintenance or projects.

APPROVAL OF BILLS

MOTION: Move approval of checks #17603 through #17705 in the amount of \$86,706.85.
Owel/Ekberg - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of checks #13885 through #14009 in the amount of \$214,107.10.
Owel/Ekberg - unanimously approved.

EXECUTIVE SESSION:

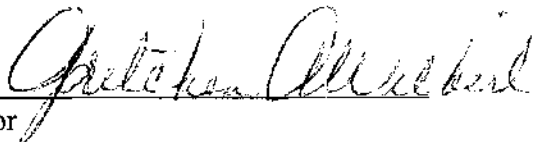
MOTION: Move to adjourn to Executive Session at 8:18 p.m. for approximately forty-five minutes for the purpose of discussing litigation, potential litigation, and property acquisition.
Picinich/Markovich - unanimously approved.

MOTION: Move to return to regular session at 9:05 p.m.
Picinich/Platt - unanimously approved.

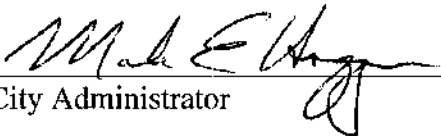
ADJOURN:

MOTION: Move to adjourn at 9:06 p.m.
Picinich/Ekberg - unanimously approved.

Cassette recorder utilized.
Tape 455 Side B 338 - end.
Tape 456 Both Sides.
Tape 457 Side A 000 - 088.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF APRIL 28, 1997

PRESENT: Councilmembers Platt, Picinich, Owel, Ekberg, Markovich and Mayor Wilbert.

PUBLIC COMMENT:

Kip Otteson - PO Box 1462, Gig Harbor. Mr. Otteson said he came to talk about the proposed project to construct a Skateboard Park. He explained that his group had met at least 30 times since September, and that they are in the process of submitting a grant application for approximately \$80,000 in matching funds to construct the Skateboard Park. He added the site had not yet been fully approved, but they did have a student-design blueprint in the final stages. He gave an overview of the fund-raising efforts. He asked for letters of support to be submitted with the grant application to be forwarded to the State Department of Outdoor Recreation.

Mayor Wilbert explained that she would be drafting a letter to be submitted with the grant application.

Jim Boge - 6606 Soundview Drive. Mr. Boge asked for an update on the judgement and subsequent lien against the James Richardson property. Mr. Hoppen explained that the lien was subordinate to others, and nothing would be known until a later date. Mr. Hoppen added that Mr. Richardson had obtained the necessary permits. Mr. Boge then asked if he would be permitted to speak to the sign code. Mayor Wilbert explained that it was an agenda item that would be considered later in the evening.

SPECIAL PRESENTATION:

Sister City Program Update by Discovery Elementary Students. Mayor Wilbert introduced three students from Discovery Elementary; Kyle Thompson, Stephanie Rosenthal, and Heidi Alvestad. The students read an update of the Sister City Program and passed around the presents they had received from the Russian Students. They explained that they enjoyed the Sister City Program and that they hoped to continue the program if Council would agree to pay the membership dues for the program. Mayor Wilbert said that the City had paid the dues in 1996, and that money had been budgeted to pay the 1997 dues. The Students presented Mayor Wilbert with the invoice for \$130.

CALL TO ORDER: 7:20 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the April 14, 1997 with correction.
Picinich/Ekberg - unanimously approved.

CORRESPONDENCE/PROCLAMATIONS:

1. Prettiest Painted Places in America. No report given.

OLD BUSINESS:

1. Second Reading of Ordinance, Amendment to City of Gig Harbor Environmental Policy Ordinance, Chapter 18.04. Ray Gilmore, Planning Director, presented the second reading of this ordinance reflecting requirements of the Regulatory Reform Act of 1995 and offered to answer questions.

MOTION: Move for adoption of Ordinance No. 754 with amendments to the Gig Harbor Environmental Policy Ordinance.
Markovich/Picinich - unanimously approved.

2. Second Reading of Ordinance, Amendments to City of Gig Harbor Comprehensive Plan Land Use Map (Planning Commission Recommendation.) Ray Gilmore presented this second reading of an ordinance amending the Comprehensive Plan Land Use Map. He added that several clarification amendments had been incorporated in the ordinance and offered to answer questions regarding the amendments.

MOTION: Move for adoption of Ordinance No. 755 which amends the Gig Harbor Comprehensive Plan.
Markovich/Picinich - unanimously approved.

3. Second Reading of Ordinance, Amendment to City of Gig Harbor Comprehensive Plan Land Use Map, Urban Growth Area Boundary (Planning Commission Recommendation.) Ray Gilmore said that this ordinance was another amendment to the Comprehensive Plan Land Use Map. He said that the Planning Commission had recommended to include the subdivision of Fairway Estates, adding approximately 20 acres to the Urban Growth Area. He added that these amendments would be forwarded to the Pierce County Planning Commission for final consideration.

MOTION: Move adoption of Ordinance No. 756 which amend the Gig Harbor Comprehensive Land Use Map.
Markovich/Owel - unanimously approved.

4. Second Reading of Ordinance - Separation of City Clerk / City Treasurer Functions. Mark Hoppen, City Administrator, presented the second reading of this ordinance to separate the function of Clerk and Treasurer duties.

MOTION: Move adoption of Ordinance No. 757 for separation of City Clerk and City Treasurer functions.
Picinich/Owel - unanimously approved.

NEW BUSINESS:

1. Newport Ridge Subdivision - Final Plat. Ray Gilmore explained that the plat of Newport Ridge is a 15 lot subdivision located south of Rosedale and west of the Harbor Heights Subdivision. He added that the plat was initially granted preliminary plat approval in 1992 by Pierce County, but had subsequently been annexed into the City of Gig Harbor and was subject to final plat approval by the City. He said that the final plat is consistent with the conditions of final approval as applicable to the City standards and recommended approval of the resolution.

MOTION: Move to adopt Resolution No. 494 approving the final plat of Newport Ridge Subdivision.
Owel/Ekberg - unanimously approved.

2. Planning Commission Recommendation - Sign Code Update. Ray Gilmore presented the Planning Commission's written recommendation that came about as a result of the Council's request on the formation of an advisory committee to study and make amendments to the sign code. He explained that the recommendation came about after two informal public hearings relating to the current sign code and whether an advisory or ad-hoc committee should be formed. He explained that the verbal and written comments during these meetings were analyzed and that the Planning Commission recommended against the formation of an ad-hoc committee. He summarized the eight findings listed by the Planning Commission on why they felt the formation of an ad-hoc committee was not needed at this time, and added that they said that they felt they had an obligation and responsibility to follow up with any adjustments to the sign code utilizing the normal process. Mr. Gilmore proceeded to give an overview of the Commission's process for developing sign code revisions and the thirteen identified items that were to be addressed. He stressed that there would be several opportunities for public comment during this process and that the Commission would also address any additional concerns that were not included in the thirteen identified items.

Councilmembers asked questions about the scheduling of the meetings, the 90 day deadline, the advertising of the items to be discussed at the worksessions, and the ability to submit written and verbal comments in a timely manner. Mr. Gilmore addressed these concerns.

Councilmember Markovich said he was supportive of the Planning Commission's decision after reviewing their recommendation and how they planned to proceed in making amendments to the sign code. He said he was pleased to see how the Commission had taken the comments that they had received during the worksessions, were seriously dealing with those concerns, and planned on allowing further input from citizens and the business

community.

Councilmember Ekberg agreed with Councilmember Markovich's comments. He said he had talked to many people in the community and that he has a great deal of confidence in the Planning Commission. He commended Carl Halsen for his role as Chair of the Commission meetings and said the process outlined in the recommendation will serve the community well.

Councilmember Owel said she had nothing to add to the other Councilmember's comments. She asked that a status report be presented to Council on a regular basis and added that she agreed that it may take longer than 90 days to complete the process. She said she supported the Planning Commission's recommendation.

Councilmember Platt said he also supports the Planning Commission's recommendation. He said that this is how good government works. He thanked the Commission members for their commitment and added that after serving on the Commission, he understood the time and commitment involved. He said he hoped that both the business owners, citizens, and Chamber of Commerce remained involved in the process.

Councilmember Picinich said that he had concerns and thought that an ad hoc committee would be the best way to bring the citizens and business community together. He stressed the importance of dialogue. He added that after reading the Planning Commission's recommendation, he was impressed with the process and felt there would be plenty of dialogue, which addressed his concerns.

Mayor Wilbert thanked the Councilmembers for their comments and the Planning Commission and Staff for their hard work. She also thanked the business community and citizens for their efforts in bringing forth this recommendation. She asked for a motion to approve the Planning Commission's recommendation.

MOTION: Move that the Council accept the Planning Commission's recommendation as stated and that a status report be presented to Council on monthly basis. Owel/Platt - unanimously approved.

3. Special Occasion Liquor License - St. Nicholas Church. No action taken.

MAYOR'S REPORT: Finholm View Climb Update.

Mayor Wilbert gave a report on the fund-raising process for the Finholm View Climb. She gave an overview of what was available for purchase.

Mayor Wilbert then gave a brief report of her trip to New York as one of many chaperones for 65 members of the Meistersinger Choir from Gig Harbor High School. She added that the students

performed at the Lincoln Center and St. Patrick's Cathedral, and had won a gold plaque for their efforts.

COUNCIL COMMENTS:

ANNOUNCEMENT OF OTHER MEETINGS:

STAFF REPORT:

APPROVAL OF BILLS

MOTION: Move approval of checks #17706 through #17787 in the amount of \$51,394.18.
Owel/Platt - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 8:00 p.m. for approximately fifteen minutes for the purpose of discussing litigation, potential litigation, and property acquisition.
Ekberg/Platt - unanimously approved.

MOTION: Move to return to regular session at 8:18 p.m.
Picinich/Platt - unanimously approved.

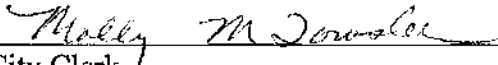
ADJOURN:

MOTION: Move to adjourn at 8:20 p.m.
Ekberg/Markovich - unanimously approved.

Cassette recorder utilized.
Tape 457 Side A 089- end.
Tape 457 Side B 000 - 396.



Mayor



City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF MAY 12, 1997

PRESENT: Councilmembers Platt, Picinich, Owel, Ekberg, Markovich and Mayor Wilbert.

PUBLIC COMMENT:

Fred Owens - 2406 50th St. Ct., LongAcres Subdivision. Mr. Owens said that there had been a great deal of discussion on the 24th Street extension. He said a suggestion had been made that the proposed subdivision called Newpark Terrace, located next to LongAcres, could be made into a park. He added that a petition had been given to Mark Hoppen from a number of residents stating that they are in favor of this. He mentioned that Long Acres is in the county, but abuts the city's newly annexed Westside area.

Reta Bugay - 1509 56th Ave. Ct. NW. Ms. Bugay said she was present to support Mark Hoppen's idea to form a park of the Newpark Terrace property. She said that as the owner of the property, she thought it was the best solution and gave a brief history leading up to their decision to either sell the property to the city for a park, or to another developer.

Lois Eyrse - representing the Gig Harbor/Peninsula Chamber of Commerce. Ms. Eyrse said she would like to alert the Council that the 90 day moratorium on the sign code fines had expired last Friday. She asked Council to consider an extension to the moratorium until the sign code revisions had been completed.

Mark Hoppen, City Administrator, said that there seemed to be quite a bit of confusion on the intent of the moratorium. He clarified that the moratorium was on further accrual of existing fines, not enforcement of the sign code itself. Councilmember Ekberg said he would like to direct Legal Counsel to draft an ordinance for continuance of the moratorium.

CALL TO ORDER: 7:15 p.m.

MOTION: Move we direct Carol Morris, Legal Counsel, to review the previous motion establishing the moratorium, and then to draft an ordinance for an extension of such until the sign code revisions have been completed.
Ekberg/Platt - unanimously approved.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the April 28, 1997 as presented.
Picinich/Platt - unanimously approved.

CORRESPONDENCE/PROCLAMATIONS:

1. The Spirit of '2000'. Mayor Wilbert spoke briefly on this request from Governors John Spellman and Albert Rosellini to form a local committee to plan activities for the year 2000.

OLD BUSINESS: None scheduled.

NEW BUSINESS:

1. Jerisich Dock Improvement Project - Update. Wes Hill, Public Works Director, introduced this proposal to reduce the scope of the dock improvement project. He explained that an updated preliminary cost estimate based on current information was approximately \$80,000 over budget. He gave an overview of the proposed reduction, and assured Council that after IAC reviewed the reduction in the scope of the project, that they would still commit to funding. He added that a public forum was scheduled for May 28th to review the reduction in the scope of the project.

MOTION: Move we go ahead with the reduced project scope for the Jerisich Dock Improvement Project as recommended by the Public Works Director, and that we move quickly toward completion of the project.
Markovich/Picinich - unanimously approved.

2. Jerisich Dock Improvement Project - Grant Agreements. Wes Hill explained that the Interagency Committee for Outdoor Recreation and the Washington State Parks and Recreation Commission grant applications have been approved by these funding agencies subject to approval by the City. He gave an overview of some of the stipulations of the grants and recommended approval.

MOTION: Move that we direct the Mayor to execute the "Boating Facilities Program Project Agreement", and the "Washington State Parks and Recreation Commission Clean Vessel Funding Program Boat Sewage Pumpout and/or Dump Station Contract."
Markovich/Picinich - unanimously approved.

3. Jerisich Dock Improvement Project - Consultant Services Agreement. Wes Hill introduced this agreement with Thornton Land Surveying, Inc. to perform a survey to verify the location of the upland improvements, property line, and harbor bottom elevations. He explained that the Department of Natural Resources requires this survey before issuance of a new long-term lease agreement mandated by the IAC as a prerequisite to their participation in the dock improvements. He added that the contract, as does the previous contract with Thornton Land Surveying, excludes the \$1,000,000 Errors and Omissions coverage because the risk is perceived as minimal considering the professional licensing requirements for performance of the work.

MOTION: Move approval of the Consultant Services Contract with Thornton Land Surveying, Inc. in an amount not to exceed two-thousand seven-hundred fifty dollars and no cents (\$2,750.00).
Markovich/Picinich - unanimously approved.

4. Coultercrest Condominiums - Sidewalk Easement. Wes Hill presented this easement for the sidewalk, curb, gutter and street improvements along North Harborview Drive and Peacock Hill constructed by the City during the North Harborview Drive Project. He explained that the easement was a requirement for final plat approval for the owners' development plans.

MOTION: Move we accept the attached Easement Agreement.
Picinich/Markovich - unanimously approved.

5. East/West Roadway - Contract Revisions. Wes Hill explained that the city's standard indemnification language in the contract approved with Parametrix was unacceptable to their insurer. He added that the section had been revised and reviewed by the city's insurance carrier, AWC, and Parametrix for acceptance. Carol Morris, Legal Counsel, gave a brief explanation of the revisions.

MOTION: Move execution of the Consultant Services Contract, as revised, with Parametrix, Inc., in the not-to-exceed amount of two-hundred twenty-four thousand thirty-six and no cents (\$224,306.).
Picinich/Ekberg - unanimously approved.

6. Ordinance Establishing an Auditing Officer. Tom Enlow, Finance Director, explained that this ordinance was to correct an oversight in Ordinance No. 757, separating the Clerk and Treasurer function, which also repealed the Clerk-Treasurer as auditing officer without designating the Finance Director as the new auditing officer. Carol Morris explained the emergency procedure for passing an ordinance, and the need to utilize this procedure so the ordinance would be made effective immediately. She added that this was necessary so that the city could pay its obligations immediately, rather than waiting for five days after publication of the ordinance to become effective.

MOTION: Move to adopt Ordinance No. 758, utilizing the emergency procedure and establishing an immediate effective date.
Markovich/Ekberg - unanimously approved.

7. 1997 Job Description Update. Mark Hoppen presented the updated 1997 Job Descriptions handbook. He explained the additions and modifications to the job descriptions and recommended approval.

MOTION: Move to approved the 1997 City of Gig Harbor Job Descriptions as presented.
Picinich/Owel - unanimously approved.

8. Resolution Adopting Personnel Policies. Mark Hoppen explained that the last time the personnel policies had been adopted in entirety was March of 1995. He gave an overview of the recent amendments to the policies, the addition of a section to address the internet use, and a recommended change to alter the business mileage reimbursement to reflect the 'current' IRS reimbursement rate.

MOTION: Move to approve Resolution No. 495 adopting the amended Personnel Policy handbook.
Markovich/Picinich - unanimously approved.

MAYOR'S REPORT:

Pride in Personnel. Mayor Wilbert reported that Chief Mitch Barker had been asked to be guest speaker at the Women's Correction Center to honor the Correction Officer of the Year. She praised Chief Barker's presentation and his work in the Department.

COUNCIL COMMENTS:

ANNOUNCEMENT OF OTHER MEETINGS:

Second Council Meeting in May - Tuesday, May 27 (due to Memorial Day Holiday on the 26th).

STAFF REPORT:

1. Chief Mitch Barker gave a update on a shooting incident that occurred the previous Saturday evening. He explained that two local men had been arrested in the shooting and that the Explorer Scouts were going to be involved in an area search for the weapon used in the shooting. He added that the shooting incident appeared to be random, and involved drugs and alcohol.
2. Mark Hoppen reported that the draft lease for the McKenzie building was currently being reviewed by the Historical Society for review, and would return on the next Council agenda.
3. Wes Hill passed out copies of photographs taken during an inspection of the outfall located in the harbor. He said that Mr. Taggert, who performed the annual dive inspection, reported the presence of crab, anenome, and other sea life surrounding the outfall, indicating a healthy marine environment. Mr. Hill answered Council's questions regarding the time frame for extending the outfall outside the harbor. He explained that it was estimated that the extension would be necessary some time during the years between 2002 to 2006.

APPROVAL OF BILLS:

MOTION: Move approval of checks #17788 through #17913 in the amount of \$114,341.85.
Owel/Platt - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of April Payroll checks #14010 through #14133 in the amount of \$206,475.45.
Owel/Ekberg - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 7:50 p.m. for approximately thirty minutes for the purpose of discussing litigation, potential litigation, and property acquisition.
Picinich/Markovich - unanimously approved.

MOTION: Move to extend the time for Executive Session another fifteen minutes carrying it to 8:35.
Owel/Platt - unanimously approved.

MOTION: Move to extend the Executive Session for another thirty minutes to 9:15 p.m.
Owel/Platt - unanimously approved.

MOTION: Move to return to regular session at 9:03 p.m.
Picinich/Platt - unanimously approved.

Councilmember Markovich asked what the process of election will be for the additional Councilmembers. Mark Hoppen explained that a consultant would need to be hired to perform the census before the end of the summer or shortly thereafter. The results would be submitted to the Office of Financial Management to be certified in either the winter or spring quarter of next year. At that time two Councilmembers would be appointed until the next general election; one a two-year term, one for a four-year term. Mark added that there was a 90 day time limit to appoint the new members after certification. Carol Morris explained that if two members are not appointed within that 90 day period, it would default to the County Council, then the Governor. She offered to give Councilmembers a copy of the memo she had written to the Mayor referencing these dates.

ADJOURN:

MOTION: Move to adjourn at 9:05 p.m.
Markovich/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 458 Side A 000 - end.
Tape 458 Side B 000 - 254.

Gretchen Whitbert
Mayor

Melby M. Jovelle
City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF MAY 27, 1997

PRESENT: Councilmembers Platt, Picinich, Owel, Ekberg, Markovich and Mayor Wilbert.

PUBLIC COMMENT:

Jack Bujacich - 3607 Ross Avenue. Mr. Bujacich addressed the issue of live-a-boards in the harbor. He said he felt it was unfair that these people did not pay property taxes, utilities, and other cost associated with being a homeowner, while reaping the benefits of city services. He gave several examples of what he had observed, and suggested that a fee be established for live-a-boards and a monitoring system to ensure that holding tanks and pump-outs were utilized.

Mayor Wilbert assured Mr. Bujacich that responsible use of the harbor was high on her priority list, and that the city was waiting until the completion of the Jerisich Dock Extension project, which would include a public pump-out facility, before addressing regulation of live-a-boards. Councilmember Owel explained that Murphy's Landing had a pump-out, but it was private, and the live-a-boards moored there were required to utilize holding tanks.

Councilmember Markovich said that if live-a-boards were not allowed in new development, and the Department of Natural Resources wouldn't allow leases with live-a-boards, it should be an objective to eliminate them. Mayor Wilbert asked Mr. Bujacich if he would be interested in serving on a board to work towards a solution, which he agreed to do. Mr. Bujacich also suggested a surcharge for boaters to be used toward hiring a port captain to help monitor the shoreline.

CALL TO ORDER: 7:18 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the May 12, 1997 as presented.
Platt/Picinich - unanimously approved.

CORRESPONDENCE/PROCLAMATIONS:

Letter from Governor Gary Locke. Mayor Wilbert explained that this letter was in response to the petition forwarded to him from Harbor Ridge Middle School students with a plea to find a way to end violence in schools, cities and homes.

OLD BUSINESS: None scheduled.

NEW BUSINESS:

1. Re-appointment to the Planning Commission - Kae Paterson. Mayor Wilbert asked for

Council's approval to re-appoint Kae Paterson to the Planning Commission. She added that Kae had been serving for approximately 25 years, and that her wish was to continue serving until current issues have been resolved.

MOTION: Move to re-appoint Kae Paterson to the Planning Commission.
Ekberg/Owel - unanimously approved.

2. Resolution - Authorizing Continuation of Moratorium on the Imposition of Civil Penalties for Sign Code Violations. Carol Morris, Legal Counsel, explained that this resolution was drafted to reflect the decision of Councilmembers to extend the moratorium.

MOTION: Move to adopt Resolution No. 496 authorizing continuation of a moratorium on the imposition of civil penalties for sign code violations.
Markovich/Picinich - unanimously approved.

3. Ordinance Adopting an Immediate Moratorium on Acceptance of Applications for Sewer. Wes Hill, Public Works Director, gave a history of the NPDES permit application process for the Wastewater Treatment Plant that began in 1988. He explained that due to the Department of Ecology's delay in renewing the city's NPDES permit, the city's limit for discharge of effluent remained limited to .70 MGD. He added that during the past two years, the average monthly flows had been running at the upper end of the allowed amount, and to prevent potential liability for technical violations of the existing permit, an emergency declaration of a moratorium on issuance of further sewer connections was needed. He explained that DOE had scheduled a public hearing on the permit for next month, but he could not predict when the actual issuance might occur.

Mr. Hill also recommended allowing temporary septic system installations approved through the Pierce County Health Department during the duration of the moratorium.

Councilmember Markovich asked for clarification of vesting requirements, and who would be effected by the moratorium. Carol Morris explained that any Building Permits, Conditional Use Permits, Substantial Shoreline Development Permits; and/or Shoreline Conditional Use Permits issued prior to the adoption of the moratorium would be vested, therefore, allowed to hook up to the sewer. She continued to explain that Site Plans or Variances are not types of permits that can be vested. Ray Gilmore addressed who may be affected by the moratorium.

Howard Jensen, Legal Counsel, answered questions on DOE's hearing process, and explained that there was no way to predict how long it may take to issue the permit after the public hearing in June. He said that the city had met all the requirements and it was up to the discretion of the Department of Ecology as to when they issued the permit. Carol Morris advised that if the Council passed the ordinance this evening, a date must also be set within 60 days to hold a public hearing to take testimony from the public and adopt findings, facts

and conclusions to support the moratorium.

Mr. Hill responded to other questions and concerns, and date for the public hearing was discussed and decided upon.

MOTION: Move to adopt Ordinance No. 759 as an emergency ordinance.
Markovich/Picinich - unanimously approved.

MOTION: Move we set July 14, 1997 as a date for the public hearing for Ordinance No. 759.
Picinich/Markovich - unanimously approved.

4. First Reading - Ordinance Allowing for Temporary Installation of Approved Septic Systems. This agenda item was addressed during agenda item number three. Councilmember Markovich asked for clarification of 'temporary septic system,' and Howard Jensen explained that he was working with the Health Department to define these parameters.

5. Historical Society - Lease Agreement. Mark Hoppen introduced the lease agreement for the Historical Society to utilize the McKenzie Building for in-kind services for a period of three years. Carol Morris explained that a condemnation clause had been eliminated from the agreement, and she suggested it be added back in as protection if the state, or any other governing body, should attempt condemnation measures, the Historical Society would gain nothing from a condemnation of the property. Councilmember Markovich said he thought it was a great opportunity for a partnership between the city and Historical Society. He pointed out typographical errors in the contract, and asked to amend the required insurance policy coverage to be 100% instead of 80%, and to rework the language so the city would carry the coverage for the building and the cost figured into the lease. Other minor amendments to the lease agreement were discussed.

MOTION: Move to approve the lease agreement with the Historical Society with the inclusion of the changes and additions as discussed here this evening and with additions of the condemnation language Counsel has recommended.
Markovich/Owel - unanimously approved.

6. Legal Services Agreement. Mark Hoppen explained that one way to facilitate improvement to certain service and to reduce legal costs is to have Legal Counsel more available to staff. He presented an agreement to have the City Attorney on-site two days per week to increase efficiency of communication.

MOTION: Move we approve the attached legal service agreement and that we review it again 90 days after execution.
Owel/Platt - unanimously approved.

7. Water Quality Study - Consulting Services Agreement. Wes Hill explained that several items are required to be done for the NPDES draft permit, including an effluent mixing study, water quality monitoring or receiving waters and sediment monitoring. He added that the Small Works Roster had been reviewed and the firms of Gray & Osborne and Cosmopolitan Engineering Group were both highly qualified and would be working jointly to perform the work. Mr. Hill answered questions and recommended approval of the contract.

MOTION: Move we approve the execution of the Consultant Services Contract with Gray and Osborne, Inc. in addition with Cosmopolitan Engineering Group, in an amount not to exceed forty-nine thousand seven-hundred dollars and no cents (\$49,700.00).

Markovich/Picinich - unanimously approved.

8. Vacuum/Jetter Truck - State Purchase. Wes Hill presented this proposal to purchase a vacuum/jetter truck for routine maintenance of sanitary sewer and storm sewer lines. He gave a description of the features and costs for the unit and the schedule of use for the equipment. He explained that it was becoming more difficult to obtain a unit through lease due to other agencies increasing their management program for sanitary storm systems, and recommended the purchase of the unit rather than continuing with a lease program. Tom Enlow, Finance Director, answered questions regarding interest rates. Councilmember Ekberg asked if there was a change to recoup any costs through leasing it to other agencies. Mr. Hill answered that another local jurisdiction had voiced an interest in leasing the unit and it was anticipated that this was a possibility. He added that the Public Works crew would maintain the equipment.

MOTION: Move we approve the purchase of a sanitary sewer vacuum/jetter truck in the amount of two-hundred two thousand one-hundred eighteen dollars and eighty dollars and eighty-nine cents (\$202,118.89), including State sales tax and State administrative fee.

Picinich/Owel - unanimously approved.

9. Liquor License Renewal - Stockmarket Foods #332. No action taken.

MAYOR'S REPORT:

Westside Sub-Area Planning Committee Report. Mayor Wilbert reported that she had sent out over 900 letters to property owners and business tenants on the Westside inviting letters of interest to participate in the Sub-Area Planning Committee. She added that eight letters have returned, but there had not been any response from the retail owners. She asked if the newspapers would print a request for additional response from retailers as soon as possible.

COUNCIL COMMENTS: None.

STAFF REPORT:

Wes Hill, Public Works Director, mentioned the Public Forum on the Jerisich Dock Extension Project on Wednesday evening to give an opportunity for the public to hear the plan and comment on the project.

ANNOUNCEMENT OF OTHER MEETINGS:

Public Forum - Jerisich Dock Extension Project. Wednesday, May 28th, 6:00 - 8:00 p.m. at City Hall.

APPROVAL OF BILLS:

MOTION: Move approval of checks #17914 through #18005 in the amount of \$137,250.84.
Owel/Ekberg - unanimously approved.

EXECUTIVE SESSION:

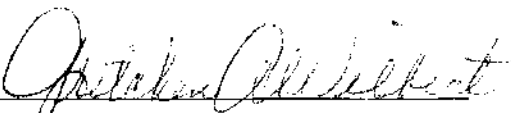
MOTION: Move to adjourn to Executive Session at 8:45 p.m. for approximately thirty minutes for the purpose of discussing litigation, potential litigation, and property acquisition.
Platt/Ekberg - unanimously approved.

MOTION: Move to return to regular session at 9:31 p.m.
Picinich/Platt - unanimously approved.

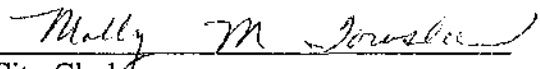
ADJOURN:

MOTION: Move to adjourn at 9:32 p.m.
Platt/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 458 Side B 255 - end.
Tape 459 Side A 000 - end.
Tape 459 Side B 000 - end.
Tape 460 Side A 000 - 182.



Mayor



City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JUNE 9, 1997

PRESENT: Councilmembers Platt, Picinich, Owel, Ekberg, Markovich and Mayor Wilbert.

PUBLIC COMMENT: None.

CALL TO ORDER: 7:05 p.m.

SWEARING IN CEREMONY:

Mayor Wilbert introduced Officer Paige Sanders, the newly hired officer for the Gig Harbor Police Department. Mayor Wilbert performed the oath of office and Chief Mitch Barker invited Officer Sanders' Mother to pin on her badge at the conclusion of the ceremony.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the May 27, 1997 as presented.
Picinich/Platt - unanimously approved.

CORRESPONDENCE/PROCLAMATIONS:

Proclamation - Hire a Veteran Month. Mayor Wilbert explained that the Hire a Veteran Month was brought to her attention by the Governor. She added that Washington State Employment Security District visited City Hall and are interested in installing an employment computer somewhere in Gig Harbor, which would benefit the business owners as well as veteran's and others who are unemployed.

OLD BUSINESS: None scheduled.

NEW BUSINESS:

1. **First Reading of Ordinance - Segregation of ULID #2 Assessments.** Tom Enlow, Finance Director, explained that two parcels in the ULID #2 area, including the property where the movie theater is located, have been replatted into four parcels. He added that this ordinance segregates the assessment consistent with the current ownership, and that there would be no financial impact. This ordinance will return at the next meeting for a second reading.
2. **Wastewater Treatment Plant Expansion Project - Change Order No. 4.** Wes Hill, Public Works Director, explained that the city had been holding closure of this project pending completion of several outstanding items. He added that in order to close this contract, a no-cost, negotiated change order was being prepared, which would allow for a separate agreement for full payment for a problematic degritter unit, contingent on demonstration of full performance to contract specifications. He said that the contract would come before

Council at the next meeting.

3. Liquor License Renewals - Puerto Vallarta Restaurant, Round Table Pizza, and The Red Boar. No action taken.

MAYOR'S REPORT:

Public Safety Issues. Mayor Wilbert said that the Mayor's Report brings attention to some items that have been of concern. She asked that the Public Health and Safety Committee meet to discuss these items. The meeting was scheduled for Thursday, June 12th, at 6:15 a.m.

COUNCIL COMMENTS: None.

STAFF REPORT:

1. Chief Mitch Barker - GHPD Monthly Report. Chief Barker gave an update on the repair of the marine patrol boat. He explained that there was some structural damage to the hull which had not been repaired. He added that the boat would be back in service Tuesday. He gave a report on the Gig Harbor Parade and Blessing of the Fleet events that occurred over the weekend.

2. Wes Hill, Public Works Director - Jerisich Dock Improvement Project Update. Mr. Hill gave a brief update on the results of the public forum to review the Jerisich Dock project and answered Council's questions. He then gave an update on the meeting with the Tacoma/Pierce County Health Department to discuss the provisions for interim septic tank systems. He explained that the ordinance that addresses this issue is being updated and will return at the next meeting.

Reta Bugay - 1509 56th Ave NW. Ms. Bugay said that the newspaper had stated that the City Council would be taking final action on the use of temporary septic systems at its June 9th meeting, and that she would like to know what that action is. Mr. Hill explained that the second reading of the proposed ordinance would come before Council at the June 23rd meeting.

3. Mark Hoppen, City Administrator - SR-16 / Tacoma Narrows Bridge EIS-IDT. Mr. Hoppen explained that the scoping process for the EIS had been completed and that the EIS process was underway. He gave an overview of the alternatives that had arisen from the MIS. He said the development of the EIS would be a complicated and exhaustive process, in which he had agreed to participate.

ANNOUNCEMENT OF OTHER MEETINGS:

Public Safety Committee Meeting - Thursday, June 12, 6:15 a.m. at City Hall.

APPROVAL OF BILLS:

MOTION: Move approval of checks #18006 through #18079 in the amount of \$67,285.63.
Owel/Ekberg - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of the May Payroll checks #14134 through #14259 in the total amount of \$210,823.45.
Owel/Ekberg - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 7:30 p.m. for approximately sixty minutes for the purpose of discussing litigation, potential litigation, and property acquisition.
Picinich/Platt - unanimously approved.

MOTION: Move to return to regular session at 8:30 p.m. and extend the Executive Session for an additional ten minutes.
Owel/Platt - unanimously approved.

MOTION: Move to return to regular session at 8:40 p.m.
Picinich/Platt - unanimously approved.

MOTION: Move to authorize the Mayor to sign the contract proposed by Wes Hill to do the testing with consultant not to exceed \$10,000, pursuant to the city's existing NPDES permits.
Picinich/Owel - unanimously approved.

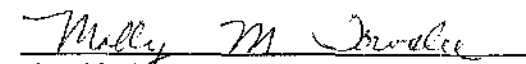
ADJOURN:

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

Cassette recorder utilized.
Tape 460 Side A 183 - end.
Tape 460 Side B 000 - 129.



Mayor



City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JUNE 23, 1997

PRESENT: Councilmembers Platt, Picinich, Owel, Ekberg, Markovich and Mayor Wilbert.

PUBLIC COMMENT:

Jack Bujacich - 3607 Ross Avenue. Mr. Bujacich voiced his concerns on the issue of open burning. He asked how the Burn Ban boundary line had come into existence and who had authority to regulate burning. Ray Gilmore explained that the State Air Pollution Control Agency determined the boundaries, and had adopted the Urban Growth Area Boundary lines as their burning guideline boundaries. He added that they also had control over regulating outdoor burning.

Wade Perrow - 9119 North Harborview Drive. Mr. Perrow asked for clarification on Ordinance 759, regarding the sewer moratorium. He explained that his project, located in the Gig Harbor North Annexation area, was currently under construction, but that he was concerned that the moratorium would affect his building and pending tenant occupation. Wes Hill assured him, Lisa Mitchell, and Leo Schultz, that the project was vested, and that tenant improvement permits would not trigger the sewer moratorium. Carol Morris, Legal Counsel, offered to give a written interpretation to clarify these issues.

SPECIAL PRESENTATION: Gig Harbor-Key Peninsula Cultural Arts Commission.

No one was present to make this presentation.

PUBLIC HEARING: Emergency Amendment to City of Gig Harbor Comprehensive Plan - Transportation Element.

Mayor Wilbert opened this public hearing at 7:32 p.m. Ray Gilmore, Planning Director, gave a brief overview of the events leading to this Emergency Amendment. He explained that comments and concerns from Puget Sound Regional Council had triggered the amendments to the Transportation Element of the Comp Plan to clarify general policy, which is required to be submitted by July 24, 1997, in order to avoid jeopardizing the TIB funding for the years 1998 through 2000.

Mayor Wilbert opened the hearing for public comment.

Paul Cyr - 55th St. Ct. NW. Mr. Cyr asked if emergency measures were not taken, what the effect would be on the TIB funding for the East-West Road. Wes Hill explained that the city had not applied for TIB funding for the East-West Road, but if application was made in the future, funding could be jeopardized. He added that an application for TIB funds for the Kimball Drive project was pending, and that it could be jeopardized if this emergency action was not taken.

There were no further public comments and the Mayor closed the public hearing at 7:31 p.m.

CALL TO ORDER: 7:31 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the June 9, 1997 as presented.
Picinich/Platt - unanimously approved.

CORRESPONDENCE/PROCLAMATIONS:

Proclamation Establishing Gary Moore Day. Mayor Wilbert introduced Diane Tallman to speak about Gary Moore. Ms. Tallman gave a history of Mr. Moore's lifelong accomplishments. She read a letter from H. Norman Schwarzkopf, commending the City of Gig Harbor for acknowledging Gary Moore with a proclamation. Mayor Wilbert recommended establishing the fourth Friday in August as Gary Moore Day.

MOTION: Move to approve the 4th Friday of August, each year hereafter, as Gary Moore Day in Gig Harbor.
Picinich/Owel - unanimously approved.

OLD BUSINESS:

1. Second Reading - Segregation of ULID #2 Assessments. Tom Enlow, Finance Director, presented this second reading of an ordinance to segregate the assessments on two parcels which have been replatted into four.

MOTION: Move to approve Ordinance No. 760 approving the segregation of assessments within Utility Local Improvement District No. 2.
Markovich/Picinich - unanimously approved.

2. Second Reading - Ordinance Allowing for Temporary Installation of Approved Septic Systems. Wes Hill introduced the second reading of this ordinance amending the GHMC and providing for the temporary installation of septic systems on an interim basis during the current sewer moratorium. He gave an overview of the results of his meeting with representatives of the Tacoma-Pierce County Health Department, and added that the city had received a letter of understanding acknowledging that the Health Department has provisions in place allowing for interim hook-ups to approved septic systems.

Paul Cyr - 55th St. Ct. NW. Mr. Cyr said he supports the allowance for temporary hook-up during the moratorium. He added that he would like to encourage Council to address vacant lands in the recent annexations that could be developed if septic systems were to be allowed until access to sewer was plausible.

MOTION: Move to approve Ordinance No. 761, with and amendment to language to insert the word 'Tacoma' in front of 'Pierce County' as suggested, allowing

the temporary installation of septic systems in lieu of hooking up to the Gig Harbor sewer.

Picinich/Owel - unanimously approved.

NEW BUSINESS:

1. First Reading of Ordinance - Designated Anchorage Area. Chief Barker introduced this first reading of an ordinance to establish a designated anchorage area which Mark Hoppen, City Administrator, had been working on. He explained that there were three parts to this process. First, the City of Gig Harbor would pass this ordinance; second, Pierce County would pass a similar or identical ordinance; and third, an Interlocal Agreement between the two police agencies for enforcement on either side of Gig Harbor Bay. He added that the ordinance was in draft form and asked that a public hearing be scheduled in the near future to bring forward testimony on health and safety issues.

Carol Morris explained that this ordinance and interlocal agreement had not completed the appropriate review process at Pierce County, and that when the public hearing is held prior to adoption of the ordinance, consideration should be given to whether Pierce County would adopt a similar or identical ordinance, and if they proposed any changes to the Interlocal Agreement. She added that Chief Barker would be present at the public hearing to document issues related to health and safety issues needed to adopt an ordinance of this type.

Councilmembers discussed areas of the ordinance that were unclear and made suggested changes. Councilmember Markovich voiced concerns that Pierce County had not adequately reviewed the ordinance and agreement. Chief Barker explained that the person from Pierce County Marine Service, who had been involved in the review process, was currently out on duty-related injury and would not be back to work for six months. He added that all the documents were now being reviewed by someone filling in, but without the authority to act, which was causing delays. Carol Morris voiced her concerns that she was bringing a Interlocal Agreement to Council for review or approval that had not been reviewed on the County level.

Councilmember Markovich said it seemed premature to consider an ordinance when the Interlocal Agreement isn't in place and Pierce County is not considering adopting an exact ordinance. Carol said that she agreed and that it needed to complete the County review process before the ordinance could be approved. Councilmember Markovich said it would be appropriate for the Mayor to contact the people at Pierce County at the legislative level, so that the agreement would come as a directive from them. He added that this issue is of critical importance to Gig Harbor. Councilmember Ekberg agreed that the concept was good, but that the city needed to work together with Pierce County. He asked when the public hearing needed to be scheduled. Chief Barker replied that he was unsure of the time line.

Wade Perrow - 9119 No. Harborview Drive. Mr. Perrow said he thought it was "super" that the city was considering this anchorage area. He added that he would like to see a map in addition to the legal description, further definition to what is considered a buoy, and to stipulate clear owner identification of any buoys. He also suggested that a fee be placed on using buoys to help to pay for enforcement costs. He then urged the city to continue working with DNR for leasing purposes and consideration of vested rights to first-class tidelands.

Jack Bujacich - 3607 Ross Avenue. Mr. Bujacich said he had quickly read the information and agreed with Councilmember Markovich that consideration of an ordinance was premature. He added that working with Pierce County could delay action. He voiced his concerns regarding policing the new area. He said that there are existing problems with violations in the harbor, and cited several examples of what was currently happening near his property. Councilmember Ekberg asked if he had reported these infractions, and Mr. Bujacich said that he had been before Council several times talking about these issues.

2. Chaplaincy Agreement. Chief Mitch Barker presented this renewal for the Chaplaincy agreement with Wes Sullivan. He gave an overview of language changes suggested by Legal Counsel and recommended approval.

MOTION: Move to authorize the Mayor to renew the contract with Tacoma-Pierce County Chaplaincy with changes suggested by Chief Barker.
Markovich/Picinich - unanimously approved.

3. Ordinance - Emergency Amendment to City of Gig Harbor Comprehensive Plan - Transportation Element. Ray Gilmore presented this ordinance and explained that there was a need for utilizing the emergency format for adoption at its first reading. He read the language to be substituted under Section 4, establishing the passing procedure and effective date.

MOTION: Move to adopt Ordinance No. 762, with amended language, utilizing the emergency procedure for adoption.
Picinich/Owel - unanimously approved.

4. Resolution - Pump Station 10 Emergency Declaration and Payment Authorization. Wes Hill explained that Pump Station 10 was a private station and that the City agreed to maintain the system subject to reimbursement by the private property owners. He added that the staff did not become aware of the reimbursement issue until recently, after repairs had been done to the system due to the winter storms in December and January. He added that expenditures had been authorized for a standby generator, starter, electrical wiring and a concrete mounting pad. He said that this resolution allows the city to reimburse the vendors and directs staff to pursue reimbursement from the property owners under the terms of the Utility Extension Agreement. He answered Council's questions regarding negotiations with the property owners, cost of the repairs and alternative options.

MOTION: Move to adopt Resolution No. 497 authorizing the work already completed on Pump Station No. 10 in the amount of \$19,786.36 or amounts stated Section D & E of the Resolution.
Picinich/Owel -

Councilmember Ekberg asked that it be made clear that the City was to look to the property owner for full reimbursement and that Staff would keep Council apprised of the progress. Wes Hill explained that this was covered under Section 4 of the Resolution.

RESTATED MOTION: Move to adopt Resolution No. 497 authorizing the work already completed on Pump Station No. 10 in the amount of \$19,786.36 or amounts stated Section D & E of the Resolution.
Picinich/Owel - unanimously approved.

3. Liquor License Application - The Yard Company. No action taken.

MAYOR'S REPORT:

Finholm View Climb - Parking Lot Party. Mayor Wilbert invited the Councilmembers, staff and audience to the Parking Lot Party on June 28th and gave an overview of the planned activities. Mayor Wilbert also gave a brief explanation of her emergency kit that she carries in her car. She added that in light of the two earthquakes that occurred this afternoon, she thought she should review its contents.

COUNCIL COMMENTS:

Councilmember Owel reported that she and Molly Towslee had passed their Parliamentary exam, both with a score of 99%. She added that both planned to continue on and take the exam to become Registered Parliamentarians.

Councilmember Picinich reported on his attendance at the AWC Conference in Spokane. He said that the conference was excellent and encouraged others to attend the conference next year.

Mayor Wilbert reported that the city employees had put a team together for the 24 hour *Relay for Life* American Cancer Society effort to raise funds to fight cancer. She added that the effort was quite successful and that over \$83,000 had been raised through this event.

STAFF REPORT: None scheduled.

ANNOUNCEMENT OF OTHER MEETINGS: None scheduled.

APPROVAL OF BILLS:

MOTION: Move approval of checks #18080 through #18155 in the amount of \$38,214.06.
Owel/Ekberg - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 8:50 p.m. for approximately thirty minutes for the purpose of discussing litigation, potential litigation, and property acquisition.
Picinich/Owel - unanimously approved.


MOTION: Move to return to regular session at 9:30 p.m.
Platt/Owel - unanimously approved.

MOTION: Move to direct staff to draft a resolution for consideration by Council extending all sewer capacity commitment deadlines and all existing Utility Extension and Capacity Agreements for a period of 18 months.
Markovich /Picinich - unanimously approved.

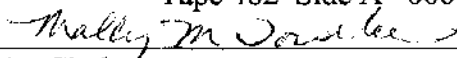
ADJOURN:

MOTION: Move to adjourn at 9:33 p.m.
Picinich/Platt - unanimously approved.

Cassette recorder utilized.
Tape 460 Side B 130 - end.
Tape 461 Side A 000 - end.
Tape 461 Side B 000 - end.
Tape 462 Side A 000 - 329



Mayor



City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JULY 14, 1997

PRESENT: Councilmembers Platt, Picinich, Owel, Ekberg, Markovich and Mayor Wilbert.

PUBLIC COMMENT:

Dave Taggart 3226 Harborview Drive. Mr. Taggart explained that he had been hired by the City to re-establish the outfall that had become disconnected by boat anchors becoming hooked on the outfall over the past years. He added he was concerned about City liability, and made an official request to establish a buoy stating "no moorage" or "established pipeline" at the site to prevent further problems. Mr. Taggart offered to install the buoy at no charge.

Melinda Stewart - 2813 Harborview Drive and Rayleen Rogers - 2804 Harborview Drive. Ms. Rogers explained that they both lived south of the Tides Tavern. She presented a board with pictures of the roadway near their homes, as well as other pictures taken around the Harbor. She explained that the pictures illustrate the poor conditions of the roadway, sidewalk and Old Ferry Landing turnaround area, and that there were other areas in the city where measures had been taken to correct unsafe conditions. Ms. Stewart voiced her concerns about her children being able to walk to the harbor safely, and if the neighborhood was being penalized for not favoring the street-end park project.

Councilmember Ekberg explained that the neighbors are not being penalized and that he, also walks that street. He added that the improvements are scheduled. He thanked both ladies for highlighting the issues that need to be addressed immediately.

Jan Piercey - 14001 132nd St. NW. Ms. Piercey introduced herself as the Market Manager from the Farmers' Market. Ms. Piercey talked about the lack of parking at their current site. She gave an overview of the attendance and added that several people don't stop because of lack of parking. She said that what they would like is a facility where the Farmer's Market could be held with covered areas and able to be open more than one day a week. She added this facility could also house other non-profit and civic groups and asked for consideration in properties available to the City.

Mayor Wilbert asked if they had spoken to the owners of the new office building across from the site. Ms. Piercey explained that they had an informal agreement to use the parking but due to construction delays, the parking lot would not be available until September.

PUBLIC HEARING: Continuation of Six-Month Sewer Connection Moratorium. Mayor Wilbert opened the Public Hearing at 7:22 p.m.

Jim Pasin - 2710 39th St. NW. Mr. Pasin said he noticed that the sewer moratorium was for six-months, and the resolution for extension of current utility extensions was for eighteen months. He asked why the difference in extension times. Howard Jensen, Legal Counsel, explained that the sewer moratorium is currently set for a six-month period. He added that the eighteen month

extension reflected the loss of a building season and allowed to compensate for that loss. Mr. Pasin asked if whether the payment due for the sewer extension would also be extended. Mr. Jensen explained that the payment would also be extended.

There were no further public comments and the Mayor closed the Public Hearing at 7:27 p.m.

SPECIAL PRESENTATION: Historical / Cultural Activities at the Borgen Property.

Mayor Wilbert introduced members of a consortium of interested parties who presented information on this project.

Shirley Tomasi - 1107 Hallstrom Drive NW. Ms. Tomasi, Executive Director of the Cultural Arts Commission, gave a background of her organization and what they do. She talked about a proposed joint project with the Historical Society to establish a Cultural Arts Facility.

Chris Erlich - Gig Harbor Peninsula Historical Society. Ms. Erlich introduced herself as the Executive Director of the Historical Society. She thanked the Councilmembers for approving the lease for the McKenzie property and explained that this building would meet the Museum at Donkey Creek's immediate needs while the Historical Society expands and continues to seek additional space. She added that a Cultural Center would meet the need for exhibitions and educational needs. She cited several instances where a combination Arts and Heritage program has worked well.

John Ortgiesen - 1814 Slippery Hill Dr. NW. Mr. Ortgiesen said he was before Council to ask for support for a project he thinks will benefit the citizens of Gig Harbor. His presentation addressed a potential site for the Cultural Arts and Historical Society, the old Borgen Lumber Yard. He gave a slide show representing some ideas for the proposed project. He added that Mrs. Borgen was in favor of the project and that there was a great deal of support for the idea. He asked for the City's support and if necessary, to provide them with the funding for operations and maintenance for a two-year period, to be repaid with interest.

CALL TO ORDER: 8:00 p.m.

SWEARING IN CEREMONY: Officer Matthew Dougil and Officer David Crocker.

Chief Barker introduced Officers Matthew Dougil and David Crocker, new to the department. After Mayor Wilbert performed the ceremony, Chief Barker introduce the officers' families and invited their wives to pin on their badges.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the June 23, 1997 as presented.
Picinich/Ekberg - unanimously approved.

CORRESPONDENCE/PROCLAMATIONS:

Bob Sullivan, GHHS Art Instructor. Mayor Wilbert introduced this letter which asked for the City's support to foster culture, the arts, and the development of our student artists. The letter contained a collection of poems by Gig Harbor High School Graduate, Jeremy Voigt. Councilmember Picinich added that he knew Bob Sullivan, who was a well-known artist and that the City should support his efforts.

OLD BUSINESS:

1. Gig Harbor Peninsula Historical Society Lease. Mark Hoppen, City Administrator, presented the lease for the McKenzie Building and explained that the Historical Society had requested that an additional two years be added, for a total of five years to lease the building, with a five year option to extend.

MOTION: Move approval of the lease as submitted with the addition of two years, and to authorize the Mayor to sign it.
Markovich/Picinich - unanimously approved.

NEW BUSINESS:

1. Resolution - Copy Fees. Molly Towslee, City Clerk, explained the rate changes in this resolution updating the fees for copying of public records.

MOTION: Move for adoption of Resolution No. 498.
Picinich/Markovich - unanimously approved.

2. First Reading - Ordinance Adopting Findings of Facts for a Continued Imposition of the Six-Month Sewer Moratorium. Howard Jensen, Legal Counsel, presented this ordinance to adopt the findings of facts to justify the continued imposition of the moratorium. He added that by state law, the City is required to hold a public hearing within 60 days of the imposition, and that the Council was required to adopt findings of fact supporting the moratorium. This will return at the next council meeting for a second reading.

3. Resolution - Extending Commitment Periods in Existing Utility Extension and Sewer Capacity Agreements. Howard Jensen introduced this resolution which attempts to address those property owners who have existing utility extension agreements with the city and are affected by the current moratorium. He added that the resolution would extend the commitment periods in all existing utility extension and sewer capacity agreements for an additional eighteen months.

Reta Bugay - 1509 56th Ave Ct. Ms. Bugay thanked Council for the Resolution extending certain Utility Extension Capacity Agreements and for understanding the idea of "building

seasons.” She said she hoped that Council would continue to work with the Department of Ecology to get the NPDES permit as soon as possible.

Mike Esteb - 507 7th Ave - Fox Island. Mr. Esteb voiced his concerns regarding the moratorium and its effect on property owners. He encouraged Council to do everything they could to obtain DOE approval and to lift the moratorium.

MOTION: Move to adopt Resolution No. 499.
Markovich/Picinich - unanimously approved.

4. Liquor License Assumption - The Keeping Room. No action taken.
5. Special Occasion Liquor License - Peninsula High School Booster Club. No action taken.

MAYOR'S REPORT:

1998 Planning Retreat. Mayor Wilbert encouraged Councilmembers to submit their ideas and priorities to her to formulate an agenda for the worksession on July 25th.

COUNCIL COMMENTS:

Councilmember John Picinich said he noticed that more and more rafts and boats that are anchored in the bay. He asked if anything was being done to bring these raft owners into compliance. Mark Hoppen said he had contacted

George Walk, Government Relations Officer, about the Anchorage Park and joint supervision of the Bay. He added that he expected a response soon and anticipated a reasonable amount of success. Councilmember Picinich then asked how the City was dealing with the issue of live-a-boards and making sure that marina owners comply. Mark explained that there are no live-a-board enforcement regulations at the time.

Councilmember Platt asked about East Gig Harbor and the effect annexation of the area would have on the Bay. Mark explained that the County would have no jurisdiction on the Bay if East Gig Harbor were to annex.

Councilmember Picinich asked what was being done to address the rafts that have recently appeared in the harbor. Mark explained that such rafts were subject to the Harbor Code. There was discussion on which Department is responsible to respond to complaints in different areas. Councilmember Ekberg asking Mark to prepare an outline on which Department would respond when a citizen reports a violation.

Jack Bujacich voiced his concerns that he didn't feel the City was enforcing the laws they currently had on the books. He talked about the violations in front of his home and said he felt that his complaints were being ignored. Mark explained that since the last Council meeting, he had met with

the Ancich's and that Ray Gilmore had written letters addressing the issue.

STAFF REPORT:

Chief Barker - Gig Harbor Police Department. Chief Barker explained that he had no explanation for the increase in numbers other than the annexation area and that there hasn't been sufficient time to create a baseline. He explained that there have been several accidents, but that there were certain intersections or areas that seem to be problematic.

ANNOUNCEMENT OF OTHER MEETINGS:

Three Part Series on Boats / Marinas - Potential Water Pollutants

- 1) July 15th - Meet at Henderson Bay Alternative School at 4:00 p.m.
- 2) July 21st - Gig Harbor City Hall - 6:30 p.m.
- 3) July 31st - Gig Harbor City Hall - 6:30 p.m.

APPROVAL OF BILLS:

MOTION: Move approval of checks #18156 through #18302 in the amount of \$171,857.36.
Platt/Ekberg - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of payroll checks #14260 through #14395 in the amount of \$226,341.86.
Platt/Ekberg - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 8:40 p.m. for approximately twenty minutes for the purpose of discussing litigation, potential litigation, and property acquisition.
Picinich/Markovich - unanimously approved.

MOTION: Move to return to regular session at 8:53 p.m.
Markovich/Platt - unanimously approved.

ADJOURN:

MOTION: Move to adjourn at 8:54 p.m.
Markovich/Picinich - unanimously approved.

Cassette recorder utilized.

Tape 462 Side A 330 - end.

Tape 462 Side B 000 - end.

Tape 463 Side A 000 - 422.

Tape 463 Side B 000 - 318.

Spitzer Albert
Mayor

Molly M Dowling
City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JULY 28, 1997

PRESENT: Councilmembers Platt, Picinich, Owel, Ekberg, Markovich and Mayor Wilbert.

PUBLIC COMMENT: None.

SPECIAL PRESENTATION: Welcome to the Home Stay Students from Takuma, Japan.

Mayor Wilbert welcomed the guests from Takuma, Japan who were visiting Gig Harbor. She invited the students who were hosting the visitors to come forward and lead the Council and audience in the Pledge of Allegiance. She gave each host student a city pin, map, and bumper sticker to be presented to their visiting student and asked them to introduce their guest.

Councilmember Picinich explained that this program began in February when he met with the Mayor of Takuma, who was interested in a Sister City program. He added that letters and faxes began to arrive at city hall, and with the assistance of Fumiko Tamaru, Finance Tech, a letter exchange program was developed with the students in his wife's second grade class, and students from Kopachuck Middle School. He introduced Midori Johnson, the mother of one of his students, who assisted him in finding housing for the students. Joe Kosai, coordinator for the exchange program, introduced members of the group that accompanied the students, who presented the Mayor, Councilmembers and staff with tokens of their appreciation. Councilmember Picinich finished by introducing his wife, whom he thanked for her participation in the program.

CALL TO ORDER: 7:24 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the July 14, 1997 with correction as suggested by Legal Counsel.
Picinich/Platt - four voting in favor. Councilmember Owel abstaining.

CORRESPONDENCE/PROCLAMATIONS:

1. Puget Sound Water Quality Action Team. Mayor Wilbert explained that the Water Quality Work Plan had arrived and was in the reading basket in the mail room for Councilmembers to review.
2. WFOA - 1997 Distinguished Budget Award. Mayor Wilbert congratulated Tom Enlow, Finance Director, for his effort in the budget preparation that led to the City winning this budget award for the fifth year in a row.

OLD BUSINESS:

1. Second Reading - Ordinance Adopting Findings of Facts for a Continued Imposition of the Six-Month Sewer Moratorium. Carol Morris, Legal Counsel, presented the second reading of this ordinance to adopt the findings of facts to justify the continued imposition of the moratorium.

MOTION: Move to adopt Ordinance No. 763.
Markovich/Ekberg - unanimously approved.

NEW BUSINESS:

1. Skateboard Park Resolution - IAC. Wes Hill, Public Works Director, explained that the Council had budgeted \$50,000 toward design and construction of a skateboard park in 1997. He gave an overview of the progress of the project and recommended that Council approve a resolution authorizing applications for funding assistance from the Interagency Committee for Outdoor Recreation. He said that the estimated cost of the scaled-down project would be \$184,700, and that the grant application would be for 50%, with the remainder funded by the city, cash donations and in-kind services. He added that there was a great deal of support in the community for this project, and that he anticipated that fundraising efforts would be successful.

MOTION: Move to approve Resolution No. 500 authorizing the city to apply for funding assistance under the Washington Wildlife and Recreation Program.
Picinich/Ekberg - unanimously approved.

2. Feasibility Study for North-South Connector - Consultant Services Agreement. Wes Hill explained that in the pre-annexation agreement with the property owners in the Gig Harbor North area, the city agreed to pursue a North-South connector extending from the East-West Road to Peacock Hill Avenue in the general area of 120th and 124th. He recommend that Council approve a contract with Parametrix, who was familiar with the project and the area, to do a feasibility study. He added that this study should be back to Council by September.

MOTION: Move for approval of the Consultant Services Agreement with Parametrix, Inc., in the not-to-exceed amount of twenty-three thousand three-hundred and twenty-two dollars and no cents.
Picinich/Owel - unanimously approved.

3. Resolution - Community Plan Update. Mark Hoppen, City Administrator, explained that one of his objectives has been to coordinate with Pierce County to work toward a more coherent set of land-use expectations between the County and the city, adding that the Growth Management Act had made it a difficult task. He said he had met with representatives from Pierce County Planning and Land Services and County Councilmember Karen Biskey to

assess the need on the Peninsula, both outside and within the Urban Growth Area. He described the effort to date to form a workgroup to form a community plan and said that the proposed resolution expresses the city's support for this process.

MOTION: Move to approve Resolution No. 501.
Picinich/Ekberg - unanimously approved.

4. Contract for Pre-Qualified Jurors. Mark Hoppen explained that this contract was identical to the one approved last year and that the amount of 750 pre-qualified jurors was sufficient. He added that the fee will also remain the same.

MOTION: Move we approve the contract for pre-qualified jurors and presented.
Owel/Picinich - unanimously approved.

5. Waterfront Compliance. Mark Hoppen explained that this memo was identical to the one discussed at the Council Workshop last Friday. He offered to answer any additional questions or concerns. He added that an ordinance regarding maritime supervision would come before Council at the next meeting.

6. Agreement for State Administration of Sales Tax. Tom Enlow, Finance Director, presented this agreement that would reduce the fee on services other than sales tax collection from 1.5% to 1.0%.

MOTION: Move we authorize the Mayor to sign the contract.
Ekberg/Owel - unanimously approved.

7. Liquor License Renewals - Captain's Terrace, Emerald Star, Hunan Garden, Kinza Teriyaki, The Captain's Keep, and The Green Turtle. No action taken.

MAYOR'S REPORT:

Pierce County Watershed Study. Mayor Wilbert said she had attended the last two meetings of the Watershed Study Program and described what occurred at those gatherings. She said that there was concern that there needs to be more public access to a pump-out facility, and that these pump-outs need to have an attendant present. She added that she planned on attending the third meeting on July 31st.

Mayor Wilbert then announced that at Council's request, the Public Comment portion of the City Council meetings would be moved to after New Business in future meetings.

COUNCIL COMMENTS: None.

STAFF REPORT:

Quarterly Finance Report - Tom Enlow reported that there were no surprises for the second quarter of 1997. He said that the general fund revenues are at 44% of budget and could easily make 100%. He said that the estimated sales tax were very close to what had actually been collected. He gave an overview of sewer and water revenue funds and added that a budget amendment for financing the vactor truck and legal fees would be coming.

ANNOUNCEMENT OF OTHER MEETINGS:

Third of the Three Part Series on Boats / Marinas - Potential Water Pollutants - July 31st - Gig Harbor City Hall - 6:30 p.m.

APPROVAL OF BILLS:

MOTION: Move approval of checks #18303 through #18373 in the amount of \$69,838.19.
Owel/Platt - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 8:02 p.m. for approximately forty-five minutes for the purpose of discussing litigation, potential litigation, and property acquisition.
Owel/Picinich - unanimously approved.

MOTION: Move to return to regular session at 8:41 p.m.
Markovich/Picinich - unanimously approved.

ADJOURN:

MOTION: Move to adjourn at 8:42 p.m.
Platt/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 463 Side B 320 - end.
Tape 464 Side A 000 - end.
Tape 464 Side B 000 - 291.



Mayor



City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF AUGUST 11, 1997

PRESENT: Councilmembers Platt, Picinich, Owel, and Mayor Wilbert. Councilmembers Ekberg and Markovich were absent.

CALL TO ORDER: 7:00 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the July 28, 1997 as presented.
Owel/Picinich - unanimously approved.

CORRESPONDENCE/PROCLAMATIONS:

None

OLD BUSINESS:

None

NEW BUSINESS:

1. Waste Action Project - Consent Decree. Carol Morris, City Attorney, explained the consent decree to settle the Clean Water Act citizen suit brought by the Waste Action Project. The Council needed to ratify the Mayor's signature on the decree of July 31, 1997. Ms. Morris further explained that the decree had been filed in Federal Court and that it takes 45 days for the court to review and approve it.

Councilmember Picinich asked if the additional water quality testing was a part of the decree. Ms. Morris pointed out that it was in Exhibit B.

MOTION: Move to ratify the consent decree of July 31, 1997.
Picinich/Owel - unanimously approved.

2. First Reading - Ordinance Harbor Code Revision. Mark Hoppen, City Administrator, gave a brief overview of the Harbor Code and how it will provide for better enforcement on Gig Harbor Bay as was discussed at the Council retreat. City Attorney Carol Morris outlined an addition of the definition of a buoy to the ordinance as proposed by the Police Chief. Councilmember Platt requested further clarification of section 8.24.022 and the number of mooring buoys per residence. Ms. Morris stated that this also had been pointed out by the Police Chief and that a reflection of what is in state law will be reflected in the ordinance. Councilmember Platt also asked about mooring platforms. Mr. Hoppen answered that they

are defined has obstructions and they would be removed.

Dick Allen, 3603 Ross Ave. - Mr. Allen asked what the basis for this ordinance was, was it generated by staff or neighborhood concerns. Mr. Hoppen gave an account of the events and meetings with the Department of Natural Resources, Law Enforcement and members of the marine community that led to this ordinance. Mr. Allen asked what the relationship would be between the Shoreline Master Program and this document and pointed out that there were two different definitions for a houseboat. It was agreed that the two definitions of a houseboat should be consistent. Mr. Hoppen further stated that an analysis of the two documents and their relationship would be completed prior to second reading.

3. Request for consideration to Annex (10% Petition) - East Gig Harbor - Ray Gilmore, Planning Director gave a short explanation of the annexation process and the area of East Gig Harbor. Councilmember Picinich expressed how glad he was to see this annexation come forward.

Terry Hanley - 7815 Goodman Dr. NW - President-Elect of the East Gig Harbor Improvement Association. Mr. Hanley stated that they would do their best to acquire the needed 60% signatures.

Michael Irwin - 8305 Goodman Dr. NW - Mr. Irwin spoke for those who were not in agreement with the annexation. He expressed a concern for higher taxes, denser development, and for an opportunity for a dialogue on the subject of annexation. He also stated that the group he represented would prefer an election methodology. Mr. Hoppen addressed the issue of city debt and pointed out that the city tax debt is on the whole less than in the county. Mr. Hoppen also stated that he had been invited to several neighborhood meetings which provided for dialogue and that the city was not initiating this action. Mr. Irwin further stated that he would like the City Council to consider the election method as they did with the Westside Annexation. Councilmember Owel explained that the election method was very expensive and that the demographics on the Westside were very different from East Gig Harbor and that she wanted to let them know that whatever the method chosen, there are still several opportunities for everyone to express their views.

MOTION: Motion to accept the petition for annexation and to proceed with the direct petition method.
Owel/Picinich - unanimously approved.

4. Contract for Consultant Services - Post Annexation Census - Ray Gilmore, Planning Director explained the contract to conduct a Post Annexation Census of Gig Harbor North and the Westside. He further stated Robert Scribner's qualifications. Councilmember Platt asked legal counsel about the city's ability to choose someone who was not the lowest bidder.

City Attorney Carol Morris verified that the requirements for competitive bidding do not apply to professional service contracts, but that those requirements still allow you to choose the lowest responsible bidder.

MOTION: Move to enter into a contract with Robert Scribner for \$21,697.
Owel/Platt - unanimously approved.

5. NPDES Effluent Mixing Study, Water Quality and Sediment Monitoring - Amendment to Consultant Services Contract - Public Works Director, Wes Hill, explained the increase in the contract with Gray & Osborne and the requirements of the consent decree which require us to add nine additional testing events during the course of their contract. This is an increase of \$41,588 for a total contract amount of \$91,288. Mr. Hill handed out a detail of the scope of items which are part of the NPDES permit. Councilmember Platt asked about the feasibility of having our own lab for this kind of work. Mr. Hill indicated that the work is highly specialized. Councilmember Platt stated he would like to see a feasibility study with the possibility of leasing the lab technician services to other cities.

MOTION: Move to approve the contract with Gray & Osborne in the amount of \$41,588 with a total contract of \$91,288.
Picinich/Owel - unanimously approved.

6. Sewer Moratorium - City Administrator Mark Hoppen stated that he had received notification from the Southwest Region and the Northwest Region of Department of Ecology that we will be receiving our NPDES permit tomorrow morning. City Attorney Carol Morris explained that the City Council could move to lift the moratorium upon receipt of the NPDES Permit and also move that staff bring back an ordinance that would terminate the moratorium and ratify the motion. Councilmember Owel asked that staff prepare an information sheet for the public outlining the lifting of the moratorium and the associated possibilities.

MOTION: Move to lift the moratorium upon receipt of the NPDES Permit and direct staff to prepare an ordinance for same.
Picinich/Owel - unanimously approved.

PUBLIC COMMENT:

Bruce Rogers, 2804 Harborview Dr. - Mr. Rogers expressed his thanks for the work done on the street end of Harborview Drive.

MAYOR'S REPORT:

Westside Sub-Area Planning. Mayor Wilbert gave a brief report on the Westside Sub-Area Planning

group and that the members had been appointed and that Planning Director Ray Gilmore would be contacting those people and setting an agenda.

Honoring the Gig. Mayor Wilbert reported that Kae Paterson had contacted her in regards to bringing the Gig back to Gig Harbor for special events. Discussion followed regarding gratuitous moorage at Jerisich Park Dock for a historical/educational exhibit. Mark Hoppen stated that he would be attending a meeting next week with various groups who may be interested in assisting in the care and maintenance of the Gig.

COUNCIL COMMENTS:

Councilmember Owel stated that she would be attending a class next week on marine life.

STAFF REPORT:

None

ANNOUNCEMENT OF OTHER MEETINGS:

None

APPROVAL OF BILLS:

MOTION: Move approval of checks #18374 through #18376 and #18405 through #18499 in the amount of \$51,981.30.
Owel/Platt - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of payroll checks #14396 through #14538 in the amount of \$249,322.87.
Owel/Platt - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 8:10 p.m. for approximately 45 minutes for the purpose of discussing litigation, potential litigation, and property acquisition.
Picinich/Owel - unanimously approved.


MOTION: Move to return to regular session at 8:55 p.m.
Platt/Owel - unanimously approved.

MOTION: Move to hire the Real Estate Appraisal firm of Strickland, Heishman & Hoss Inc. at the estimated cost of \$4,500.00 for the appraisal of the Henderson Bay High School property.
Picinich/Platt - unanimously approved.

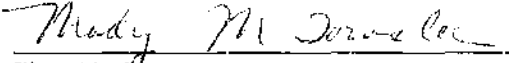
ADJOURN:

MOTION: Move to adjourn at 9:00 p.m.
Platt/Owel - unanimously approved.

Cassette recorder utilized.
Tape 464 Side A 000 - 400.
Tape 464 Side B 000 - end.
Tape 465 Side A 000 - 150.



Mayor



City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF AUGUST 25, 1997

PRESENT: Councilmembers Markovich, Picinich, Owel, Ekberg and Mayor Wilbert. Councilmember Platt was absent.

CALL TO ORDER: 7:08 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the August 11, 1997 as presented. Picinich/Owel - two voted in favor. Councilmembers Markovich and Ekberg abstained.

CORRESPONDENCE/PROCLAMATIONS: None scheduled.

OLD BUSINESS:

1. **Second Reading of Ordinance - Harbor Code Revision.** Mark Hoppen, City Administrator, explained that this was the second reading of the ordinance and that the changes suggested at the first reading had been incorporated. Carol Morris, Legal Counsel, proposed a few additional changes to the ordinance to clarify language and reference state law. Councilmember Markovich had additional comments which were addressed. Mayor Wilbert asked if anyone from the audience wished to speak on the ordinance.

Jim Pasin - 2710 39th St. NW. Mr. Pasin said as a boat owner that comes in and out of the harbor, he was concerned that regulations would become overly restrictive and discourage pleasure boating. Mark Hoppen explained that the purpose of the ordinance was not to be overly restrictive, but to prevent incidences that could endanger pleasure boaters. Mr. Pasin asked several questions about language in the ordinance, which were addressed by staff and council.

Jessy Farr - 8109 66th Ave. Mr. Farr said that there were several myths going around about conditions in the harbor. He explained that there have never been more than three live-a-boards at a time, and currently there are none. He added that most live-a-boards have been cruisers from around the world laying over for a while. He agreed that he would like to see the derelict boats removed as they posed a danger. He also urged Council to be careful when making regulations as Gig Harbor is a boater-friendly community and there are people from all over the world to visit.

Councilmember discussed the proposed changes and asked that the ordinance be brought back for a third reading with the changes incorporated.

MOTION: Move that this ordinance return for a third reading with the proposed changes.
Ekberg/Owel - unanimously approved.

2. Termination of Sewer Moratorium. Mark Hoppen explained that the NPDES permit for the Wastewater Treatment Plant had been received and was in effect August 15th, and that this ordinance terminated the sewer moratorium imposed. Carol Morris proposed changes to include when the NPDES permit was in effect. She also spoke about the procedure to pass this ordinance with one reading.

MOTION: Move to adopt Ordinance No. 764 with the following corrections to add another paragraph stating that August 15th the City received the permit from the Department of Ecology and at the end of Section 1 and Section 2 to add "which was August 15, 1997", and utilizing the emergency passing procedures.
Picinich/Ekberg - unanimously approved.

3. East Gig Harbor Annexation - Motion to Consider. Carol Morris explained that at the last council meeting, the annexation petition from East Gig Harbor had been accepted, but that Council had not stated in the motion whether it would required the assumption of a portion of the city's bonded indebtedness and/or the adoption or proposed zoning for the area, which is required by state law. She read the debt information provided by Tom Enlow, Finance Director, and recommended that Council establish on the record whether the property owners would assume a share of the city's bonded indebtedness and zoning for the area.

Jack Bujacich - 3607 Ross Avenue. Mr. Bujacich advised Council to be aware of the inadequate roads, water and sewage facilities on the eastside and urged that the property owners on the eastside be required to form an ULID to make upgrades to these services, rather than to burden existing taxpayers.

MOTION: Move that upon the annexation of the Eastside, the property owners will assume all of its share of the city's bonded indebtedness and the zoning for the area be adopted under the city's Preannexation Zoning Ordinance No. 734 as Single Family Residential.
Markovich/Owel - unanimously approved.

4. Chapel Hill PUD - Street Acceptance. Wes Hill, Public Works Director, explained that in 1994, Council approved Chapel Hill planned unit development. He added that all work has been completed in June, and a two-year maintenance bond was in place for improvements on Edward Street. He explained that staff had been working with the owner toward dedication of the right-of-way to the city and described the conditions that had been met to date.

MOTION: Move we accept the right-of-way dedication and street and storm drainage improvements on Edwards Street subject to our legal counsel's approval of

the condition of title and documents granting an easement to the City of Gig Harbor for the subject property.

Markovich/Ekberg - unanimously approved.

NEW BUSINESS:

1. Emergency Ordinance Amending Gambling Taxes. Ms. Morris explained that in the last legislative session, legislature amended the statutes to create new exemptions that have been incorporated into the gambling tax ordinance. Because the law took effect July 27th, she suggested utilizing the emergency passing procedure so it would become effective immediately. She answered questions about language in the ordinance.

MOTION: Move to approve Ordinance No. 765, amending the regulation of gambling taxes, and utilizing the emergency passage procedure.

Picinich/Markovich - unanimously approved.

2. Emergency Response Mutual Aid Agreement. Wes Hill explained that several agencies had gotten together to draft a mutual aid agreement that would allow emergency public works assistance to other jurisdictions and to receive maximum reimbursement for the appropriate federal agencies. He added that this agreement had the support of the Association of Washington Cities and had been coordinated through the offices of TransAid.

MOTION: Move to direct the Public Works Director to sign the "Public Works Emergency Response Mutual Aid Agreement" on behalf of the city and to forward a certified copy to the TransAid Office.

Markovich/Picinich - unanimously approved.

3. Pioneer Park - Rotary Project. Mark Hoppen presented this proposal to have a 'pocket park' developed to display the last remaining light pole from the original Narrows Bridge. He explained that KeyBank Corporation is willing to lease the area next to the bank for a public park and discussed some of the terms of the lease. He described certain aspects of the park and recommended that this proposal be reviewed by the Design Review Committee and approved by the Public Works Department.

MOTION: Move we go ahead with the signing of the lease agreement with KeyBank Corporation in regards to the project of installing the last Narrows light pole and that the project would go to the Design Review Committee for review.

Picinich/Owel -

After further discussion the following amended motion was proposed.

AMENDED MOTION: Move to send the project to the Design Review Committee and if approved by the Public Works Department, the project return to Council for review prior to signing the contract.

Picinich/Ekberg - unanimously approved.

4. First Reading - Amendment to Sewer Extension Ordinance. Mark Hoppen explained that when the Wollochet Sewer District executed a contract to extend sewerage to the city sewer system, City Code Chapter 13.34 was amended to allow for emergency provisions. He added that upon review, certain limitations have been identified that would allow an existing facility with a failing system to connect but not a new facility. He explained that the new ordinance would allow more discretion in allowing for extensions. Carol Morris explained that the new language still follows statute, and the only changes are the restrictions placed by the City. This ordinance will return at the next council meeting for a second reading.

5. Avalon Woods - Request for Dedication. Mr. Hill explained that the property owners in the development have asked for consideration for the city to take over maintenance and ownership of the street and storm drainage system. He added that staff had looked at the street and storm sewers and they appear to be in good condition, but that the detention pond may be of some concern. He recommended that if there was interest in this proposal, that an independent engineering evaluation be performed on the facilities. Councilmember Markovich asked what the benefit/burden relationship would be to accepting dedication of road and/or storm drainage systems. Mr. Hill explained that it varied by plat and what standards were in place at the time of construction. He added that this dedication may benefit the city when applying for Federal Aid because arterial street mileage is relative to overall street mileage. Carol Morris pointed out that the city would assume any liability when assuming these dedications and suggested developing a procedure to have property owners pay for an engineering review before the proposal is considered for acceptance.

Jack Bujacich - 3607 Ross Avenue. Mr. Bujacich said it was a wise decision to have any facilities reviewed for maintenance issues and cited an example of sub-standard construction of a retention pond on the Westside.

Mark Hoppen agreed that it is not only an issue of who should pay for the assessment for inclusion within the city system, but also an obligation to protect the public interest to make sure these mechanisms are safe. He was directed to return with a procedure to deal with these requests.

6. WWTP Expansion Project - Contract Closure. Wes Hill gave a brief history of the project and explained the procedure to close out the construction contract. He added that the city would assume responsibility for the two-year warranty period as part of the change order to save time and money.

MOTION: Move to approve Change Order No. 4 for the Wastewater Treatment Plant Expansion Project in the credit amount of fifteen-thousand four-hundred ninety-eight dollars and no cents (\$15,498.00), including Washington State sales tax, and acceptance of the project in the final contract amount of two-million two-hundred twenty-nine thousand six-hundred seventy-four dollars and eleven cents (\$2,229,674.11), including Washington State sales tax.
Picinich/Owel - unanimously approved.

MOTION: Move we approve execution of the attached First Amendment to Agreement Between McClure & Sons and the City of Gig Harbor.
Picinich/Markovich - unanimously approved.

7. Pavement Marking - Contract Award. Wes Hill explained that the patching and crack sealing had been completed on city streets in preparation of restriping. He gave a summary of the two proposals and recommended award of the contract to Apply-A-Line.

MOTION: Move we approve award and execution of the contract for Pavement Marking on City Streets - 1997, to Apply-A-Line, Inc., as the lowest responsible respondent, for their price quotation proposal amount of fourteen-thousand five-hundred thirty dollars and seventy-six cents (\$14,530.76.)
Ekberg/Owel - unanimously approved.

8. Jerisich Dock Improvement Project - DNR Lease. Wes Hill explained that the survey work and supporting documentation required for the lease application had been completed and forwarded to DNR for review. He added that DNR is requiring that the lease agreement be renewed and that a \$500 assignment of funds be in place during the 30 year lease.

MOTION: Move approval of an assignment of funds in the amount of five-hundred dollars and no cents (\$500.00) to the State of Washington in accordance with the requirements for an Aquatic Land Lease from the Department of Natural Resources for the Jerisich Dock improvements.
Markovich/Picinich - unanimously approved.

PUBLIC COMMENT:

Lois Eyrse - Representing the Chamber of Commerce. Ms. Eyrse read a prepared statement regarding her concerns with the sign code process. Ms. Eyrse submitted a copy of the letter for the record.

Phil Arenson - 6750 Kimball Dr. Mr. Arenson said he appreciated the Council allowing comment during agenda items. He then recommended moving the public comment portion of the meeting back to the beginning to facilitate small children and the elderly. Mr. Arenson spoke of his concerns regarding the delays in the Kimball Drive project. He said the merchants had experienced a difficult time this summer due to construction in the area. He asked for consideration for the project. Mark Hoppen explained that an area meeting had been scheduled by Tom Taylor for September 4th.

Geoff Patrick - Peninsula Gateway. Mr. Patrick introduced Mark Hines and explained that Mr. Hines would be taking over the city beat portion of the newspaper.

MAYOR'S REPORT:

Gig Harbor's Own Song Benefits FISH. Mayor Wilbert showed the CD titled "Under a Gig Harbor Moon" produced by Laurel Cole that will be released on September 12th. She added that part of

the proceeds during the release party will be donated to Peninsula FISH.

COUNCIL COMMENTS:

Councilmember Owel stated that she attended the Shipboard Science on Puget Sound research vessel. She explained that this was a project geared toward children and gave an overview of the types of activities available on-board..

STAFF REPORT:

1. Mark Hoppen gave an update on the Highway 16 / Narrows Bridge project. He used a large collection of paperwork to illustrate the activities taking place. He described some of the interaction that had taken place with property owners adjoining Highway 16 regarding possible connections.
2. Wes Hill gave a brief update on the Skateboard Park Project.

ANNOUNCEMENT OF OTHER MEETINGS:

Legislative Breakfast at Madrona Links - Thursday, August 28th at 7:15 a.m.

APPROVAL OF BILLS:

MOTION: Move approval of checks #18377 through #18381 and #18500 through #18550 in the amount of \$59,201.01.
Owel/Ekberg - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 9:37 p.m. for approximately 20 minutes for the purpose of discussing litigation, potential litigation, and property acquisition.
Owel/Picinich - unanimously approved.


MOTION: Move to return to regular session at 9:50 p.m.
Owel/Markovich - unanimously approved.

Councilmember Owel thanked Mark Hoppen for the memorandum regarding termination of the sewer connection moratorium for public information and that she felt it was very helpful.

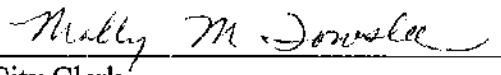
ADJOURN:

MOTION: Move to adjourn at 9:52 p.m.
Markovich/Owel - unanimously approved.

Cassette recorder utilized.
Tape 466 Side A 151 - end.
Tape 466 Side A 000 - end.
Tape 467 Both Sides.
Tape 468 Side A 000 - end.
Tape 468 Side B 000 - 091.



Mayor



City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF SEPTEMBER 8, 1997

PRESENT: Councilmembers Markovich, Picinich, Owel, Ekberg and Mayor Wilbert. Councilmember Platt was absent.

PUBLIC HEARING: Licensing of Adult Entertainment Facilities.

Mayor Wilbert opened the public hearing at 7:07 p.m. Howard Jensen, legal counsel, explained that this proposed ordinance was designed to work with the zoning ordinance passed in December of last year. He said that the zoning ordinance regulated the location of adult entertainment facilities and the licensing imposes operational conditions on such facilities. He gave an overview of the provisions of the licensing ordinance and explained that the ordinance had been patterned after one adopted by the City of Bellevue, which had been upheld by the Supreme Court in a case in May of this year. He introduced Chief Mitch Barker.

Chief Barker spoke to the law enforcement concerns regarding adult entertainment facilities. He gave his background in dealing with these facilities said that historically, these establishments show the same type of repeated problems. He explained that the proposed fees would help offset staff time involved with background checks on owners and employees. He said that the operation guidelines will help limit contact with entertainers and patrons, and that the lighting requirements helped with visual inspections.

Mayor Wilbert asked if anyone in the audience would like to speak on this issue. There was no response, so the public hearing was closed at 7:20 p.m.

CALL TO ORDER: 7:20 p.m.

SWEARING IN CEREMONY:

Chief Barker introduced Officer Fred Douglas, who had just graduated from the academy. Mayor Wilbert performed the swearing-in ceremony and congratulated Officer Douglas on his joining the force.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the August 25, 1997 as presented.
Picinich/Owel - unanimously approved.

CORRESPONDENCE/PROCLAMATIONS:

1. Proclamation - Fire Prevention Week. Mayor Wilbert presented this document proclaiming the week of October 5-11 as Fire Prevention Week.

2. WFOA - Professional Finance Officer Award for 1997. Mayor Wilbert explained that this award to Tom Enlow, Finance Director, had been given to him several years in a row.
3. Thank you letter - Mayor Tadashi Yokoyama, City of Takuma, Japan. Mayor Wilbert presented this letter of appreciation for the two-weeks the group of students and adults visited the area.
4. Proclamation - Constitution Week. Mayor Wilbert explained that the week of September 17 through 23 was traditionally dedicated as constitution week and she was happy to honor the request of a group of interested citizens to proclaim the week.

OLD BUSINESS:

1. Third Reading of Ordinance - Harbor Code Revision. Mark Hoppen, City Administrator explained that there had been two prior readings of this ordinance accepting public comment and that those comments, as well as the Council's responses, have been incorporated into the ordinance. He explained that he had received a response from Pierce County stating that they were working further on the issues of navigation and anchorage area, but were not interested in length of stay provisions. He added that this would make it difficult to remove a vessel who had overextended its welcome. He added that the ordinance before Council would deal strictly with the area within our jurisdiction.

Dick Allen - 3603 Ross Avenue. Mr. Allen encouraged Council to use the definition of a houseboat from the first draft of the ordinance as it was more inclusive. Mark Hoppen explained that the change in text involved a request from the public to reconcile language from the Shoreline Management Act. Mr. Allen pointed out that both documents should be adjusted to help prevent abuse. After more discussion, Councilmember Owel suggested inserting language under the definition section to clarify the intent.

MOTION: Move to approve Ordinance No. 766 revision the Harbor Code Ordinance with an amendment to the language, adding "but not designed or primarily used as a vessel," after the word 'business' in the definition 8.24.008 (C).
Owel/Picinich - unanimously approved.

2. Second Reading - Amendment to Sewer Extension Ordinance. Mark Hoppen presented the second reading of this ordinance amending Chapter 13.34 of the Municipal Code dealing with emergency extension of sewer outside the Urban Growth Area. He explained that the purpose of the change was to provide more discretion to serve a broader spectrum of quasi-municipal or municipal needs in the local area. He gave an explanation of the amendments and offered to answer questions.

MOTION: Move to approve ordinance No. 767 as presented.
Markovich/Picinich - unanimously approved.

NEW BUSINESS:

1. Horizon West - Outside Sewer Request. Mark Hoppen presented this request for an additional 16 ERUs of capacity in addition to the 59 remaining ERUS of capacity already contracted with the city for the Horizon West subdivision. He explained that this additional 16 ERUs would serve the portion of the subdivision area within the Urban Growth Boundary area. He answered questions regarding zoning designations the options if the request was denied.

Walt Smith - 11302 Burnham Dr. Mr. Smith, owner of the project, said that the facts were well presented by Mr. Hoppen and that he'd be happy to answer any questions.

Betty Ringlee - 62nd Ave NW. Ms. Ringlee explained that she lived in the neighborhood adjacent to the proposed subdivision and that she was representing the homeowners group. She gave an overview of their concerns about the density of the development, groundwater runoff and drainage problems. She said that she agreed that her development would be better protected by sewers, but that it was the contract to extend sewers that allowed the higher density to occur in the first place. She asked for clarification on the city's policy to extend sewer. Mark Hoppen explained what the city's policy on extensions and clarified that when the original contract to this ULID #3 property was executed, the Urban Growth Area boundary line had yet to be established.

Geoff Moore - Apex Engineering. Mr. Moore introduced himself as a representative of the property owner. He gave the history of the development and how it originally had been approved for 46 lots on septic by Pierce County. He added that the property owner chose to wait and participate in the ULID to obtain sewer to the development. He reinforced that there was no Urban Growth Boundary at the time the sewer contract was obtained. He encouraged Council to approve the additional 16 ERUs so the entire development would be served by sewer.

Betty Ringlee. Ms. Ringlee asked if the property could be changed from single family residential to any other use. Mark Hoppen explained that area being considered with the additional 16 ERUs was bound by contract to be R-1 and if that designation changed, it would nullify the contract and sewer would not be available. He added that the area outside the Urban Growth Boundary was subject to the original contract and short-plat conditions imposed by Pierce County. He checked the current city regulations and said that one ERU equals one dwelling unit.

Walt Smith - Mr. Smith explained that this particular plat had gone through the scrutiny of Pierce County and the City of Gig Harbor, and that it meets all the density requirements and all other requirements of both. He added that there had been three geological studies done on the property and that there was more than an adequate buffer.

After discussion by Councilmembers, the following motion was made.

MOTION: Move the city enter into a standard Utility Extension Capacity Agreement as presented for 16 ERUS to Mr. Walt Smith for that portion of the Horizon West Subdivision which lies within the city's UGA.
Markovich/Ekberg - unanimously approved.

2. First Reading - Adult Entertainment Licensing Ordinance. Mr. Jensen explained that this agenda item was considered during the public hearing portion of the meeting and answered questions regarding alcohol sales, the effectiveness of the ordinance in other communities, and location options. He suggested that the zoning code be revisited to reflect the two recent annexations in regards to allowed locations for adult entertainment facilities. This will come back for a second reading at the next council meeting.

3. Rosedale Street - Project Prospectus and Local Agency Agreement. Wes Hill, Public Works Director, explained that many steps were involved in obtaining federal funds, and that the final step in getting the funds obligated was to submit a local agency agreement and project prospectus.

MOTION: Move to execute the local Agency Agreement, and authorize the Mayor to sign the Local Agency Federal Aid Project Prospectus for the Rosedale Street Improvements.
Markovich/Ekberg - unanimously approved.

4. Rosedale Street - Consultant Services Agreement. Wes Hill explained that three firms had been interviewed to perform the related survey and design work for the Rosedale Street Improvements, and found the engineering firm of Gray & Osborne to be most qualified. He added that the contract amount was well within range and recommended approval of the contract.

MOTION: Move to approval of the execution of the Standard Consultant Agreement with Gray & Osborne, Inc., in an amount not to exceed one-hundred four-thousand one-hundred eighty-three dollars and no cents (\$104,183.00).
Picinich/Owel - unanimously approved.

5. Jerisich Dock - DNR Lease Agreement. Wes Hill said this is a standard form for the DNR Aquatic Lands Lease, at no fee, for a 30-year period. He explained that the lease would allow IAC to authorize reimbursement for their share of the dock improvements.

MOTION: Move we authorize the Mayor to execute the Notice of and Agreement to Terminate Agreement and the Aquatic Land Lease for the Jerisich Dock extension.
Markovich/Picinich - unanimously approved.

6. Copier Maintenance Contract Renewal. Molly Towslee, City Clerk, explained that the maintenance contract for the copier in the Planning Department and recommended renewal of the contract.

MOTION: Move to authorize the Mayor to sign the copier maintenance agreement in the amount of \$2,080.00.
Picinich/Markovich - unanimously approved.

7. Public Comment / Non-Agenda / Presentations Before Council. Mayor Wilbert said she would like to return the public comment portion of the meeting back to the beginning of the council meetings to give the public the opportunity to have a certain time to come speak. Councilmember Owel said she would make such a motion but wanted to give a little background. She explained that in the past the issue on public comment section went on so long that people with agenda items ended up waiting, but the five-minute limit on speaking may address that. She said she would honor the Mayor's right to set the agenda.

MOTION: Move to move the public comment section back to the beginning of the meeting.
Owel/Ekberg -

Councilmember Ekberg said that the public has access to staff and Councilmembers all during the week, and people who have gone through the process and have their attorneys or others present also have a right to expect that their agenda item will be heard in a timely manner. He proposed that Councilmembers could be available fifteen minutes before the council meeting began to take public comment and that the official meeting would begin at 7:00 p.m. and if they couldn't fit it all in, it would hold over until after the new business section of the meeting. Councilmember Markovich said that change is hard to do and that enough time had not been given to see if it would work. He agreed that a person who had an agenda item should have preference over persons who just drop by. He said it won't take long before people get used to the new position on the agenda. Councilmember Picinich said that he agreed that it should be given a couple more meetings to see how it works. He said it may be good for the public to see what the Council does and that the waiting period is an educational opportunity.

After more discussion, Councilmember Owel withdrew her motion and made the following motion.

MOTION: Move to table this item one month.
Owel/Ekberg - unanimously approved.

8. Liquor License Renewals - Bartell Drug; Gig Harbor Yacht Club, Hy-Iu-Hee-Hee. No action taken.

9. Special Occasion Liquor License - St. Nicholas Church. No action taken.

PUBLIC COMMENT:

Wade Perrow - 9119 No. Harborview Drive. Mr. Perrow said he agreed that Councilmember Picinich was correct that if the public were to sit through a meeting, they would appreciate more the time and energy put forth by Council and staff. Mr. Perrow went on to say that he thought that Council had received his letter regarding an appeal to a decision by Pierce County by the Lutheran Church School on Drummond Drive. He stated his concerns about the traffic impact this school would cause to the streets of Gig Harbor and asked that the City be represented at the appeal hearing on September 24th to represent the citizens.

MAYOR'S REPORT: Transportation - Taking a Serious Look at Choices.

Mayor Wilbert said that transportation is an important topic and this seems to be a good time to focus on a small shuttle bus to serve the area residents. She mentioned that Catherine Ridley has shown an interest to chair a committee to work with Pierce Transit on this mode of transportation nicknamed the "Town-Around."

COUNCIL COMMENTS: None.

STAFF REPORT:

1. Chief Mitch Barker - GHPD. Chief Barker said that calls for service had increased with several accidents occurring on the newly annexed west side. He said that it would take at least a year to get a starting point for good figures to work from, as the old stats did not take this new area into consideration. He gave a brief report on the progress of the training of the new officers.
2. Wes Hill - Public Works. Mr. Hill used a drawing to illustrate an identified area that would make a good north-south connector from Peacock Hill to the future East-West road. He explained that this connector would be one step in taking the pressure off the Peacock Hill and East-West road intersection. He answered questions and asked Council for direction on whether to inform the property owners that the city may be interested in exploring this option. He explained that this would not include any commitment at this time, and that it would only reserve the right to begin discussion on the option to acquire the right of way.

ANNOUNCEMENT OF OTHER MEETINGS:

1. AWC Regional Meeting with Legislators - October 29th, 6:00 p.m. at Myhres.
2. Westside Sub-area Planning Committee - Tuesday, September 9th - 5:00 p.m. at City Hall.
3. Ice Cream Social and Town Meeting at Vaughn Elementary - Thursday, September 11th.

4. Public Forum for Elections - Gig Harbor High School Auditorium, Tuesday, September 9th from 6 - 9:00 p.m.
5. Pierce County Auditor Election Center Open House - Friday, September 19th at the County Annex.
6. U.S.D.A. Public Forum - Addressing the Needs of Rural Washington State - Wednesday, September 10th, 4-6:00 p.m in Olympia.

APPROVAL OF BILLS:

MOTION: Move approval of checks #18382 through #18384 and #18551 through #18640 in the amount of \$135,261.55.
Owel/Ekberg - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of payroll checks #14539 through #14684 in the amount of \$239,256.74.
Owel/Ekberg - unanimously approved.

EXECUTIVE SESSION:


MOTION: Move to adjourn to Executive Session at 9:03 p.m. for approximately 10 minutes for the purpose of discussing litigation, potential litigation, and property acquisition.
Owel/Picinich - unanimously approved.

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

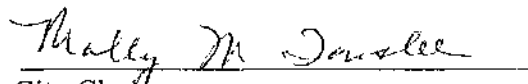
ADJOURN:

MOTION: Move to adjourn at 9:13 p.m.
Picinich/Owel - unanimously approved.

Cassette recorder utilized.
Tape 468 Side B 092 - end.
Tape 469 Both Sides.
Tape 470 Side A 000 - 386.



Mayor



City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF SEPTEMBER 22, 1997

PRESENT: Councilmembers Markovich, Picinich, Owel, Platt, Ekberg and Mayor Wilbert.

CALL TO ORDER: 7:04 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the September 8, 1997 as presented.
Ekberg/Owel - unanimously approved. Councilmember Platt abstained.

CORRESPONDENCE/PROCLAMATIONS: None scheduled.

OLD BUSINESS:

1. Second Reading - Adult Entertainment Licensing Ordinance. Howard Jensen, Legal Counsel, explained that this ordinance would govern the licensing of adult cabarets, arcades and other adult facilities.

MOTION: Move to adopt Ordinance No. 768.
Picinich/Markovich - unanimously approved.

NEW BUSINESS:

1. First Reading of Ordinance - Planning commission Recommendation, Amendments to Title 17, GHMC: Wireless Communication Facilities. Ray Gilmore, Planning Director, introduced this update to the zoning code in regards to telecommunications standards. He explained that this ordinance was the product of several months of work by the Planning Commission, Legal Counsel, and the Planning Staff to address the requirements of the 1996 Federal Communications Act. He reminded Council that Ordinance No. 739 adopted in October of last year imposed a one-year moratorium on citing of telecommunications facilities in order to allow sufficient time to develop a telecommunications ordinance which would address the citing and location of these facilities. He answered questions and added that there would be a public hearing on this ordinance at the second reading on October 13th, and any changes could be addressed at that time.
2. First Reading of Ordinance - Collection of Debt. Mark Hoppen, City Administrator, explained that the RCWs had been amended to allow collection costs to be added to debt owed to the city, which would should increase the return to the city. He added that this would return for a second reading.
3. Resolution - Setting Charges and Fees for Business Licenses. Mark Hoppen explained that this resolution adjusted the business license fee schedule by adding adult entertainment facilities.

MOTION: Move approval of Resolution No. 502.
Ekberg/Platt - unanimously approved.

4. Employment Contract - Finance Director. Mark Hoppen introduced David Rodenbach and explained that he was the person chosen for the position of Finance Director. He added that he was very happy to have someone with Dave's abilities joining the staff and asked Council's approval of the employment contract.

MOTION: Move to approve the attached contract at the starting salary of \$4,399, for the start date of October 1, 1997.
Owel/Ekberg - unanimously approved.

5. Information Systems Specialist - Job Description and Salary Range. Mark Hoppen presented the job description and salary range for a new position titled Information Systems Specialist. He explained the need to maintain the computer system for the City of Gig Harbor and added that he had studied both in-house and out-source options. He gave an overview of the information that had been obtained and recommended that the best available option was to adopt the new in-house position. Mark explained that Tom Enlow, while acting as Finance Director, had functioned as the network administrator, and that he had saved the city a great deal of money over the years. He asked Council's approval to transfer Tom to the position of Information Systems Specialist on a half-time basis if the position were approved.

MOTION: Move to approve the Information Systems Specialist job description, that we direct the Finance Director to adjust the 1997 Budget to account for the new position; that we direct staff to return with a resolution which defines proportional benefits contribution for part-time, regular employees who work less than full-time; and that we direct the City Administrator to transfer Tom Enlow to the Information Systems Specialist position as a .5 FTE regular employee effective October 1, 1997, after adopting Ordinance No. 769, in one reading, to adjust the 1997 salary range to include the Information Systems Specialist position.
Markovich/ Ekberg -

Councilmember Platt suggested that the city advertise the position and go through the regular hiring process. Mark Hoppen explained that he had the ability to transfer an existing employee to the position without going out to hire, but that he would like to do it with Council's consent. Councilmember Markovich added that Tom Enlow seems to know the computer system and that he would be very helpful during the transition period for the new Finance Director. Councilmember Ekberg agreed and said it was a timely solution.

RESTATED MOTION: Move to approve the Information Systems Specialist job description, that we direct the Finance Director adjust the 1997 Budget to account for the new position, that we direct staff to return with a resolution

which defines proportional benefits contribution for part-time, regular employees who work less than full-time; and that we direct the City Administrator to transfer Tom Enlow to the Information Systems Specialist position as a .5 FTE regular employee effective October 1, 1997, after we adopt Ordinance 769 in one reading to adjust the 1997 salary range to include the Information Systems Specialist position.
Markovich/ Ekberg -

Markovich/ Ekberg - unanimously approved.

6. Contract Award - Pioneer Way Pavement Repair. Mark Hoppen gave a history of the damage to the roadway along Pioneer Way, and presented the contract to repair the damage, recommending it be awarded to the low bidder, Woodworth and Company.

MOTION: Move approval of the execution of the contract for the Pioneer Way Pavement Repair to Woodworth & Sons, Inc., in the amount of fourteen thousand, three hundred nineteen dollars and sixty cents (\$14,319.60).
Picinich/Ekberg - unanimously approved.

7. Contract Award - Bogue Building Painting. Mark Hoppen presented this contract to paint the Bogue Building and recommended awarding the contract to the low bidder, Jones Painting, Inc. Councilmember Markovich asked why the job could not be done by the Public Works Crew. Mark explained that due to the recent annexations, the crew was working at maximum capacity, and could not take on the project without neglecting routine duties.

MOTION: Move to authorize the Mayor to execute the contract for the Bogue Building Painting to Jones Painting, Inc., for the amount of two-thousand forty-one dollars and fifty-five cents (\$2,241.55).
Ekberg/Picinich - unanimously approved.

8. Appointment of Councilmember Ekberg to the DOT Local Improvement Committee for Narrows Bridge. Mayor Wilbert explained that Councilmember Ekberg had volunteered to serve on this committee.

MOTION: Move to approve the appointment of elected official Councilmember Ekberg to the Local Improvement Committee.
Picinich/Markovich - unanimously approved.

9. Re-appointment of Jerry Crutchfield to the Civil Service Board. Mayor Wilbert recommended the re-appointment of Mr. Crutchfield to serve an additional six years on the Civil Service Board.

MOTION: Move to approve the re-appointment of Jerry Crutchfield to the Civil Service

Board for an additional six years.
Ekberg/Picinich - unanimously approved.

10. Liquor License Application - Baskets to Go. No action taken.
11. Special Occasion Liquor License - North American Gymnastic Boosters. No action taken.

PUBLIC COMMENT: No one signed up.

MAYOR'S REPORT: Cities by Nature's Design.

Mayor Wilbert reported on her recent trip to Atlanta where she attended the conference "Cities by Nature's Design." She said that she discovered that most of the cities in this country are desperate to reforest their cities. She said the City of Gig Harbor does not have this problem, but instead, needs to maintain its existing trees. She encouraged Council to support the training of the public works department in this area and asked if anyone would like to become involved in a view reclamation effort. She shared other information from the conference and donated a red maple tree grown from seeds taken from Mt. Vernon, Virginia, George Washington's home.

COUNCIL COMMENTS: None.

STAFF REPORT: None scheduled.

ANNOUNCEMENT OF OTHER MEETINGS: None announced.

APPROVAL OF BILLS:

MOTION: Move approval of checks #18385 through #18392 and #18641 through #18728 in the amount of \$246,258.77.
Owel/Ekberg - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 9:00 p.m. for approximately 20 minutes for the purpose of discussing litigation, potential litigation, and property acquisition.
Picinich/Platt - unanimously approved.

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

ADJOURN:

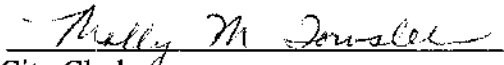
MOTION: Move to adjourn at 9:24
p.m.

Platt/Owel - unanimously approved.

Cassette recorder utilized.
Tape 470 Side A 387 - end.
Tape 470 Side B 000 - end.
Tape 471 Side A 000 - 326.



Mayor



City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF OCTOBER 13, 1997

PRESENT: Councilmembers Picinich, Owel, Platt, Ekberg and Mayor Wilbert. Councilmember Markovich was absent.

CALL TO ORDER: 7:04 p.m.

PUBLIC HEARING: Amendments to Title 17, GHMC; Wireless Communication Facilities. Mayor Wilbert opened the Public Hearing at 7:04 p.m. and Ray Gilmore, Planning Director, gave a brief introduction to this ordinance addressing the citing of telecommunications facilities. He added that three faxes had been received as testimony to be included in the record; one from Spencer Consulting, Inc.; one from WNH Pacific; and one from CAS Consulting. Mr. Gilmore suggested that Councilmembers should review their copies of the correspondence, and that a third reading of the ordinance would be appropriate to give time for Staff to respond to the comments.

Steve Lewotsky – 3025 112th Ave NE, Bellevue. Mr. Lewotsky said he was representing WNH Pacific. He said that he thought that the ordinance was a good first draft and that he had several comments that were listed in his correspondence to Council. He began to go over the comments and was advised by Carol Morris, legal counsel, that it would be more appropriate if he were to allow time for staff to review his comments to be able to respond at the next reading. He agreed that this would be best.

There were no further public comments, and the public hearing was closed at 7:32 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the September 22, 1997 as presented.
Ekberg/Owel - unanimously approved.

CORRESPONDENCE/PROCLAMATIONS: None scheduled.

OLD BUSINESS:

1. First Reading of Ordinance - Planning commission Recommendation, Amendments to Title 17, GHMC; Wireless Communication Facilities. Ray Gilmore, Planning Director, addressed this agenda item during the public hearing at the beginning of the meeting.

MOTION: Move that we postpone this until the October 27th meeting to allow staff time to respond, and that no additional written comments be allowed for public record.
Picinich/Ekberg – unanimously approved.

2. Second Reading of Ordinance - Collection of Debt. Mark Hoppen, City Administrator, introduced the second reading of this ordinance authorizing the cost of a collection agency involved in collecting municipal debt to be paid by the debtor.

MOTION: Move to approve Ordinance 770.
Owel/Ekberg – unanimously approved.

3. Pioneer Park Rotary Project. Mark Hoppen explained that when this project was recently brought before council, Councilmembers requested that the park be reoriented downhill and referred it to the design review process. After the revisions, the bank was not willing to accept the new project, as it required expansion of the area commitment, so the project was back before Council as previously submitted. He introduced Dave Freeman to present the project. Mr. Freeman explained that he was the architect representing the Gig Harbor Rotary Club and that the club had been working on the placement of a light pole left from the first Narrows Bridge, “Gallopig Gertie,” for approximately five years. He explained that the purpose of the park project was to memorialize the bridge and the people who participated in its construction. Mr. Freeman answered questions about ownership of the lightpole and the following motion.

MOTION: Move we approve the lease agreement between the City of Gig Harbor and Key Bank National Association with the amendment that upon reversion of the property back to its original condition that the light pole become the property of the Gig Harbor Peninsula Historical Society.
Owel/Picinich – unanimously approved.

NEW BUSINESS:

1. First Reading of Ordinance – Telecommunications – Use of Public Property. Carol Morris, Legal Counsel, introduced this ordinance relating to the placement of telecommunication facilities on public property. She said that this ordinance contained a lot of information to review in regards to street use permitting, franchising, and different types of cabling, and that any comments or concerns could be brought up at the second reading.
2. Talmo Street Vacation Request. Mark Hoppen, City Administrator, said that this was a request to vacate property adjacent to Highway 16 and Wollochet Drive. He explained that the proposed vacation would benefit both Talmo and the City because of maintenance considerations for the area. He introduced Scott Wagner, representing Talmo Inc. and Burton Park Associates, who gave an overview of the project that was proposed to locate in the area near the requested vacation. He added that the vacation would allow for more screening from SR-16, and make a more usable configuration for the property. Wes Hill, Public Works Director, explained that the areas proposed for vacation was surplus to the City’s needs and that the State did not need the area to complete any improvements to SR-16. He gave a description of the configuration of the vacation and the conditions that would

accompany the vacation. Councilmember Ekberg voiced concerns that the existing businesses would not have access. Mr. Hill explained that there would be conditions to allow access until the buildings were no longer occupied. Mark Hoppen explained that what was being requested by Council was to set a hearing date for the vacation, and that staff would address any concerns.

MOTION: Move we set a Public Hearing date of November 10, 1997 at 7:00 p.m. to consider the street vacation.
Ekberg/Picinich – unanimously approved.

3. First Reading of Ordinance – Part Time Personnel Benefits. Mark Hoppen explained that this ordinance was in response to Council's request for guidelines for part-time personnel benefits. He added that this would allow a part-time employee to qualify for benefits by paying a percentage of the premium based upon a pre-determined share. He gave an overview of the breakdown of proportions. This will return for a second reading at the next meeting.
4. Request for Time Extension – Rod Nilsson. Ray Gilmore, Planning Director, explained that when the Chapel Hill Townhomes received PUD approval in 1994, the conditions stipulated that the applicant file a final development plan within three years. He went on to explain that since then, the code had been amended to allow for a five-year period for completion of a final development filings and that Mr. Nilsson was requesting a time extension which would be consistent with the current code. Because the resolution approving the Chapel Hill project specifically listed the three-year time limitation, a resolution amending the original PUD was included to approve the requested extension.

MOTION: Move to adopt Resolution No. 503.
Picinich/Owel – unanimously approved.

5. Underground Storage Tank Removal – Contract Award. Wes Hill explained that the City owned two underground tanks that had been taken out of service for the past three years due to stricter regulations. He said that to obtain the required insurance, soils testing, and licensing fees was not cost effective, and recommended that the tanks be removed. He asked for approval to hire the low bidders, Kleen Environmental Technologies, Inc. to perform the job.

MOTION: Move we authorize the execution of the contract for the decommissioning and removal of the underground fuel storage tanks at the City shop to Kleen Environmental Technologies, Inc. as the lowest bidder in the amount of eight-thousand, fifty-one dollars and forty cents (\$8,051.40), including sales tax.
Platt/Owel – unanimously approved.

6. Consolidation of Copier Maintenance Contracts. Molly Towslee, City Clerk, asked for approval to consolidate the four copier maintenance contracts into one, which would be brought to Council for approval each year.

MOTION: Move to authorize the Mayor to sign the consolidated copier service contract in the amount of \$230 per month with any copies over the 20,000 contracted being billed at the .0115 State contract amount.
Picinich/Owel – unanimously approved.

7. Liquor License Application – Harbor Humidor. No action taken.
8. Special Occasion Liquor License – Knights of Columbus. No action taken.
9. Liquor License Renewals – Bayview Grocery; Gig Pub & Grill; and Olympic Village BP. No action taken.
10. Discontinued Sales of Liquor – The Captain’s Mate & The Captain’s Keep. No action taken.

PUBLIC COMMENT:

Cynthia Stearns and Nita Barcott. Ms. Stearns and Ms. Barcott came forward to congratulate the City of Gig Harbor for winning the Reader’s Choice contest put forth by the “Accent Magazine” publication recently. The City won the ‘Favorite Community to Live’ category, as well as being named as honorable mention in several other categories such as ‘Best View of Mt. Rainier’ and ‘Favorite Water View.’ Ms. Stearns explained that the nominations came from their nine-county base of Clallam, Grays Harbor, Island, Jefferson, King, Kitsap, Mason, Pierce and Skagit and that over 700 nominations had been received. She introduced Nita Barcott and explained that Nita had won the ‘Favorite Photographer’ category.

Jim Pasin – 3212 50th St. Ct. NW. Mr. Pasin said he wished to create an awareness with Councilmember and the Mayor with a situation he had been involved with recently. He gave a brief history of his office building complex and the businesses he had brought to the community. He explained that his concern was the time it took to obtain a building permit for tenant improvements. He said he feared the delays in permitting would discourage certain businesses from leasing space and asked if there may be a more efficient way of dealing with tenant improvement permits in a timely manner. He added that he had spoken to Mark Hoppen, City Administrator, and that he had attempted to resolve his concerns.

Councilmember Ekberg asked Mr. Pasin to submit his suggestions and concerns to staff to be addressed on the next City Council agenda.

Mark Robinson – 7415 Stinson Avenue. Mr. Robinson said he had been fortunate to round up four of the candidates for the upcoming election for City Council to participate in a forum at the Gig

Harbor Yacht Club on Thursday, October 23rd and invited everyone to attend.

MAYOR'S REPORT: None scheduled.

COUNCIL COMMENTS: None.

STAFF REPORT:

1. **Chief Mitch Barker, GHPD.** Chief Barker said that he didn't have much to add to the stats in the packet, but offered to answer any questions that Council may have.
2. **Wes Hill, Public Works Director.** Mr. Hill announced that the bid for the project for the Jerisich Dock Extension had been advertised and that he would bring back the results at the November 10th meeting. He gave a brief report on the progress of the East-West road project, explaining that he had obtained a preliminary agreement from property owners for alignment of the road.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Special School Board Meeting October 20th – City Hall, 5:30 p.m. in the Council Chambers.
2. City Councilmember Forum - Gig Harbor Yacht Club on Thursday, October 23rd, 6:30 p.m.

APPROVAL OF BILLS:

MOTION: Move approval of checks #18393 through #18859 in the amount of \$161,456.27.
Owel/Ekberg - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of September payroll checks #14685 through #14820 in the amount of \$228,690.53.
Owel/Ekberg - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 8:38 p.m. for approximately 15 minutes for the purpose of discussing litigation, potential litigation, and personnel.
Ekberg/Platt - unanimously approved.

MOTION: Move to return to regular session and extend the executive session for an

additional 10 minutes.
Owel/Platt - unanimously approved.

MOTION: Move to return to regular session at 9:05 p.m.
Platt/Picinich - unanimously approved.

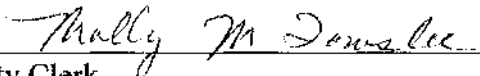
ADJOURN:

MOTION: Move to adjourn at 9:05 p.m.
Platt/Owel - unanimously approved.

Cassette recorder utilized.
Tape 471 Side A 328 – end.
Tape 471 Side B 000 – end.
Tape 472 Side A 000 – end.
Tape 472 Side B 000 – 354.



Mayor



City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF OCTOBER 27, 1997

PRESENT: Councilmembers Picinich, Owel, Platt, Ekberg, Markovich, and Mayor Wilbert.

CALL TO ORDER: 7:02 p.m.

PUBLIC HEARING: 1998 General Fund Revenue Sources.

Mayor Wilbert opened the Public Hearing at 7:03. Dave Rodenbach, Finance Director, gave an overview of the revenue sources for the 1998 General Fund Budget. He explained that there would be an increase in property tax revenues in the upcoming year, and a slight increase in sales tax and other tax revenues. He added that he expected approximately 4.5 million in total resources. He said that the figures were not final because the valuation figures from the county had not been received and the city levy rate depends on how the county levies their taxes. He added that there were no rate increases proposed by the city for 1998.

There were no public comments, and the public hearing was closed at 7:05 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the October 13, 1997 as presented.
Picinich/Owel - unanimously approved. Councilmember Markovich abstained.

CORRESPONDENCE/PROCLAMATIONS:

1. Safe Streets. Mayor Wilbert explained that she had spoken to Chief Barker and that he did not feel that the city needed to enter into this program at this time.

OLD BUSINESS:

1. Third Reading of Ordinance - Planning Commission Recommendation, Amendments to Title 17, GHMC; Wireless Communication Facilities. Ray Gilmore, Planning Director, explained that this third reading of the ordinance was necessary to address comments that had been received late. He went over the comments and added that there were minor changes to the ordinance in response to the comments. Carol Morris, City Attorney, explained that Council should utilize the emergency passing process for this ordinance so it would become effective immediately due to the end of the moratorium, and that the late comments postponed action on the ordinance at the second reading. She gave an overview of her response to the comments received and answered questions.

MOTION: Move we adopt Ordinance No. 771 which amends Title 17 and adopts the wireless communications facilities ordinance and adopts it in an emergency fashion pursuant to section 1.08.020(b); and also, incorporates the changes and suggested recommendations of Legal Counsel with regard to language in 17.61.020; and also, the recommendations of Planning Staff to amend the abandonment provisions to read one year; and the modifications to section 17.61.030(d): 1, 2 and 3; and modifications to section 17.45.030(d) conditional uses, fixing the typo to read "Employment District," applying that to Public Institutional Districts.
Markovich/Picinich – unanimously approved.

2. Second Reading of Ordinance – Telecommunications – Use of Public Property. Carol Morris, Legal Counsel, introduced the second reading of an ordinance relating to the placement of telecommunication facilities on city property.

MOTION: Move adoption of Ordinance No. 772 which adopts the use of public property as it applies to telecommunications facilities.
Markovich/Picinich – unanimously approved.

3. Second Reading of Ordinance – Part Time Personnel Benefits. Mark Hoppen introduced the second reading of this ordinance that provides regulation with respect to benefits to employees working less than full-time.

MOTION: Move adoption of Ordinance No. 773.
Platt/Ekberg – unanimously approved.

NEW BUSINESS:

1. County Committee on Economic Development. Mark Hoppen, City Administrator, explained that he had been approached by the Pierce County Strategic Economic Development Action Plan Committee who wished to give a presentation to Council. He introduced Mr. Roland Dewhurst.

Roland Dewhurst – 10116 136th Ave KPN. Mr. Dewhurst explained he was a member of the Pierce County Citizens Advisory Committee on Economic Development, formed in January by the County Council to represent businesses, labor, government, and schools throughout the county. He gave a background of the committee and its mission to recommend a strategies to encourage economic development.

Mayor Wilbert thanked Mr. Dewhurst and added that the city's goals were the same as the committees.

2. First Reading of Ordinance – 1998 Property Tax Levy. Dave Rodenbach presented this ordinance setting the 1998 property tax levy. He explained that the assessed valuation is estimated to be up 16% over last year, not including the west side. He gave an overview of the ordinance. This will return at the next meeting for a second reading.
3. Henderson Bay – Property Purchase Agreement and Condemnation Ordinance. Mark Hoppen presented the purchase agreement and condemnation ordinance for the 10.5 acres adjacent to Grandview Forest Park. He added that the price for the purchase of the entire property is proposed at \$2,005,000, the mid-point between the City’s appraisal value of \$1.765m and the District’s appraisal value of \$2.245m. He introduced Dr. Mark Mitrovich, Superintendent of Peninsula Schools, John Biggs, School District counsel, Dave Trageser, Dain Bosworth, and Cynthia Weed, the city’s bond counsel from Preston, Gates and Ellis LLP. Carol Morris, City Attorney, gave a brief overview of the sale procedure and discussed the condemnation procedure.

Dave Trageser, Dain Bosworth, discussed the financial aspects and bond issues for the project. He passed out a summary of information and added that he had received confirmation that the City of Gig Harbor as an A-2 bond rating with Moody’s Investors Service, a positive impact for the city. This would save the city approximately \$40,000 on this bond issue as opposed to selling bonds non-rated as has been done in the past. He said that the money would be available by the end of the month for the project.

Cynthia Weed, Bond Counsel from Preston, Gates and Ellis, said that she had nothing to add to this thorough report. Carol Morris pointed out that the purchase agreement was contingent upon the passage of the condemnation ordinance and that the special passage language from GHMC section 10.08.020 was included in the ordinance so it could be passed at its introduction.

MOTION: Move adoption of Ordinance No. 774.
Markovich/Owel –

AMENDED MOTION: Amend the motion to include the legal description as Exhibit ‘B’ instead of Exhibit ‘A’.
Picinich/Owel – unanimously approved.

RESTATED MOTION: Move adoption of Ordinance No. 774 amended to include the legal description as Exhibit ‘B’.
Markovich/Owel – unanimously approved.

MOTION: Move approval of the purchase and sale agreement as presented and that our city officials be authorized to execute the agreement.
Markovich/Ekberg – unanimously approved.

MOTION: Move approval of the option agreement and authorization of the city official to sign the same.
Markovich/Picinich – unanimously approved.

4. Six-Year Transportation Plan. Wes Hill, Public Works Director, explained that it was part of the annual process to update the Six-year Transportation Plan. He explained that the resolution and Public Hearing would be at the November 10th Council Meeting. He highlighted the plan's capital improvement program and explained the outside sources of funding that would be required.
5. Permit Processing – Tenant Improvements and Processing Times. Ray Gilmore, Planning Director, responded to concerns about the amount of time it takes to process a tenant improvement permit brought up by Jim Pasin at the last Council meeting. He explained that he had included two tables in the Council packet; one that showed the average permitting times for tenant improvements throughout Pierce County jurisdictions, and the other showing seven different increments of processing times and the number of permits processed during those increments. He added that lately, tenant improvement permits have been processed in four to six weeks due to the amount of them coming in as a result of the Westside Annexation, but that the number had dropped, decreasing the turn-around time. He also added that the two tables show that the city's processing time is about fifteen days, a little faster than the Pierce County average. He went over the recommendations submitted by Mr. Pasin and explained that he was going to implement a plan, utilizing existing staff, that would set aside one or two periods during the month dedicated solely to plan review to determine if it would be sufficient to address the concerns. He will report back after two months on the progress of this plan.

Jim Pasin – 3212 50th St. Ct. NW. Mr. Pasin thanked Ray Gilmore and Mark Hoppen for taking the time to address his concerns. He again gave an example of delays in his tenant improvements permits and added that he had submitted several more in the past week to emphasize that it was an on-going process.

Councilmember Ekberg said that he was pleased by the information provided by the tables that the permits were being handled in an average time, and added that he was encouraged by the effort to speed up the process. Councilmember Markovich agreed with the fact that there has been a large increase in the amount of new buildings recently built, impacting the time it takes to review permits. Councilmember Picinich invited Mr. Pasin to return after two months to report on his observations.

6. Special Occasion Liquor License – Women's Interclub Council. No action taken.

PUBLIC COMMENT: None.

MAYOR'S REPORT: Sub-Area Planning Committee.

Mayor Wilbert reported that the Westside Sub-Area Planning Committee has been meeting on a regular basis. She added that several of their recommendations have been included in the Six-Year Transportation Plan and that a more complete report will be coming at a later Council meeting.

COUNCIL COMMENTS: None.

STAFF REPORT:

1. Ray Gilmore – Planning/Building Department. Mr. Gilmore gave a report on the recent census of Gig Harbor North and the Westside, which was completed last week. He explained that the official city population will be certified by OFM in the next thirty days, and the population was approximately 2,200 larger than before. He said he would be submitting a request at the November 10th meeting for an amendment of the resolution for a time extension of the due date for the recommendations from the Westside Sub-Area Planning Committee to allow the Planning Commission sufficient time to review their information.

Mayor Wilbert and Wes Hill answered Council's questions regarding the installation of a traffic revision of a four-way stop at the corner of 38th and Hunt Street due to safety concerns.

2. Dave Rodenbach, Finance Department – Quarterly Report. Mr. Rodenbach gave an overview of the third quarter of the 1997 budget. He explained that the General Fund is at approximately 72% of expected revenues and 60% of total resources. He added that October and November are the high months for property and sales tax collections and the city should meet or exceed their expected revenues. He gave an overview of expenditures and added that there would be a budget amendment in December largely due to legal fees. He added that hotel/motel taxes have added revenue and that due to new law changes, a committee comprised of two taxors, two users, and one elected official, would need to be formed in 1998 to determine the use of these taxes.

ANNOUNCEMENT OF OTHER MEETINGS:

1. October 30th, Dan Burden:
1-4 p.m. at City Hall – Kimball Community.
7-9 p.m. at City Hall – Livable Communities Public Lecture.

APPROVAL OF BILLS:

MOTION: Move approval of checks #18399 through #18400 and #18860 through #18937 in the amount of \$87,029.86.
Owel/Platt - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 8:30 p.m. for approximately 15 minutes for the purpose of discussing litigation, potential litigation, and personnel.
Owel/Platt - unanimously approved.


MOTION: Move to return to regular session at 8:35 p.m.
Platt/Owel - unanimously approved.

MOTION: Move for approval of the Settlement Agreement of \$7,300 for Northwest Cascade and Cortez Inc. verses the City of Gig Harbor.
Picinich/Owel – unanimously approved.

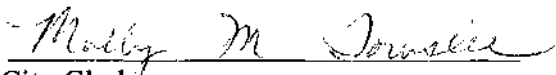
ADJOURN:

MOTION: Move to adjourn at 8:37 p.m.
Platt/Owel - unanimously approved.

Cassette recorder utilized.
Tape 472 Side B 355 – end.
Tape 473 Both Sides.
Tape 474 Side A 000 – 300.



Mayor



City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF NOVEMBER 10, 1997

PRESENT: Councilmembers Picinich, Owel, Platt, Ekberg, Markovich, and Mayor Wilbert.

CALL TO ORDER: 7:04 p.m.

PUBLIC HEARINGS:

1. Vacation Request – 38th/Wollochet. Mayor Wilbert announced that this public hearing had been rescheduled for November 24th.
2. Six-Year Transportation Improvement Program. Mayor Wilbert opened the public hearing on this item at 7:05 p.m. Wes Hill, Public Works Director, gave a quick synopsis of the program and the Mayor asked for public comment. No one came forward to speak and the hearing was closed at 7:07 p.m.
3. 1998 General Fund Revenue Sources. Mayor Wilbert opened the public hearing at 7:08 p.m. Dave Rodenbach, Finance Director, explained that there was an anticipated one and one-half percent increase in revenues over last year. He added that there would be a first reading of the ordinance later on in the meeting. There were no public comments on this item, so the public hearing was closed at 7:09 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the October 27, 1997 meeting as presented.
Picinich/Ekberg - unanimously approved.

CORRESPONDENCE/PROCLAMATIONS:

1. Tacoma Wooden Boat Society. Mayor Wilbert explained that this letter was typical of a number of groups wishing to reserve space on the public dock when they are told policy would not allow reserved space other than special events or city official business. Mark Hoppen, City Administrator, explained that the IAC grant also specified that the dock be first-come, first-serve status between the months of April through September.
2. Thank-you Letter from the O'Neills – Quail Run. Mayor Wilbert briefly introduced this letter praising the police department for their presence during Halloween, preventing the usual vandalism.

OLD BUSINESS:

1. Second Reading of Ordinance – 1998 Property Tax Levy. Dave Rodenbach explained that the city would be levying \$742,000 this year in the hope of collecting that amount, and that the assessment would remain at the current rates. The special levy for the '87 GO Bonds would be lower than 1997, about \$0.2347 per thousand.

MOTION: Move adoption of Ordinance No. 775 which provides for levying general property taxes for the fiscal year of 1978.
Markovich/Picinich – unanimously approved.

NEW BUSINESS:

1. Renewal of Hearing Examiner Contract. Mark Hoppen presented the proposed Hearing Examiner contract for 1998. He explained that Ron McConnell had requested a 1.6% increase for the year, which was reasonable, and recommended approval.

MOTION: Move we adopt the contract for the Hearing Examiner for the upcoming year for an increase not to exceed 1.6%.
Picinich/Owel – unanimously approved.

2. Amendment to Resolution – Westside Subarea Planning Committee. Ray Gilmore, Planning Director, explained that the list of recommendations from the Westside Subarea Planning Committee would be forwarded to the Planning Commission the first half of 1998. He said that some of the recommendations would require amendments to the Comprehensive Plan, and that the Planning Commission's workload for the remainder of 1997 prohibited the necessary public hearings from being completed by year's end. He requested an extension of the deadline for completion of the process to October 31, 1998.

MOTION: Move adoption of Resolution No. 504 which amends Resolution No. 477 by extending the deadline for submitting a recommendation to the City Council to October 31, 1998.
Markovich/Picinich – unanimously approved.

3. Six-Year Transportation Plan. Wes Hill, Public Works Director, gave a presentation utilizing overheads to illustrate the proposed program and upcoming projects. He said that the number one project on the list is the East/West Road. He added that this would be the last year the city could apply for funds under the "small-city" category. Councilmember Markovich asked about the status of the Harborview Street End project. Mr. Hill explained that he had attended a meeting with the Transportation Improvement Board and the State Aid Agency this past week and found that because the ISTEA program had yet to be approved at Congress, these agencies are looking at additional funding sources for pedestrian

improvement projects. He added that he was hopeful to obtain additional funding for this project to increase the scope. Mayor Wilbert asked that the city continue to coordinate with Peninsula Light to underground utilities during project design and construction.

MOTION: Move adoption of Resolution No. 505 adopting the Six-Year Transportation Improvement Plan.
Markovich/Picinich – unanimously approved.

4. Ordinance Providing for Issuance and Sale of General Obligation Bonds. Dave Rodenbach explained this ordinance authorizing the sale of 1,995 million in GO Bonds. He described the interest rates and added that \$1,350,000 of the funds would go toward the purchase of the Henderson Bay Property, and the remaining fund, less bond issuance costs, would be placed in escrow to pay off the 1991 LTGO Bonds for the Soundview Drive Project, maturing 1999 through 2006.

Carol Morris, Legal Counsel, recommended that Councilmembers read the Official Statement in the Purchase Contract before authorizing the city's approval, as she had concerns with certain areas of language. She also advised that the ordinance would need to be adopted in one reading, utilizing the special ordinance passing procedure adopting it on the night of its introduction. Councilmember Markovich asked for clarification of the issues with the contract.

Cynthia Weed, Bond Counsel, addressed several issues that had been brought up by Phil Miller, Bond Counsel for Ogden Murphy and Wallace. She explained the book entry only system, clarifying that it is a depository which issues the bonds electronically. She explained that if the Council were to postpone passage of the ordinance at this meeting, the interest rate would be jeopardized. She added that Councilmembers could approve the purchase of the bonds this evening, securing the interest rate, and that the document could be reviewed and changes made within the next few days.

Dave Tregeser, Dain Bosworth, gave an explanation of the interest rates and how they are acquired. He stressed the importance of passing the ordinance and bond purchase to assure the good rates. He explained that the final official statement would be printed in six to seven days, allowing time for review.

Mayor Wilbert appointed Councilmembers Markovich and Platt to review the document and suggest any changes.

MOTION: Move to adopt Ordinance No. 776, providing for the issuance and sale of general obligation and refund bonds, as specified.
Markovich/Picinich – unanimously approved.

5. Purchase Contract for General Obligation Bonds. This item was discussed under the last agenda item and the following motion was made.

MOTION: Move to authorize approval of the Purchase Contract for the General Obligation Bonds contingent upon an opinion letter incorporating those items of concern indicated in the memorandum, except the Depository Trust Company.

Markovich/Picinich – unanimously approved.

6. First Reading of Ordinance – 1998 Budget. Dave Rodenbach introduced the first reading of this budget ordinance and explained that the total preliminary budget was \$17,307,254, a 1.5% increase over the 1997 budget. He gave an overview of expenditures, salaries and benefits, fund transfers, and ending cash balances. He recommended adoption of the ordinance after the required public study sessions and second hearing. He added that the worksessions would be held on Monday, November 17th and Tuesday, November 18th at 6:30 p.m. Councilmember Ekberg asked for a copy of all the city-owned vehicles and mileage.
7. Liquor License Renewal – Uddenburg Thriftway. No action taken.
8. Liquor License Application – Shoreline Restaurant. No action taken.

PUBLIC COMMENT: None.

MAYOR'S REPORT: People-Places and Spaces.

Mayor Wilbert shared her enthusiasm for the Dan Burden presentation on livable communities. She gave an overview of his vision focusing on people and their spaces. She read a list of goals that she would like an emphasis placed upon in the upcoming years that included sidewalks, bike routes, and pedestrian pathways throughout the city.

COUNCIL COMMENTS:

Councilmember Ekberg reported that he had attended a meeting of the Local Involvement Committee for the Highway 16 project to determine a boundary for the election. He added that another meeting would be held later in the month and that the boundary should be set by the end of November.

STAFF REPORT:

1. GHPD Monthly Stats. No report given on the stats included in the packet.

2. Ray Gilmore , Planning Director. Mr. Gilmore announced the upcoming public hearing on the sign code on December 4th and a final worksession scheduled for December 18th. He added that on November 20th, one pre-hearing session would be held to review the proposed amendments to be recommended to the Council.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Budget Worksessions. Monday, November 17th, Planning, Court, Finance, Police, and Administration. Tuesday, November 18th, Public Works – Parks, Streets, Sewer, and Water. Both meetings are scheduled for 6:30 p.m. in the City Hall Conference Room.
2. Sign Code Sessions. November 20th, Pre-hearing session; December 4th, Public Hearing; and December 18th, final worksession.

APPROVAL OF BILLS:

MOTION: Move approval of checks #18938 through #19019 in the amount of \$78,225.74.
Owel/Platt - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of October payroll checks #14821 through #14956 in the amount of \$222,398.78.
Owel/Platt - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 8:16 p.m. for approximately 30 minutes for the purpose of discussing litigation, potential litigation, and personnel.
Picinich/Ekberg - unanimously approved.

MOTION: Move to return to regular session at 8:45 p.m. and extend the Executive for another 15 minutes.
Platt/Owel - unanimously approved.

MOTION: Move to return to regular session at 8:55 p.m.
Platt/Owel – unanimously approved.

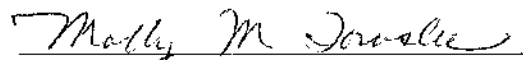
ADJOURN:

MOTION: Move to adjourn at 8:55 p.m.
Markovich/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 474 Side A 301 – end.
Tape 474 Side B 000 – end.
Tape 475 Side A 000 – end.



Mayor



City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF NOVEMBER 24, 1997

PRESENT: Councilmembers Picinich, Owel, Ekberg, and Mayor Wilbert. Councilmembers Platt and Markovich were absent.

CALL TO ORDER: 7:11p.m.

PUBLIC HEARINGS:

1. Vacation Request – 38th/Wollochet. Mayor opened this public hearing at 7:11 a.m. Wes Hill, Public Works Director, explained that this is a request to vacate portions of Wollochet Drive Northwest and 38th Avenue Northwest. He passed out an updated legal description and vicinity map and illustrated the modified easement proposal. He explained that the revised proposal for vacation would accommodate the existing driveways and access to the north end of 38th. He added that the right-of-way is surplus to the city's needs and the vacation would eliminate the need for maintenance by the city crew. Mayor Wilbert asked for public comment.

Michael Champas – 4310 69th St. Ct. NW. Mr. Champas said he owns a business on state property and was concerned that his access would be eliminated. Wes Hill assured him that the modified proposal would retain the access.

Wes Hill said that the vacation request had been divided into two separate ordinances, one for the portion of Wollochet Drive, and one for the portion of 38th. He added that he had corrections to the ordinances to be considered. The first corrections were to the Wollochet Drive Ordinance, correcting A. 5, to read 12.14.006, and to add the appropriate resolution number to the beginning of the ordinance. The second correction to the 38th Street Ordinance was again to add the appropriate resolution number, and to correct the sentence from 'of the map' to 'on the map' in B.6.

Mayor Wilbert closed the public hearing at 7:19 p.m.

2. Final Public Hearing – 1998 Proposed Budget. Dave Rodenbach, Finance Director, explained that the budget was submitted two weeks ago and described the two major changes that had been made since that time. A \$250,000 transfer from the general fund estimated ending balance had been moved to the property acquisition fund, and the police budget had been increased by \$47,000 to cover special services.

No one from the audience asked to speak on the budget, and the Mayor closed the public hearing at 7:20 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the November 10, 1997 meeting as presented.
Picinich/Ekberg - unanimously approved.

CORRESPONDENCE/PROCLAMATIONS: None scheduled.

OLD BUSINESS:

1. Vacation Request – 38th and Wollochet – Resolution Setting the Hearing Date and First Reading of Ordinances for Vacation. Carol Morris, Legal Counsel, addressed the resolution in the packet establishing the public hearing date. She explained that this resolution should be passed this evening, and that the number would need to be incorporated into the ordinances at their second reading at the next meeting.

MOTION: Move for adoption of Resolution No. 506.
Picinich/Owel – unanimously approved.

2. Second Reading of Ordinance – 1998 Budget. Dave Rodenbach introduced the second reading of this budget ordinance. He said that the total preliminary budget was \$17,657,000 a 3.5% increase over the 1997 budget. He gave an overview of expenditures, salaries and benefits, fund transfers, and ending cash balances and answered Council's questions.

MOTION: Move approval of Ordinance No. 779 adopting the budget for the 1998 fiscal year.
Picinich/Owel – unanimously approved.

3. Hearing Examiner Recommendation – Robert Philpott (Maritime Fuel Dock) SDP95-06. Steve Osguthorpe, Planning Associate, explained that on October 14, 1996, this issue was remanded back to the Hearing Examiner by the City Council to consider concerns relating to the fire code requirements. He gave a history of the application and the steps bringing the application back to the City Council for final decision. He added that a shoreline permit was included that also reflected the conditions of approval in the resolution.

MOTION: Move approval of Resolution No. 507 which is a site plan approval, shoreline substantial development permit approval and shoreline conditional use permit approval to construct a fuel dock as outlined in the documents for Robert Philpott.
Ekberg/Owel – Councilmembers Ekberg and Owel voted in favor.
Councilmember Picinich voted against.

4. Avalon Woods – Dedication and Maintenance Request. Wes Hill, Public Works Director, explained that this request for the city to assume maintenance responsibilities for the streets and storm drainage system serving Avalon Woods, was presented to Council on August 25th 1997. At that time, Council requested staff to review the City's policies on acceptance of private systems and to bring back recommendations relating to this and any subsequent requests. He added that this review had taken place and provisions had been prepared to be adopted into the Public Works Standards after the required two readings of an ordinance.

Mr. Hill said that a review of the streets in Avalon Woods shows that they appear to be in good condition, and would be acceptable per Public Works Standards. He added that the storm sewer system, up to the detention system, was also in good condition. He explained that it appears that the detention system was constructed to the standards at the time it was built, and recommended that the city be authorized to work with the homeowners to obtain an evaluation of the system, including the drainage basin that leads to the retention structure, to determine any risks or impacts to the system.

John Holmaas. Mr. Holmaas explained that he was the original developer of the Avalon Woods Development. He asked several questions regarding hazardous waste assessments, environmental studies done on the property when developed, and title reports. Carol Morris, Legal Counsel, said she would review the documents again and address these concerns within the next few days.

Don Thompson – 9716 43rd Ave NW. Mr. Thompson asked for the Council's cooperation in the dedication of the streets and utilities to the city. He gave a history of the development and the steps that had been taken to bring the request to the Council. He added that it was essential to maintain a positive working relationship between the homeowners and the City.

Richard Dadisman – 4206 97th St. Mr. Dadisman said he and the other homeowners had been led to believe that after the annexation, the roads and utilities automatically would be dedicated to the city. He added that the city should also pay 100% of the independent evaluation of the drainage system, not only 80%, leaving the other 20% for the homeowners, because the detention pond serves other properties. He voiced concerns that more and more money would be required of the homeowners for the dedication of the systems.

Mark Hoppen, Wes Hill, and Carol Morris talked about the conditions of annexation and what assuming private structures entailed. Councilmember Ekberg clarified that there were two issues to be considered; one, the development of city policy for acceptance of any private structure, and two, the Avalon Woods request. Mr. Hill was instructed to bring back the suggested changes to policy for a first reading at the next meeting, and to coordinate with the homeowners to develop a scope of services proposal for the evaluation of the drainage system.

MOTION: Move that staff continue to work with Avalon Woods and come back with some innovative solutions to the situation, that is not too costly.
Ekberg/Picinich – unanimously approved.

NEW BUSINESS:

1. Interlocal Agreement – Amendments to the Pierce County County-Wide Planning Policy.
Mark Hoppen explained that this was basically a housekeeping measure updating the interlocal agreement for the County-wide Planning Policy and recommended approval.

MOTION: Move to adopt Resolution No. 508.
Picinich/Ekberg – unanimously approved.

2. First Reading of Ordinance – 1997 Budget Amendment Ordinance. Dave Rodenbach explained that expenditures for the General Fund/Administration/Finance are at 100% of budget due to legal fees. He recommended adoption of the ordinance amending the budget at its second reading.

PUBLIC COMMENT:

Mark Robinson - 7415 Stinson Avenue. Mr. Robinson said that during the last election, the issue of campaign funding came up. He requested that staff to do the research and take the steps to require full disclosure of their funding and expenditures in future elections. There was confusion on whether the requirement for disclosure was based on population of 5,000 or registered voters of 5,000. Staff was instructed to research the issue and report back at the next meeting.

MAYOR'S REPORT: None scheduled.

COUNCIL COMMENTS:

Councilmember Ekberg reported that he had attended the second meeting of the Local Involvement Committee for the Highway 16 project, to determine a boundary for the election. He added that the boundary had been expanded to include all of Clallam, Jefferson, Thurston Counties, and most of Pierce County. The vote will take place in November of 1998. The next committee meeting will be in March to address the issues to be placed on the ballot.

STAFF REPORT:

Steve Osguthorpe, Planning Associate, reported that the last Planning Commission worksession for the sign code was coming up on December 4th. He added that the public hearing scheduled for the

18th had been moved up to the 11th and asked if Council would like to hold a second Council meeting in December to have a first reading of the ordinance to adopt the recommendations. Council discussed holding a second meeting on the 22nd. Steve said it would be up to the City Council on whether or not to accept public testimony as the required hearings had already been held.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Sign Code Sessions. December 4th, Public Hearing; and December 11th, final work session.

APPROVAL OF BILLS:

MOTION: Move approval of checks #19020 through #19116 in the amount of \$76,000.91.
Owel/Picinich - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 8:38 p.m. for approximately 20 minutes for the purpose of discussing litigation, potential litigation, and personnel.
Picinich/Ekberg - unanimously approved.

MOTION: Move to return to regular session at 8:55 p.m.
Picinich/Owel - unanimously approved.

ADJOURN:

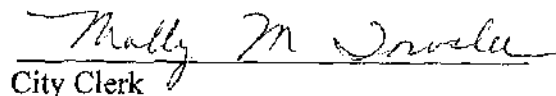
MOTION: Move to adjourn at 8:55 p.m.
Picinich/Ekberg - unanimously approved.

Cassette recorder utilized.
Tape 475 Side B 000 - end.
Tape 476 Side A 000 - end.
Tape 476 Side B 000 - 387.

Mayor



City Clerk



REGULAR GIG HARBOR CITY COUNCIL MEETING OF DECEMBER 8, 1997

PRESENT: Councilmembers Picinich, Owel, Ekberg, Platt, Markovich and Mayor Wilbert.

SPECIAL PRESENTATION: Dave Brereton, Public Works Supervisor – 20 years of Service.

Mayor Wilbert introduced Dave Brereton and his family and asked them to come forward. She thanked Dave and added that she had never received a complaint regarding him in the eight years she had served as Mayor. She then thanked his wife, Julie, and children, Stephanie and Andrew, for being supportive of Dave in his job. Mayor Wilbert presented Dave with a silver burgee pin as a thank you from the city for his 20 years of service.

CALL TO ORDER: 7:04 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the November 24, 1997 with correction as suggested.

Picinich/Ekberg - unanimously approved. Councilmembers Markovich and Platt abstained.

CORRESPONDENCE/PROCLAMATIONS: None scheduled.

OLD BUSINESS:

1. **Second Reading of Ordinances – Vacation Request – 38th and Wollochet.** Wes Hill, Public Works Director, explained that these ordinances to vacate portions of Wollochet Drive and 38th Avenue had been presented as a first reading at the last council meeting.

MOTION: Move to approve Ordinance No. 777 as presented.
Markovich/Picinich – unanimously approved.

MOTION: Move to approve Ordinance No. 778 as presented.
Markovich/Owel – unanimously approved.

2. **Second Reading of Ordinance – 1997 Budget Amendment Ordinance.** Dave Rodenbach, Finance Director, introduced the second reading of this ordinance amending the 1997 budget.

MOTION: Move to approve Ordinance 780 as presented.
Picinich/Ekberg – unanimously approved.

NEW BUSINESS:

1. Employment Agreement – Municipal Court Judge. Mark Hoppen, City Administrator, introduced this employment agreement, with a request for an increase in the monthly base salary as well as an increase in the hourly rate of compensation. An increase in the hours of compensable time were also proposed to be increased from 45 to 60 hours per year. He recommended approval of the new, four-year contract as presented.

MOTION: Move approval of the Employment Agreement for Municipal Court Judge. Markovich/Owel – unanimously approved.

2. First Reading – Ordinance Establishing Compensation for the Municipal Court Judge. Mark Hoppen introduced this first reading of an ordinance and explained that the ordinance is necessary to establish the level of compensation for the position. This will return at the next meeting for a second reading.

3. Employment Agreement – City Prosecutor. Mark Hoppen presented this contract and explained that the only change was an increase for the Associate from \$65 to \$70 per hour.

MOTION: Move approval of the Prosecutor Employment Agreement as presented. Markovich/Picinich – unanimously approved.

4. Legal Services Agreement for 1998. Mark Hoppen presented this proposal for legal services. He explained that the agreement added an overall 3.0% increase in the rate of compensation and added that video conferencing was being developed by Ogden Murphy Wallace that would help to keep costs down by decreasing the amount of on-site visits. He answered Council's questions and recommended approval of the contract.

MOTION: Move approval of the contract for legal services with a proposed rate adjustment for 1998. Markovich/Picinich – unanimously approved.

5. First Reading of Ordinance – Acceptance of Private Street and Utilities. Wes Hill explained that there are several private developments that may come before Council to request that their streets and storm drainage facilities be accepted by the City for maintenance purposes. This ordinance, amending the Public Works Standards, would provide standards and discretionary authority to review each proposal individually. Changes to the ordinance were discussed to include language to notify the property owners of possible assessments associated with acceptance of their structures.

John Holmaas – 7524 Goodman Drive. Mr. Holmaas explained that he had spoken at the last

meeting as the developer of Avalon Woods. He said that the proposed ordinance answered many questions but one question remained. He wanted to know whether or not the homeowners association would be able to convey the roads and storm system or if a plat alteration would be required. Howard Jensen, filling in for Legal Counsel, advised Mr. Holmaas that Carol Morris, City Attorney, had alternatives and that he should call her to discuss them. This ordinance will return for a second reading at the next meeting.

6. Bayridge Avenue Improvement Project – Consultant Services Contract. Wes Hill, Public Works Director, explained that one objective for 1997-98 was to complete storm sewer and waterline improvements on Bayridge Avenue. He added that there was a need for a more detailed analysis of the storm drainage system and recommended hiring Craig Peck & Associates to perform the work.

MOTION: Move we approve execution of the Consultant Services Contract with Craig Peck & Associates in an amount not to exceed four-thousand four-hundred dollars and no cents (\$4,400.00).
Picinich/Owel – four voted in favor. Councilmember Ekberg voted against.

7. First Reading of Ordinance – Planning Commission Recommendation – Amendment to Chapter 17.72 (Parking Standards for Multifamily Residential). Steve Osguthorpe, Planning Associate, explained that the Council had a proposal to amend the parking standards for multi-family housing remanded back to the Planning Commission for further review. He gave an overview of the information requested from both Tacoma and Pierce County on their parking standards and explained that the Planning Commission had reviewed the additional information. He added that a Planning Commission Resolution recommending approval of the proposed amendments is included in the packet, along with a draft ordinance approving the amendments. This ordinance will return at the next meeting for a second reading.

8. Truck Service Body – Contract Award. Wes Hill gave an overview of the four bids received to replace the utility truck used by the wastewater treatment plant. He explained that the low bid amount exceeds the budgeted amount of \$50,000, but that it was anticipated that the salvage value of the existing truck would be approximately \$2,000, and that sufficient funds are available for the remainder.

MOTION: Move we approve the award and execution of the contract for the Truck Service Body to Pacific Utility Equipment Company, as the lowest responsive bidder, in the amount of twenty-eight thousand five-hundred twenty-two dollars and seventy cents (\$28,522.70).
Owel/Picinich – unanimously approved.

9. Jerisich Park Dock Improvements – Contract Award. Wes Hill explained that a budgeted item for 1997-98 is the reconstruction of the Jerisich Park Dock. He added that three bids

had been received in response to an advertisement for bids and that all bids exceed the engineer's updated estimate of \$325,366. He added that there were three options; one, to reduce the scope of the project; two, to reject all the bids and readvertise, delaying the completion of the project and jeopardizing the grant funding; and three, to utilize funds from other sources. The importance of the project was discussed and it was decided to borrow the money from the property acquisition fund and to proceed.

MOTION: Move we follow staff's recommendation and approve award and execution of the contract for the Jerisich Park Dock Improvement Project to Hurlen Construction Company, as the lowest responsible bidder, for a total contract amount of three-hundred eighty-seven thousand five-hundred four dollars and no cents (\$387,504.00), and that the extra funds needed be deferred from the property acquisition fund, which will be repaid over the years.
Ekberg/Owel – unanimously approved.

10. Liquor License Renewals – Marco's Restaurant / Mimi's Pantry. No action taken.

PUBLIC COMMENT: None.

MAYOR'S REPORT: Two New Council Positions.

Mayor Wilbert briefly explained that when the certification of the final census figures from the Gig Harbor North and Westside Annexations were received, two new Council Positions would be opened for appointment by the Council. She asked that anyone qualified for these positions submit a letter of interest to the city.

COUNCIL COMMENTS: None.

STAFF REPORT:

Mitch Barker, Chief of Police – GHPD Stats. Chief Barker explained that he had no additional information to add to the statistics and offered to answer questions.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Sign Code Worksession – December 11th.
2. No second City Council meeting in December.

APPROVAL OF BILLS:

MOTION: Move approval of checks #19117 through #19196 in the amount of \$92,863.83.

Owel/Ekberg - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of November payroll checks #14957 through #15088 in the amount of \$222,863.83
Owel/Ekberg - unanimously approved.

EXECUTIVE SESSION: None held.

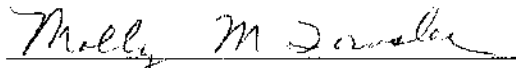
ADJOURN:

MOTION: Move to adjourn at 8:01 p.m.
Platt/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 477 Side A 000 – end.
Tape 477 Side B 000 – 384.



Mayor



City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JANUARY 13, 1998

(Meeting postponed from the 12th due to weather conditions)

PRESENT: Councilmembers Ekberg, Young, Platt, Picinich, Markovich and Mayor Wilbert.

CALL TO ORDER: 7:06 p.m.

SWEARING IN CEREMONY: Mayor Wilbert introduced Judge Marilyn Paja, who performed the Oath of Office for Derek Young, Steve Ekberg, John Picinich, and Mayor Wilbert.

INTRODUCTION OF APPLICANTS FOR NEW COUNCIL POSITIONS:

Mayor Wilbert explained that due to the two new annexations and the certified increase in the population, the city was required to appoint two new members to the Council. She added that eight persons had sent in letters of interest for the position, and that these eight were present in the audience. She introduced seven of the eight persons to Council and invited them to each give a short presentation on why they would like to serve on the City Council. The interested persons who spoke were Robert Aulerich, Nanette Bullough, Robert Dick, Kenneth Drew, Bruce Gair, Marilyn Owel, and Mark Robinson. Richard O'Neill could not be present at the meeting, but the Mayor read a letter submitted by him.

After the presentations, Mayor Wilbert thanked the presenters and asked Mark Hoppen, City Administrator to explain the procedure in which the two new members would be appointed. Mr. Hoppen explained that statute requires Council to make a selection for position number six, then after that person takes the oath, the newly appointed Councilmember would participate in the selection for position number seven. He added that this would occur toward the end of new business.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the December 8, 1997 as presented.
Platt/Ekberg - unanimously approved

CORRESPONDENCE/PROCLAMATIONS: None scheduled.

OLD BUSINESS:

1. Second Reading – Ordinance Establishing Compensation for the Municipal Court Judge.
Mark Hoppen explained that this was the second reading of an ordinance establishing the level of compensation for Municipal Court Judge for a base salary of \$1,300 per month with

an \$80 per hour limit for hours outside the general court docket.

MOTION: Move adoption of Ordinance No. 781 as presented.
Platt/Picinich – unanimously approved.

2. Second Reading of Ordinance – Acceptance of Private Streets and Utilities. Howard Jensen, Legal Counsel, presented this ordinance designed to provide criteria for the city to accept private streets and utilities for public use and to allow Council to review each request on a case-by-case basis. Councilmember Picinich asked if this ordinance addressed John Holmaas’ concerns. Mr. Hoppen explained that this ordinance needed to be in place before the Avalon Woods’ concerns were addressed. He added that this issue would be brought back at a later date.

MOTION: Move to adopt Ordinance No. 782.
Picinich/Ekberg -unanimously approved.

3. Second Reading of Ordinance – Planning Commission Recommendation – Amendment to Chapter 17.72 (Parking Standards for Multifamily Residential). Steve Osguthorpe, Planning Associate, explained that there were no comments at the first reading of this ordinance, but that Carol Morris, Legal Counsel, had a few minor suggestions to modify the ordinance before the second reading, which had been made.

MOTION: Move to adopt Ordinance No. 783.
Ekberg/Platt – unanimously approved.

NEW BUSINESS:

1. Pierce County Boating Safety Agreement. Mitch Barker, Chief of Police, presented this agreement and explained that the City was eligible to receive a portion of the vessel registration fees collected by the State of Washington.

MOTION: Move to authorize the Mayor to sign the Boating Safety Agreement to accept the amount of \$7,619.26.
Picinich/Platt – unanimously approved.

2. Job Description – Public Works Project Engineer. Mark Hoppen explained that this was a request for Council to include this description for Public Works Project Engineer to the City’s job descriptions.

MOTION: Move we include the Public Works Project Engineer job description in the City of Gig Harbor Job Descriptions.
Markovich/Picinich – unanimously approved.

3. First Reading of Ordinance – Proposed Revision to the Sign Code. Ray Gilmore, Planning Director, introduced this first reading of a recommendation from the Planning Commission for changes to the City Sign Code Section 17.80 of the GHMC. He added that as a recommendation from the Planning Commission, it is a legislative action and not a public hearing. He advised that after going reviewing the changes, Council could hold their own public hearing. He said he would briefly give an overview of the changes, representing seven months of Planning Commission work. He added that there had been twelve public hearings on the proposed changes and that there were twelve major issue areas addressed, plus one miscellaneous area. He gave highlights of the summary of the changes and answered Council's questions.

Councilmember Markovich said he would like an opportunity for further review of the changes. He said he was in favor of conducting another public hearing before deciding to adopt the recommendations. Councilmember Picinich agreed and said that Council should hold as many hearings as necessary to hear all the issues. Councilmember Markovich added that his intent was not to rehash the issues that had already been addressed by the Planning Commission. He said that he wanted to conduct one public hearing with guidelines to limit the time that would be expended on this issue.

Councilmember Young asked if one public meeting would be sufficient to accept enough comment. Ray Gilmore explained that Council could make a decision on the recommendation before them at a second reading without any additional information, but that Council had voiced a desire for an additional public hearing. He added that there were also constraints due to public notice requirements.

Councilmember Ekberg said that he agreed that they needed to give the public adequate time to give input, but not to redo the seven months of the Planning Commission's work. He asked that parameters be developed for a meeting and to encourage written comment on the issue. Ray Gilmore was asked to develop guidelines for the public hearing to be brought back at the next Council meeting for consideration. Mayor Wilbert said that the recordings of the Planning Commission proceedings would be available for review.

MOTION: Move we schedule a public hearing on Wednesday, February 11th, 6:00 p.m. at City Hall.
Picinich/Young – unanimously approved.

4. First Reading of Ordinance – Proposed Revisions to Chapter 17.98 Redefining the Design Review Process. Steve Osguthorpe, Planning Associate, explained that a number of the proposed changes to the Sign Code rely heavily on the City's Design Manual and the design review process. He explained that the Planning Commission drafted amendments to chapter 17.98 of the GHMC redefining the design review process to allow the Design Review Board to consider design criteria specified in the zoning code, including the sign code. He added

that these amendments would also provide a process for review of other site plans. This will return for a second reading at a later date.

5. Consultant Services Agreement – TIB Grants. Wes Hill, Public Works Director, explained that this will be the last year that the City will be eligible for the Small Cities Account program which is available only to agencies with less than 5,000 population. Because there are insufficient staff resources to perform the necessary review, preparation and follow-up to apply for various grants, he recommended that Council approve a consultant services agreement with Skillings-Connolly, to assist the city in an effort to secure grant assistance for upcoming projects.

MOTION: Move to authorize the Mayor to execute the Consultant Services Contract with Skillings-Connolly, Inc. in an amount not to exceed three-thousand one-hundred twenty-six dollars and twenty cents (\$3,126.20).
Platt/Picinich – unanimously approved.

6. 1998 Renewal – Pierce County Emergency Management Services. Mark Hoppen introduced this renewal for emergency management services at \$.60 per capita. He explained that the most notable portion of the contract was the workplan attached as Exhibit ‘A’. He added that he was involved in the development of a regional plan and said he was positive about the services being provided.

MOTION: Move we approve renewal of the Pierce County Emergency Management Services Contract.
Picinich/Ekberg – unanimously approved.

7. First Reading of Ordinance – Disclosure of Financing during Elections. Howard Jensen introduced this ordinance that would require campaign financing consistent with state law. Councilmember Picinich asked for clarification on two sections of the ordinance. Mr. Jensen explained (L) and (N) of the ordinance and said he would make changes to them before the next reading.

Councilmember Markovich asked how this item came to be on the agenda. Councilmember Young explained during the last council meeting that the subject was brought up by Mark Robinson and himself and that Councilmember Ekberg had asked staff to research the subject. Councilmember Picinich added that he too had concerns on the subject. Councilmember Markovich said that he had recently been involved in an election and the reporting requirements are not easy, thus the reason for the exemption for small cities to not put a significant burden on citizens. This item will return for further discussion at the second reading.

8. Ordinance – Accepting Donations from the Morris Foundation. Dave Rodenbach, Finance

Director, explained that the city had recently received a donation in the amount of \$25,000 from the Morris Foundation for the enhancement of the City Parks for new real estate acquisitions and/or capital improvements. He added that it was required to be adopted by ordinance because of the stipulation that the funds be used in specific areas. He asked that Council pass this ordinance in one reading to save time.

Councilmember Ekberg said he would prefer to bring this back for a second reading as he did not see the need for passage in one reading. Councilmember Markovich asked for clarification of the priority request that the donation be used for new park benefits in conjunction with the Gig Harbor Peninsula Historical Society in an effort to secure property within the city. Mark Hoppen explained that if the Historical Society makes an offer on property within the six to twelve month time frame stipulated, these funds would be applied to that purchase because of the benefit to the city through a conservation easement and park system. He added that the Morris Foundation was attempting to benefit both the Historical Society and the city's park systems and that if an offer was not made within the time frame mentioned, the money would be used elsewhere.

Councilmember Platt asked if this request would become a priority over all other parks projects. Mr. Hoppen explained that only these particular funds would be a priority for this use and would not affect any other plans for property acquisition.

MOTION: Move for adoption of Ordinance No. 784 accepting the \$25,000 from the Morris Foundation.
Picinich / No second was made. The motion died.

Councilmember Markovich asked for a further clarification regarding the conditions attached to the funds.

MOTION: Move for adoption of Ordinance No. 784 accepting the \$25,000 from the Morris Foundation.
Picinich/Young --

Councilmember Ekberg said that there is a set procedure of two readings to allow for discussion and because there is nothing that constitutes an emergency in this ordinance, he would like this to be a first reading. Mayor Wilbert suggested inviting Mr. Morris to come to the next meeting to give clarification. Councilmember Platt agreed and added that he would like to hear from Mr. Morris regarding this benevolent gift and to thank him.

AMENDED MOTION: To make this the first reading of the ordinance and to invite Mr. Morris to come to the next meeting to answer any questions.
Ekberg/Picinich – unanimously approved.

9. Resolution – Hotel-Motel Tax Changes. Dave Rodenbach explained that changes in the 1997 Legislature broadened the permitted uses for Hotel-Motel Taxes to include spending on tourism-related facilities. He said that one of the requirements brought about by the change was to form a lodging tax advisory committee to review, comment and provide recommendations to Council concerning changes of the tax and how the funds are spent. He explained the composition of the committee and read the names of the persons who volunteered to serve. Mayor Wilbert read the committee names as follows:

Wade Perrow, Sue Braaten, Cathy Franklin, and Mary Jackson, representing the businesses required to collect the tax. Donna Lormor, Chris Erlich, Shirley Tomasi, and Marie Sullivan, persons involved in activities authorized to be funded.

MOTION: Move to adopt Resolution No. 509.
Platt/Ekberg – unanimously approved.

10. Reappointment of the Building Code Advisory Board Members. Ray Gilmore explained that this is an established board whose members had volunteered to serve another term. He recommended approval of the Resolution re-appointing Mr. Tom Bates, Mr. Al Mitchell, and Mr. Jim Zuzy to another term.

MOTION: Move to approve Resolution No. 510 as presented.
Platt/Young – unanimously approved.

11. Liquor License Assumption – Spiros Pizza. No action taken.
12. Change of Corporate Officers – Harvester Restaurant. No action taken.
13. New Liquor License Application – Harbor Arco, AM/PM Mini Mart. Mayor Wilbert requested that a letter be sent to the Liquor Board informing them that this business had not yet been built.
14. Liquor License Renewals – Gourmet Essentials; Harbor Inn. No action taken.

It was discussed and Council decided to move the Public Comment/Discussion portion of the meeting before the final item of New Business to appoint new Councilmembers.

PUBLIC COMMENT:

Phil Arenson – 6750 Kimball Drive. Mr. Arenson said he was concerned about the procedures for allowing public comment during the readings of ordinances. He asked why during some readings

of Ordinances, the Mayor asked if there were any public comments, yet on the first reading of the sign code ordinance, no public testimony was allowed. He asked that a fixed parameter on how and when the public could spend on an issue be put into place. Mayor Wilbert addressed his concerns and Howard Jensen, Legal Counsel, explained that on issues that had not had a previous public hearing, the first reading was considered a time for any public comment.

Wade Perrow – 911 No. Harborview Drive. Mr. Perrow thanked the Police Department for their patrol efforts in the newly annexed areas, and the Public Works Department for their help. He asked for an update on the progress of the East-West Road.

Wes Hill and Mark Hoppen explained that representatives from the Department of Transportation, Council and staff met on-site and will be meeting again several times to work out details of costs and design of the interchange.

NEW BUSINESS: (continued)

15. Appointment of Council Members to Vacant Positions. Mayor Wilbert asked for a motion to go into Executive Session in order to appoint a Councilmember to the vacant position number six.

MOTION: Move to go into Executive Session at 9:05 p.m. for approximately 30 minutes to appoint a Councilmember to the vacant position number six.
Picinich/Platt – unanimously approved.

MOTION: Move to return to regular session at 9:24 p.m.
Picinich/Platt – unanimously approved.

MOTION: Move to appoint Marilyn Owel to City Council position No. 6.
Picinich/Platt – unanimously approved.

Judge Marilyn Paja administered the oath of office to Ms. Owel and she joined the Councilmembers at their table.

MOTION: Move to go into Executive Session at 9:26 p.m. for approximately 30 minutes to appoint a Councilmember to the vacant position number seven.
Platt/Picinich – unanimously approved.

MOTION: Move to return to regular session at 9:44 p.m.
Platt/Picinich – unanimously approved.

MOTION: Move to appoint Robert Dick to City Council position No. 7.
Markovich/Platt – unanimously approved.

Judge Marilyn Paja administered the oath of office to Mr. Dick and he joined the Councilmembers at their table.

Mayor Wilbert thanked all the applicants and said how impressed the Councilmembers were at the quality and qualifications of the people who volunteered to serve their city.

MAYOR'S REPORT: None scheduled.

COUNCIL COMMENTS: None.

STAFF REPORT:

Mitch Barker, Chief of Police – GHPD Stats. Chief Barker gave a brief presentation on recent activities in the department and offered to answer questions.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Welcome to City Hall Workshop for New Councilmembers – January 22nd, 8:00 a.m. – 4:30 p.m. in Fife.
2. Sign Code Public Hearing – February 11th, 6:00 p.m. at City Hall.

APPROVAL OF BILLS:

MOTION: Move approval of checks #19257 through #19369 in the amount of \$187,604.51.
Platt/Young - unanimously approved.


APPROVAL OF PAYROLL:

MOTION: Move approval of December payroll checks #15089 through #15220 in the amount of \$232,381.56.
Young/Platt - unanimously approved.

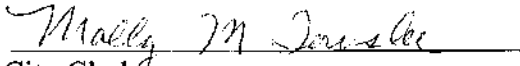
ADJOURN:

MOTION: Move to adjourn at 9:50 p.m.
Platt/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 478 Both Sides.
Tape 479 Both Sides.
Tape 480 Side A 000 – 128.



Mayor



City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JANUARY 26, 1998

PRESENT: Councilmembers Ekberg, Young, Platt, Owel, Dick, Picinich, Markovich and Mayor Wilbert.

CALL TO ORDER: 7:03 p.m.

APPOINTMENT OF MAYOR PRO TEM: Mayor Wilbert thanked Councilmember Steve Ekberg for serving as Mayor Pro Tem during 1997 and recommended the appointment of Councilmember Owel to serve as Mayor Pro Tem during the 1998 year.

MOTION: Move to approve the appointment of Councilmember Marilyn Owel to act as Mayor Pro Tem.
Ekberg/Platt – unanimously approved.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the January 13, 1998 with correction.
Picinich/Platt - unanimously approved. Councilmember Owel abstained.

CORRESPONDENCE/PROCLAMATIONS:

1. Department of Veteran's Affairs – WWII Memorial. Mayor Wilbert introduced this request for a contribution to support the World War II Memorial. She explained that Carol Morris, Legal Counsel, was researching the option to spend money on this memorial and if it were possible, the request would come back at the next meeting as an agenda item.

OLD BUSINESS:

1. Second Reading of Ordinance – Disclosure of Financing during Elections. Mark Hoppen explained that this ordinance applies state public disclosure requirements to the city code for candidates in this jurisdiction.

Mark Robinson 7415 Stinson Avenue. Mr. Robinson claimed that this ordinance was before Council at his request. He addressed questions that had come up at the last meeting regarding the need for an ordinance of this type and the difficulty of reporting contributions. He said that his wife had developed a computer program to simplify the reporting process and would be happy to give a seminar on how to use it before the next election campaign.

Jim Pasin – 3208 50th St. Ct. NW. Mr. Pasin encouraged Council to not pass the ordinance as it was the direct result of the outfall of a couple of parties during the last election and was not a real concern. He said he was in favor of less, not more regulation.

Councilmember Markovich said that he had nothing against the public disclosure statute and it was in place for a reason, but in a small community, the candidates are largely volunteers and this would be one more obstacle to citizens who may want to participate. Mayor Wilbert agreed that it is an additional burden on volunteers that may prevent them from running. Councilmember Ekberg said that this same argument could be used regarding filing the F-1 disclosure information and that these are not major obstacles to someone dedicated to serving their community. He made the following motion:

MOTION: Move to adopt Ordinance No. 784.
Ekberg/Picinich -

Councilmember Owel said that she supports public disclosure and did not find the process cumbersome. She added that people now spend more on campaigns and that the public is interested in knowing that the forms are on record. Councilmember Picinich said he felt the same way that he was very supportive. He added that the candidates owe it to the public to be open.

Councilmember Young said that philosophically he did not agree with public disclosure for small cities to avoid divisiveness, but that it has reached a level where non-disclosure has become divisive and that passing this ordinance would be a step toward solving this issue.

Councilmember Dick asked Legal Counsel for clarification on which state statutes were adopted by reference. Carol Morris explained that all the sections that pertained to campaign disclosure applicable to the city were adopted by reference.

RESTATED MOTION: Move to adopt Ordinance No. 784.
Ekberg/Picinich – Ekberg, Young, Platt, Owel, Dick and Picinich voted in favor. Councilmember Markovich voted against.

2. Second Reading of Ordinance – Accepting Donations from the Morris Foundation. Dave Rodenbach introduced Mr. Dave Morris, the Secretary and one of the Directors of the Morris Foundation. Councilmembers thanked Mr. Morris for the generous donation and asked for clarification of the conditions mentioned in the letter accompanying the check for \$25,000. Mr. Morris said that the specific purpose of the donation was for the enhancement of city parks, either new property acquisitions or capital improvements to existing parks. One special request was that within the next six to twelve months, if the Gig Harbor Peninsula Historical Society is able to secure property within city limits, then this money would be

used if the city was able to develop a park benefit or capital improvement adjacent to this acquisition. He said that if that doesn't occur, then the request would be dropped and the funds would be free to be used in any other way appropriate.

MOTION: Move to adopt Ordinance No. 785.
Picinich/Dick – unanimously approved.

NEW BUSINESS:

1. Official Newspaper Bid. Mark Hoppen explained that the city was fortunate to receive two bids for the official newspaper, but that the News Tribune's bid was significantly greater than the Gateway. He recommended the official newspaper status be awarded to the low bidder.

MOTION: Move to award the bid to the lowest responsible bidder, The Peninsula Gateway.
Dick/Owel – unanimously approved.

2. Special Occasion Liquor License – Peninsula Neighborhood Association. No action taken.
3. New Liquor License Application – Memory Lane Recreation Center. No action taken.

PUBLIC COMMENT:

Bonnie Wingard – Crescent Valley Drive. Ms. Wingard said that in light of the upcoming school levy she wanted to let people know that she had received Free & Reduced Lunch coupons from the State for her children several years ago that were not honored by the Peninsula School District. Mayor Wilbert thanked Ms. Wingard for her information and explained that the Councilmembers do not have persuasive influence with school district issues.

Matthew Erlich – 5407 35th Ave NW. Mr. Erlich introduced himself as the incoming Editor of the Peninsula Gateway and said that he looked forward to meeting all the members. He thanked Council for choosing the Gateway for the official newspaper. He requested that at each Council meeting, the specific citation for meeting under Executive Session, and the length of the session be mentioned to allow reporters an opportunity to possibly leave and return after the session.

MAYOR'S REPORT: None.

COUNCIL COMMENTS: None.

STAFF REPORT:

1. Ray Gilmore, Planning Director – Sign Code Hearing before the City Council. No verbal report given. Mayor Wilbert asked Councilmembers to refer to the information in their packet.
2. Dave Rodenbach, Finance Director – Quarterly Report. Mr. Rodenbach gave a brief summary of the quarterly report and added that every fund was within budget.

Mayor Wilbert added that immediately after the meeting, Tom Horkan, one of the planners for the Tacoma Narrows Bridge corridor project, was available to speak to Councilmembers. She added that he had several large photos for viewing.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Sign Code Public Hearing – February 11th, 6:00 p.m. at City Hall.

APPROVAL OF BILLS:

MOTION: Move approval of checks #19375 through #19396 in the amount of \$36,892.75.
Young/Ekberg - unanimously approved.

MOTION: Move approval of checks #19370 through #19450 in the amount of \$47,319.84.
Young/Ekberg - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session for the purpose of discussing personnel negotiations per RCW 42.30.110, Subsection(i) and 42.30.140, Subsection 4 – Personnel Negotiations, for approximately 30 minutes.
Picinich/Young – unanimously approved.

MOTION: Move to return to regular session at 8:13 p.m.
Picinich/Platt - unanimously approved.

MOTION: Move we adopt the agreement between the City of Gig Harbor and the Gig Harbor Police Officer’s Guild.
Picinich/Owel – unanimously approved.

ADJOURN:

MOTION: Move to adjourn at 8:15 p.m.
Platt/Ekberg - unanimously approved.

Cassette recorder utilized.
Tape 480 Side A 129 - end.
Tape 480 Side B 000 - 295.

Gretchen Allibert
Mayor

Milly Zovace
City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF FEBRUARY 9, 1998

PRESENT: Councilmembers Ekberg, Young, Owel, Dick, Picinich, and Mayor Wilbert.
Councilmembers Platt and Markovich were absent.

SPECIAL PRESENTATIONS:

1. Presentation of the 1998 Explorer Charter. Chief Mitch Barker explained that the City of Gig Harbor has had an active Explorer program since 1980 and that it was time to renew the charter. He introduced John Tupper, Scouting Executive, and Officers Scott Emmett and Paige Sanders, who are both active in the program.

Mr. Tupper explained that these young people are learning character development, citizenship training and personal fitness through the Explorer division of the Boy Scouts of America. He added that this post is one of the finest he has had the opportunity to work with. He presented the charter to Officer Emmett on behalf of the GHPD Explorer Post 108. Officer Emmett accepted the charter and added that these young men and women work very hard serving the community and that the GHPD was fortunate to have such wonderful young people involved. He introduced the Explorer members present in the audience and thanked Mr. Tupper and the City for supporting the program.

2. Reserve Police Officer of the Year – Officer Dave Baca. Chief Barker explained that another active program in the department is the Reserve Police Officers. He gave an overview of the program and added that the Reserve Police Officer of the Year award was initiated to try to give some recognition to these volunteers. He noted the hours that Dave Baca had contributed to the program and commended him on his participation as a Reserve. He then presented Mr. Baca with the Reserve Officer of the Year Award.
3. Life Saving Award – Officer David Crocker. Chief Barker asked Officer David Crocker forward and presented him with a Departmental Commendation and the Life Saving Award. He described the incident where Officer Crocker was called to respond to a victim with no pulse or respiration and that he had administered CPR until the Paramedics arrived. The Paramedics reported that without Officer Crocker's efforts, the patient would not have survived.

CALL TO ORDER: 7:14 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the January 26, 1998 as presented.
Ekberg/Owel - unanimously approved.

CORRESPONDENCE/PROCLAMATIONS:

1. Department of Ecology – Litter. Mayor Wilbert said she had included this letter for Council's information and that she would be passing it on to Citizens Against Litter to help in their effort to obtain grants for clean-up projects.
2. Pierce Transit – Amendment to Bylaws. Mayor Wilbert explained that she had included these amendments to the Pierce Transit bylaws for review.
3. Joan Bassett – New Bowling Alley/Recreation Facility. Mayor Wilbert summarized the letter from local Citizens in support of the newly proposed bowling facility.

OLD BUSINESS: None scheduled.

NEW BUSINESS:

1. Interlocal Agreement for ESB 6095, Buildable Lands. Mark Hoppen, City Administrator, introduced this Interlocal Agreement allowing for the City of Gig Harbor to receive their portion of funds for assisting Pierce County in monitoring the amount of buildable lands.

MOTION: Move to authorize the Mayor to sign Exhibit 'A' to Pierce County Resolution No. R97-144, an interlocal agreement.
Picinich/Owel – unanimously approved.

2. First Reading of Ordinance Correcting the 1998 Salary Schedule. Dave Rodenbach, Finance Director, presented the first reading of an ordinance to amend the salary schedule to reflect recent additions, changes and salary adjustments. This will return for a second reading at the next meeting.
3. Resolution – Development Fee Schedule Adjustments. Ray Gilmore, Planning Director, gave an overview of the proposed changes to the fee schedule and answered Council's questions regarding the changes.

Jim Pasin - 3208 50th St Ct NW. Mr. Pasin voiced concerns on several areas of the Development Fee Schedule and asked for Council's consideration in these areas.

Councilmember Picinich said that he would like to postpone action until the concerns could be met and clarified. He mentioned several issues that were brought up, and Mr. Gilmore addressed several of these. Councilmember Owel said that philosophically she had an objection to charging fees for compliance. She recommended that the first visit for the Design Review Board and the Master Sign Plan Review be free, with any subsequent meetings being charged a fee. Mr. Gilmore answered other questions that

Councilmembers presented, and the following motion was made.

MOTION: Move that we continue this agenda item until the next meeting.
Ekberg/Picinich – unanimously approved.

4. Appointment to Pierce County Regional Council. Mayor Wilbert explained that she has been serving as the Representative, and Councilmember Owel has been the Alternate. She asked if another Councilmember would like to act as Alternate during the 1998 year. Councilmember Derek Young volunteered.

MOTION: Move to appoint Derek Young as the Alternate to the Pierce County Regional Council.
Owel/Ekberg – unanimously approved.

5. Liquor License Renewal–Spiro’s Pizza. No action taken.

PUBLIC COMMENT:

Jim Pasin - 3208 50th St Ct NW. Mr. Pasin passed out two pictures and explained that both signs are examples that would not be in compliance of the new sign code as proposed.

Carol Dick – 4002 32nd Ave Ct NW. Ms. Dick said that she would like to call to Council’s attention that it was time to renew the Sister City membership for the four-year relationship with the Sahkalin Islands. She presented the bill to the Mayor to submit for payment. Mayor Wilbert explained that Ms. Dick was a teacher at Discovery Elementary who had taken over the Sister-City project, along with her students.

MAYOR’S REPORT:

Happenings at the Head of the Bay. Mayor Wilbert described the new activities that are occurring in the business district on North Harborview Drive. She gave an overview of the mural scheduled to be painted on the front of the Finholm Market by students from Gig Harbor and Peninsula High Schools. She encouraged contributions to the Cultural Arts Commission to further this project.

COUNCIL COMMENTS:

Councilmember Picinich gave a brief report on the upcoming “Maritime Gig” festival scheduled for the first weekend in June and added that he hoped it would become a yearly event. The theme of the event will be “Unity in the Community.”

STAFF REPORT:

Mitch Barker, Chief of Police – GHPD Stats. Chief Barker said that the January figures include the newly annexed areas so the comparison from one year ago were unbalanced and should improve as the year progresses.

ANNOUNCEMENT OF OTHER MEETINGS:

Sign Code Public Hearing – February 11th, 6:00 p.m. at City Hall. Councilmember Ekberg asked for clarification of the testimony allowed at this meeting. Mr. Gilmore explained that per recommendation from Legal Counsel, the testimony will not be limited to the recommendations by the Planning Commission. He added that the Mayor would be limiting the time allowed to speak.

APPROVAL OF PAYROLL:

MOTION: Move approval of January payroll checks #15221 through #15360 in the amount of \$250,495.34.
Young/Ekberg - unanimously approved.

APPROVAL OF BILLS:

MOTION: Move approval of checks #19451 through #19552 in the amount of \$125,554.95
Young/Ekberg - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session for approximately 20 minutes for the purpose of discussing property acquisition per RCW 42.30.110, (b) and litigation per RCW 42.30.110 (i).
Picinich/Owel – unanimously approved.

MOTION: Move to return to regular session at 8:40.
Picinich/Owel – five voted in favor, one Councilmember voted against it.

MOTION: Move to extend our Executive Session for another fifteen minutes.
Picinich/Owel – unanimously approved.

MOTION: Move to return to regular session at 8:55 p.m.
Picinich/Owel – unanimously approved.

MOTION: Move to extend Executive Session for approximately another fifteen minutes.
Picinich/Owel -


AMENDED MOTION: Move to amend the time for extension to ten minutes and to keep the discussion on track.
Ekberg/Owel – unanimously approved.

MOTION: Move to return to regular session at 9:10.
Picinich/Ekberg – unanimously approved.

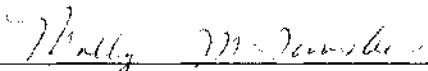
ADJOURN:

MOTION: Move to adjourn at 9:10 p.m.
Picinich/Owel - unanimously approved.

Cassette recorder utilized.
Tape 480 Side B 295 – end.
Tape 481 Both Sides.
Tape 482 Side A 000 – 063.



Mayor



City Clerk

SPECIAL GIG HARBOR CITY COUNCIL MEETING OF FEBRUARY 11, 1998

PRESENT: Councilmembers Ekberg, Young, Owel, Picinich, Markovich and Mayor Wilbert. Councilmembers Platt and Dick arrived later in the meeting.

CALL TO ORDER: 6:06 P.M.

OPEN THE PUBLIC HEARING ON THE SIGN CODE: 6:06 P.M.

Mayor Wilbert opened the public hearing on the proposed revisions to the sign code. She asked that members of the audience keep their comments pertinent to the proposal before the council.

STAFF PRESENTATION:

Ray Gilmore, Planning Director, explained that this was an open-record hearing and that there would be no limit on the content of the testimony. He added that the packet for this public hearing was the same as was presented to Council in January. He described how Council could proceed with the information gathered during the public hearing. He said that Council could hold a worksession either after the next regular council meeting or hold a separate worksession outside the February 23rd Council meeting.

PUBLIC COMMENT:

David Graef – 2129 114th Dr NE, Lake Stevens. Mr. Graef explained that he represented Bartell's Store. He thanked the Council for the opportunity to speak, and added that he had been following this process for some time. He voiced his concerns regarding the regulation of Logo shields as they are important part of his business. He asked Council to reconsider the four square foot limit as well as the 21" letter height, and added that if you comply with sign size you should be able to do whatever you want within that size.

John Holmaas – 7524 Goodman Drive NW. Mr. Holmaas said that the area by the new Inn at Gig Harbor, where he owns two buildings, is currently outside the Freeway Visibility Node, and asked that the language be changed so that this area would be included.

Dave Morris – 6108 106th Ave. Mr. Morris explained that he owns property in city limits. He recited a portion of an article printed in The News Tribune last spring regarding the issuance of several Notices of Violations for the sign code, where Steve Osguthorpe was quoted as saying "...that he thought the real problem wasn't non-compliance, but that many business owners do not understand the code." He added that since that time, business owners had spent many hours trying to educate themselves by becoming involved with the Planning Commission and Planning Staff. He added that he was surprised that after such a long arduous process, that the Planning Staff have come forth with two additional recommendations. He said that he supported the comments from the Chamber on the Logo shields, non-conforming signs and color content. He

addressed real estate signage and said that he objected to Staff's recommendations regarding these signs. He closed by asking that Council review the proposed changes to the sign code for confusing, arbitrary language.

Lois Eyrse – Gig Harbor Peninsula Area Chamber of Commerce. Ms. Eyrse passed out a copy of a letter from the Chamber Sign Code Task Force and thanked the Planning Commission for their efforts. She then addressed several concerns regarding the Planning Commission recommendations. She said that a 4 square foot limit on logo shields is not realistic and spoke against the 21" letter height restriction. She voiced concerns regarding the color content definition, which she said is discriminatory and suggested that the city's Legal Counsel should review the Lanham Act regarding trademark and logo copyright infringements. Ms. Eyrse then addressed the Staff recommendations. She agreed with Mr. Morris on his comments regarding real estate signs. She said that the Staff's recommendation regarding non-conforming signs would trigger instant amortization and encouraged the Council to accept the Planning Commission's recommendations instead.

Wade Perrow – 9119 No. Harborview Dr. Mr. Perrow asked for consideration that his property, the Inn at Gig Harbor, be included in the Freeway Interchange Visibility Node. He talked about signs that are not in the interchange areas that are also visible from SR-16, such as the new Best Western Wesley Inn, making them non-conforming under the new language.

Michael O'Connor – 3619 47th St. Ct. NW. Mr. O'Connor thanked the Planning Commission and the Council for their work on this issue. He used Sedona, Arizona as an example of how a strict sign code could benefit and keep the character of a community.

James White – 3803 Bridgeport Way W. Mr. White explained that he was representing Hogan Enterprises. He said that Chamber had done a good job and that the proposed, amended sign code was better than the existing code. He voiced his concerns that the proposed changes would render the signs at Olympic Village and Olympic Plaza non-conforming and would trigger instant amortization. He spoke about illuminated signs, and said that they were important to safety in areas where no residential neighborhoods would be affected. He asked that the letter height be adjusted to 24" to protect signs created over the last few years from non-conformity.

Peter Stanley – 602 No. 'C' Street, Tacoma. Mr. Stanley explained that he is the owner of the Tides Tavern and added that he wished to support the Chamber of Commerce in their efforts. He strongly encouraged Council to adopt the proposed changes without an amortization clause.

Jim Pasin - 3208 50th St Ct NW. Mr. Pasin thanked Council for giving the community the opportunity to work with the Planning Commission during 1997. He said he would like to see real estate signs and the non-conformity issues modified. He continued with his concerns about the definition of an abandoned sign and asked that the language be changed to 90 – 180 days to remove them. He added that vandalized signs should not have to come under compliance. He spoke against several of the new fee schedule changes proposed at the last council meeting and asked about the legality of tying references to the Design Manual to the Sign Code because of the frequency of changes in the manual.

Paul Kadzik – 3518 Harborview Dr. Dr. Kadzik, a member of the Planning Commission, commented on several issues that had been brought up. He addressed ‘Corporate Colors’ and said that businesses that chose colors encouraged by the Design Manual would be allowed to paint their buildings in those colors. He said that he didn’t think those colors would give a competitive advantage. He addressed the 21” letter height and said that this figure had not been picked arbitrarily. He gave a background on how the Planning Commission derived that figure.

Tom Leander – 7702 Pioneer Ave. Mr. Leander said he was representing Harbor Bank, who developed their signs under the old code. He said that those signs would now be non-conforming under the new code’s 21” letter height restriction. He described the efforts the bank had made to illuminate their sign while trying to meet the code. He urged Council not to forget the other half of the community, the businesses, and asked for predictability and leniency on the letter height issue.

Hank Searls – 4435 Holly Lane NW. Mr. Searls thanked the Planning Commission for taking the time and trouble to keep Gig Harbor what it is. He asked that before any effort to relax the sign code took place, to remember the possible toll on the bridge. He said that the effect of these tolls on consumers coming from Tacoma might be a deterrent, especially if they found Gig Harbor to look like an extension of South Tacoma Way.

Don Huber – 8310 Warren Drive. Mr. Huber also thanked the Planning Commission. He said that he supported the Chamber’s position on most of the issues and that he could accept the recommendations of the Planning Commission without the inclusion of Staff’s recommendations. He voiced his concern about how many times the Design Review process was mentioned. He also asked that after a few months, if the changes to the sign code were not working well, if they would be allowed to return and ask for further consideration.

Jean Gazabat – 3101 Judson Street. Mr. Gazabat thanked Council for the opportunity to speak. He asked for consideration when changing the name of a business in an existing sign. He said that he hoped businesses would be allowed to change the face of an existing sign without having to replace the entire sign.

Burt Talcott – 2720 42nd St. NW. Mr. Talcott said he came to commend the Planning Commission and the Staff for having come a long way since the first meeting pertaining to the sign code, which, he added, included many threats and ridicule of Staff members and the Planning Commission. He said that he was particularly unimpressed by the outside lawyer that had been brought in. He continued by saying that a sign code was necessary for any decent community and that he was disappointed in the grandfathering and amortization clauses that had been modified. He added that there should be one date certain so every sign owner would know when they would have to come into compliance.

Tom Morfee – 3803 Harborview Dr. Mr. Morfee explained that he represented the Peninsula Neighborhood Association, who had representation at all the sign code meetings. He said that the organization felt that most of the difficult issues had been resolved, and each side had made concessions that were based on sound logic. He added that the Planning Commission had done a good job and complimented Council on their choice to allow them to do their job rather than

appointing an Ad Hoc Committee. He addressed some of the major issues such as non-conforming signs. He said that amortization has predictability and encouraged Council to review a memo to the Planning Commission from the city's Legal Counsel, reinforcing that these amortization clauses are upheld by the courts. He spoke of the advantages and disadvantages of tying conformity to new permits and remodeling of signs or buildings. He encouraged Council not to waiver from including an amortization clause. He addressed the expansion of the Freeway Interchange Visibility Node, and said that if the objective of this request was to remove more buffering and add more signage, he objected to the expansion. He added that there has been a long-standing debate for the character of the SR-16 corridor and asked for continued support. He briefly touched on the issues of 21" lettering and the real estate signs and the logo issues.

Monique Wallace – 5903 Lagoon Lane. Ms. Wallace said she was in favor of keeping the visual screening along Highway 16 in keeping with the character of the community.

Glen Burden – 2822 42nd St. Mr. Burden said that he had spoken to several of the Councilmembers and thanked them for taking the time to speak to him. He said that the big issue with the sign code was predictability. He said he built his sign to code, but it now would become illegal and urged Council to consider the Planning Commission's recommendations and eliminate the amortization clause. He said he had concerns about the Design Manual and the fact that it changes so often. He said the sign code should be tied to the Design Manual in effect at the time of the sign permit.

Mayor Wilbert asked if there were any other persons in the audience to speak toward the sign code. No one responded, so she closed this public comment portion of the meeting at 7:40 p.m. and asked for Council's questions or comments.

COUNCIL DISCUSSION / ACTION:

Councilmember Dick asked if Staff knew how many signs would be non-conforming if the 21" letter height were adopted. Dr. Kadzik replied that he did not know. Steve Osguthorpe, Planning Associate explained that the 21" letter height was not the real concern for non-conformity, because if someone wanted to change one of these pan-channel type signs, the whole sign would need to be changed, not just the lettering. He gave an explanation of what would trigger the need to change an existing sign.

Councilmember Ekberg asked for clarification on the issue of adding on to an existing building and if that would trigger replacement of the existing signs on the rest of the building. Steve explained that only the signs that were all-inclusive would need to be brought into compliance, and the newly designed signs.

Councilmember Owel asked Mr. Graef from Bartells to restate his concern. He replied that if the sign size was in compliance, not to mandate the letter size.

Councilmember Markovich addressed the non-conformity issue. He said that the city did not have a proliferation of ugly signs needing to be removed. He added that to adopt something that forces the business owners to have to remove their existing signs is ludicrous. He then said that

he was confused at the rationale of tying the sign code to the Design Review process. Steve Osguthorpe stressed that the Design Review process was optional with the intent to provide more flexibility. Councilmember Markovich continued to say that he was concerned about the color restrictions. Steve explained that the only restrictions on colors were Day-Glo florescent colors and backlit illumination. He added that in the current code, illumination was restricted to text only, but added that under the proposed code combination signs would be an option which would allow logo shields to be fully illuminated can of any color. He then discussed the issue of utilizing corporate colors to paint entire buildings and/or trims on buildings.

Councilmember Young asked what “dull and weak” meant as far as color value, and how would that would be determined and enforced. Steve explained that ‘chroma’ was a technical term which was hard to define, and added that there would be a review by a group of individuals that would make any necessary determinations. He also explained that the proposed code gives examples of colors that meet the requirement. Councilmember Young then asked about signs such as the one in Milton that is an optical board with constantly changing illustrations, and whether there was a provision for those in the city code. Steve answered that there is language about changing lights and illuminated background colors that would not allow this type of sign. Steve then clarified that when someone is doing routine maintenance on an existing sign such as painting it, a permit is not required.

Councilmember Platt asked about laser light signs. Steve said that these are not addressed in the code. Councilmember Dick asked about National Logos and a voiced a concern that someone may attempt to purchase space in another business for advertising their product. Steve explained that the product would have to be sold at the location for a sign to be displayed.

Mayor Wilbert reopened the Public Hearing at 8:29 p.m. to allow others from the audience to speak.

Lois Powell – 4511 69th St. Ct. NW. Ms. Powell spoke in favor of protecting the corridor along Highway 16. She asked that the law that allowed the Lube & Oil sign by the highway be changed as to not allow that type of sign to happen again.

Joe Hoots – 2602 64th St NW. Mr. Hoots said that he believes in logos and gave a history of the current city logo, the Burgee. He added that he thought the city should capitalize on this logo and have it placed on all directional signs along the highway.

Councilmember Dick voiced concerns that the Design Review and Design Manual didn’t have sufficient guidelines for signage issues and added that effort needed to be exercised to develop criteria for decision makers to follow. Steve Osguthorpe explained that the guidelines existed in the sign code itself.

Councilmember Ekberg said that during the past 16 years that he had sat in council meetings, that this had been the best, most constructive meeting he had attended. He thanked the Planning Commission for their time and effort as well as the Staff and community who worked together to come to an agreement. He recommended that council proceed by basing any further deliberations

on the Planning Commission's draft and that any additions, corrections, or comments be presented in writing to the City Clerk prior to the next council meeting on the 23rd of February.

Steve Osguthorpe said he wish to clarify that without exception, the proposed changes in the sign code would allow more flexibility, and is less restrictive than the current code, and simpler to read. He assured Mr. Leander that his signs would still be conforming under the proposed changes.

Mayor Wilbert closed the public hearing at 8:45 p.m.

MOTION: I move that we consider the next meeting of February 23rd to be the first reading of the proposed changes to the sign code, working off the Planning Commission's submitted draft, and that if a Councilmember has changes that they wish to introduce, that they be submitted to the City Clerk before the cut-off deadline for the agenda.
Ekberg/Owel – unanimously approved.

ADJOURN:

MOTION: Move to adjourn at 9:00 p.m.
Owel/Young - unanimously approved.

Cassette recorder utilized.
Tape 482 Side A 064 - end.
Tape 482 Side B 000 – end.
Tape 483 Both Sides.
Tape 484 Side A 000 – end.
Tape 484 Side B 000 – 224.

Mayor *Stephen All Wilbert*

City Clerk *Marilyn M. Insler*

REGULAR GIG HARBOR CITY COUNCIL MEETING OF FEBRUARY 23, 1998

PRESENT: Councilmembers Ekberg, Young, Platt, Owel, Dick, Picinich, Markovich and Mayor Wilbert.

PUBLIC HEARING:

Closed Record Appeal – Hearing Examiner’s Decision SDP-97-05, Sunset Yacht Sales. The Mayor opened the public hearing at 7:10 and announced that this would be a closed record appeal on the Hearing Examiner’s Decision for Sunset Yacht Sales. Mayor Wilbert asked if any Councilmembers wished to reveal any ex parte oral or written communications on this matter, or to disclose any potential appearance of fairness issues. Councilmember Owel explained that she had been contacted by Sharon Williams, who voiced concerns about the navigation channel. Councilmember Owel said that she still could act impartially on any decision regarding this matter. Mayor Wilbert then asked if any member of the audience had any appearance of fairness challenges to any of the Councilmembers or Mayor. There was no response to the question. Mayor Wilbert read the rules pursuant to a closed record appeal and explained that the appellant and applicant would have ten minutes each to present their testimony to the Council. She then asked the representative for the project and the parties making the appeal, to take an oath of honesty in any testimony that they may give.

Ray Gilmore, Planning Director, introduced the issue and gave an overview of the documents contained in the council packet pertaining to the appeal of the Hearing Examiner’s decision for conditional approval of the shoreline permit for the addition of four moorage spaces. Howard Jensen, Legal Counsel, explained to Council that they would only be hearing and deliberating on information presented to the Hearing Examiner. He added that the appellant would have the right of appeal on to the Shorelines Hearing Board if they were not satisfied with any action that Council may take. He said that the only persons who would be allowed to speak would be the appellants, the applicant or their attorneys.

Albert Malanca – Mr. Malanca explained that he was an appellant speaking on his own behalf as well as on behalf of another appellant, Randy Babich. He explained that Mr. Babich had given him his ten minutes to speak. Mr. Malanca voiced his concerns regarding inadequate, improper notice, navigational problems, and the opposition of the immediate neighbors to the proposed project. He said that there was only one publication in the newspaper, and that the city failed to follow its own Shoreline Master Program’s requirement to publish notice in the official newspaper twice. Mr. Malanca continued to describe the potential danger to citizens due to the narrow navigational channel at the location, and to describe the opposition to the project by three of the immediate neighbors. He requested that Council make a motion to void the application and require the parties to begin again due to the lack of legal notice.

Councilmember Picinich asked Staff about Mr. Malanca's statement regarding the lack of notification. Mr. Gilmore explained that he had followed the State's Regulatory Reform act of 1995 for notification requirements. Howard Jensen explained that the State Shoreline Management Act only requires one publication, and that the City had not yet updated their Shoreline Master Program to match the State requirements. Councilmember Owel suggested that these issues should be discussed during the New Business portion of the meeting to allow the continuance of the public hearing.

Mr. Malanca passed out copies of sections from the city's Shoreline Master Program and continued with examples from the document regarding permitting, special consideration to public comment, location, views, and adverse affect on surrounding areas. He added that a pump-out station at this location would create congestion at the mouth of the harbor. He attempted to show overhead photos to illustrate his point. Howard Jensen reinforced that this would be considered new testimony and would not be allowed. Mr. Malanca concluded by saying that a field study had not been sufficiently performed by the Permit Administrator and that this was another reason that Council should send this application back for reconsideration.

John Barline, Attorney. Mr. Barline explained he was representing the Haub Brothers Enterprises Trust, the Haub Family, and Sunset Yacht Sales, applicant. He explained that the Haub Family owned the property and that Sunset Yacht Sales was a tenant at the property. He explained that from the beginning his client made every effort to be in full compliance with the application. He added that notifications were done by the City, not the applicant and that if Council found that there was failure of adequate notice, then the applicant would be willing to go through the process again. He gave a brief overview of the proposed project including the required pump-out station. He explained that the pump-out station did not have to be open to the public, and was only required to service the boats moored at the facility. He added that other boats may be allowed to use the facility, but only if it were not causing a traffic problem. He continued to explain that the neighboring residential property was taken into consideration when the decision was made not to extend the dock clear to the outer harborline, and that the proposed extension would not negatively affect the neighbors.

Mayor Wilbert closed the public hearing at 7:54 p.m.

CALL TO ORDER: 7:55 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the February 9, 1998 as presented.
Dick/Owel - unanimously approved. Councilmember Platt abstained.

APPROVAL OF MINUTES FROM SIGN CODE PUBLIC HEARING:

MOTION: Move approval of the minutes of the February 11, 1998 Sign Code Public Hearing as presented.

Picinich/Platt - unanimously approved.

CORRESPONDENCE/PROCLAMATIONS:

1. Puget Sound Regional Council – Meeting Date for General Assembly. Mayor Wilbert invited any interested Councilmember to attend.
2. State of Washington – Emergency Management Division. Mayor Wilbert explained that she included this letter for Council's information.
3. Pierce Transit – Request for Nominations to Board. Mayor Wilbert asked if any elected official would like to serve on the board, she would submit their name for nomination.
4. Thank you notes from Takuma, Japan. Mayor Wilbert introduced these notes from students in Takuma. She added that the Takuma Baseball Exchange Program would take place the third week in August at Gig Harbor High School.
5. International Institute of Municipal Clerks – Certified Municipal Clerk. Mayor Wilbert introduced this letter announcing that Molly Towslee, City Clerk, had received her Municipal Clerk certification.

OLD BUSINESS:

1. First Reading of Ordinance (Reintroduction) – Planning Commission Recommendations on Amendments to Chapter 17.80 – Sign Code. Steve Osguthorpe, Planning Associate, reintroduced this ordinance and explained that at the public hearing held by City Council on February 11th, 21 individuals submitted input, addressing a number of questions. He added that Council and citizens had been requested to submit written comment to be included with the proposed ordinance of Planning Commission recommendations. Councilmember Markovich suggested that Council discuss each submitted suggestion and make motions to amend the ordinance as they proceed. A member of the audience asked for an opportunity to comment on the proposed amendments. It was decided to allow the audience to speak first.

Tom Morfee, 3803 Harborview Drive. Mr. Morfee explained that he was representing PNA, and suggested that the audience be allowed to comment after each proposed amendment. He read a memo regarding the proposed amendments and highlighted concerns and areas of support.

Wade Perrow 9119 Harborview Drive. Mr. Perrow explained that he had submitted written comments to be included in the packet regarding the SR-16 corridor. He said identification along a corridor does not have to be brash and ugly. He explained that the signage at Inn at Gig Harbor had been built under the City standards to allow them to receive sewer, but also under the assumption that 56th Street exit would have been a part of the Olympic Village Node. He said the sign ordinance must be fair and equitable to all

parties and used the visibility of the signs of newly opened Best Western as an example. He added that the sign on the chimney at the Inn at Gig Harbor is oriented only to the interchange area. He said all he wants is parity and equal treatment by the sign code.

Lois Eyrse – Chamber of Commerce. Ms. Eyrse said that she had no further comments on the amendments that the Council had presented and that they all seemed acceptable. She added that the difference between a 21” and a 24” sign is not that noticeable. She said that on behalf of two chamber members, the Holmaas and Perrow properties, that it would be fair to extended the visibility node to these property owners, who are the only ones affected at this time, then cut off all future development to this node.

John Holmaas. Mr. Holmaas said that he owned the property next to Gig Harbor Inn and wanted to reiterate that you cannot see the property when headed southbound, only entering the freeway interchange area heading northbound. He added it would be appropriate to include these properties in the interchange node.

Mayor Wilbert asked if there were any further comments from the audience. No one came forward so she asked the Councilmembers to begin discussing the amendments. The Councilmembers discussed each proposed amendment and the following motions were made.

Definition of Abandoned Signs:

MOTION: Move to increase from 30 to 180 days the time for allowance due to tenancy change for Abandoned Signs. Also increase from 30 to 60 days time to repair damaged signs.
Ekberg/Picinich – unanimously approved.

Definition of Flashing Signs:

MOTION: Move to amend the second line to read “...and off in a constant, random, or irregular pattern.”
Ekberg/ no second. The motion failed.

Councilmember Ekberg suggested that a definition for Changing Message Center be added. Steve Osguthorpe said that this issue, as well as readerboards, could be addressed under the amendments proposed by Councilmember Owel.

17.80.090 Sign Standards for Area 1.

MOTION: Move to amend the second line to read “...(100) square feet total *on all sides, not to exceed 50 square feet on any one side, or one square...*”
Ekberg/Young - unanimously approved.

17.70.130 Nonconforming Signs.

MOTION: Move to amend line to read "...changes must conform to this code as to color, sign graphics, materials, illumination, and *height*."
Ekberg/Platt – Councilmember Ekberg voted in favor. All others voted against.

Council directed Steve Osguthorpe to bring back language linking tenant space to their own sign and the issue of triggering a whole building into non-conformance.

Freeway visibility of signage.

MOTION: Move that we do not treat interchange nodes differently from non-interchange nodes and that we instead not prohibit limited wall signage, but have restrictions on size, height and illumination, and that we require landscaping, screening, etc. anytime signage is visible across the public right of way.
Owel/ no second. Motion failed.

Inflatable Displays.

MOTION: Move to ban outdoor inflatable displays.
Owel/Ekberg – Councilmember Owel voted in favor. All others voted against.

Definitions.

MOTION: Move we use the Black's Law Dictionary definition of frontage.
Owel /

AMENDED MOTION: Move we add a definition to define frontage to read "Linear distance of property along street or highway."
Dick/Owel – unanimously approved.

MOTION: Move we amend the definition of "Sign" to read "(a) any visual communication...placed for the promotion of products, goods, ..."
Owel/Platt – unanimously approved.

MOTION: Move we amend the definition of "Sign" to read "(a) any visual communication ...placed for the promotion of products, goods,..." deleting the words "of the sale."
Owel/Dick – unanimously approved.

MOTION: Move we amend "Sign Area" to insert after the "the largest sign area..." the words "all sign graphics including all spaces and voids between or

within letters or symbols which comprise a single statement word, description, title, business name, graphic symbol or message.”
Owel/Platt – Owel, Platt, Young and Ekberg voting in favor. Dick, Picinich and Markovich voting against.

MOTION: Move we amend “Sign Graphics” to insert “sign face” after “...does not include and just before “background surface.”
Owel / no second. The motion died.

17.80.040 Permit Procedures.

MOTION: Move we insert after “...first obtaining a sign permit...” the words “except as outlined in Section 17.80.020 or as otherwise exempted by this chapter.”
Owel/Picinich – unanimously approved.

17.80.120 Prohibited Signs (D).

MOTION: Move to amend this section by adding the language “or change text or graphics electronically.”
Owel/

Content of flashing signs to allow for time and temperature but no other message was discussed. Carol Morris, Legal Counsel, advised that this would be considered regulation of content and to either allow all or none.

MOTION: Move that we eliminate the current allowance for time /temperature signs.
Owel/Markovich – unanimously approved.

RESTATED MOTION: Move to amend this section by adding the language “or change text or graphics electronically.”
Owel/Ekberg – Owel and Ekberg voting in favor. Young, Platt, Dick, Picinich, and Markovich voting against.

At 9:40 p.m. Mayor Wilbert asked to take a short break. Council returned to session at 9:50 p.m.

MOTION: Move we continue the first reading of this ordinance and this discussion until the March 9th regular Council meeting.
Young/Ekberg – unanimously approved.

2. First Reading of Ordinance (Reintroduction) – Planning Commission Recommendation on Amendments to Chapter 17.98 – Design Review.

MOTION: Move we continue the first reading of this ordinance – Planning

Commission Recommendation on Amendments to Chapter 17.98 – Design Review, to the March 9th regular Council meeting.
Owel/Dick – unanimously approved.

3. Second Reading of Ordinance Correcting the 1998 Salary Schedule. Dave Rodenbach, Finance Director, introduced the second reading of this ordinance.

MOTION: Move to adopt Ordinance No. 786.
Picinich/Ekberg – unanimously approved.

4. Memo to Council – Resolution for Development Fee Schedule Adjustments. Ray Gilmore requested that action on the fee schedule resolution be deferred to the next meeting in March.

NEW BUSINESS:

1. Resolution – Appeal of SDP 97-05, Sunset Yacht Sales. Ray Gilmore explained that a resolution for Council's consideration had been prepared, and offered to answer any questions that Council may have on this issue. Councilmember Young asked Legal Counsel if most of what had been said during the public testimony could be considered, specifically in regards to the notification process. Carol Morris explained that Mr. Malanca and another member of the public said that they did not receive adequate notification. She explained that the issue was whether or not the notice that was sent was reasonable to apprise the public of what action was pending before local government. She said that if it were to be alleged that there was insufficient notice, it would have to be demonstrated that there was prejudice in the lack of notification. She added that Mr. Malanca was present and testified at the Hearing Examiners hearing, therefore he had not suffered any prejudice as a result of the alleged insufficient notice. She asked Council to consider, rather than sending this back to the Hearing Examiner for a new public hearing, to go ahead and issue a decision this evening. She added that the Planning Department could then provide notice for the final decision, which would state that any appeal would go to the Shorelines Hearing Board. The Shoreline Hearings Board could then remand it back to the Hearings Examiner for lack of notification if they found notification to be insufficient.

Councilmember Markovich said that he didn't think that anyone should be forced to go before the Shorelines Hearing Board. He added that either proper notice was given per our own rules, or it was not, and if the city has a statute, it is what should be followed. Carol Morris explained that under the rules of statutory construction, the latest enacted State statute would control, even though the City's Shoreline Master Program had the more restrictive notice requirements, both are of equal stature. Councilmember Markovich pointed out that the State statutes indicate that the city could have more restrictive notification requirements and if these additional requirements are on the books, they should be followed.

Councilmember Young said that Council was legally bound to only be considering navigational

concerns, and that several issues were brought up this evening that were not included in the transcription of the hearing. He added that the appellant's concerns would be best addressed with a new process hearing before the Shorelines Hearing Board.

Councilmember Dick said that he was concerned with the issue of lesser notification requirements by the state and said that he thought that the city should give the notification stated in our Shoreline Master Program, even if it were not required by State law.

Councilmember Owel said that if the City does not follow its own processes, it diminishes its authority to have a process. Councilmember Picinich said that he agrees with what had been said and that he would like to see the permit application return back to the Hearing Examiner for a new hearing.

Councilmember Ekberg said he agreed with Councilmember Young that this was closed record hearing with no new evidence to be presented and he didn't see anywhere the issue of lack of notice was brought up at the Hearing Examiner's hearing. Carol Morris explained that this was not a complete transcript of the hearing. Councilmember Ekberg asked what options were available. Ms. Morris explained that if the Council remanded it back to the Hearing Examiner because of inadequate notification, it would be treated as a brand new application.

Councilmember Markovich said that it was unfortunate to make the applicant begin the process again, but if it were to be remanded back, all the issues could be brought forth from the beginning and notification would not be an issue if it were to go before the Shorelines Hearing Board.

MOTION: Move to refer this back to the Gig Harbor Hearing Examiner.
Picinich/Platt – Six voted in favor. Councilmember Ekberg voted against.

2. Interlocal Agreements – Pierce Transit and Fire District No. 5. Wes Hill, Public Works Director, presented two interlocal agreements pertaining to the design and construction contract administration responsibilities required for federal funding of the Kimball Drive improvements. He gave an overview of each agreement and answered Council's questions.

MOTION: Move that we authorize the execution of the interlocal agreement with Fire Protection District No. 5.
Dick/Picinich – unanimously approved.

MOTION: Move that we authorize the execution of the interlocal with Pierce Transit.
Dick/Picinich – unanimously approved.

3. Declaration of Surplus Property. Wes Hill introduced this resolution listing several items that have been determined to be obsolete or surplus. He explained that any money received for the equipment/vehicles would be used to offset the cost for new vehicles and equipment.

MOTION: Move to approve Resolution No. 511.
Markovich/Picinich – unanimously approved.

4. Liquor License Assumption – Green Turtle. No action taken.

PUBLIC COMMENT:

Jim Pasin - 3208 50th St Ct NW. Mr. Pasin passed out information and spoke about his continued concerns regarding the time it takes to process a Tenant Improvement. Councilmember Dick asked if he had spoken to other jurisdiction to find language that would help delineate the types of permits to assist in the process. Carol Morris suggested that that this issue should be addressed internally, without passing an ordinance, due to the Regulatory Reform Act already in place. Ray Gilmore said that they had been working on different methods for plan review and gave an overview of the current process. Councilmember Ekberg also agreed that we needed language to determine what is a simple tenant improvement and what parameters would trigger a full review. Mark Hoppen explained that the only method that might accelerate the time to issue tenant improvement permits is a two-queue system that may be unfair to other applicants.

MAYOR'S REPORT: None scheduled.

COUNCIL COMMENTS: None.

STAFF REPORT:

Wes Hill, Public Works Director, announced that staff had met with the Department of Transportation and as a result had successfully completed design discussions and developed a viable option to connect the East-West Road with SR-16. He added that the selected option is a modern round-a-bout, which is currently working successfully in Colorado. He added that the next step in the project development includes the preparation of an interchange plan design for DOT approval, completion of final project design, wetlands delineation, and environmental documentation. He said that designs for DOT review and issuance of environmental documents for public review are anticipated for May of this year. Mayor Wilbert thanked Wes Hill, Mark Hoppen, and Gary Demich from the Dept. of Transportation for their work on this project.

ANNOUNCEMENT OF OTHER MEETINGS: None.

APPROVAL OF BILLS:

MOTION: Move approval of checks #19553 through #19642 in the amount of \$47,410.17.
Young/Ekberg - unanimously approved.

EXECUTIVE SESSION:


MOTION: Move to adjourn to Executive Session at 10:37 for approximately 20 minutes for the purpose of discussing property acquisition per RCW 42.30.110, (b) and litigation per RCW 42.30.110 (i).
Picinich/Owel – unanimously approved.

MOTION: Move to return to regular session at 10:55.
Owel/Picinich – unanimously approved.

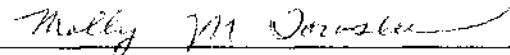
ADJOURN:

MOTION: Move to adjourn at 10:55 p.m.
Picinich/Platt - unanimously approved.

Cassette recorder utilized.
Tape 485 Both sides.
Tape 486 Both sides.
Tape 487 Both sides.
Tape 488 Side A 000 – 250.



Mayor



City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF MARCH 9, 1998

PRESENT: Councilmembers Ekberg, Young, Platt, Owel, Dick, Picinich, and Mayor Wilbert.
Councilmember Markovich was absent.

CALL TO ORDER: 7:05 p.m.

SPECIAL PRESENTATION: Chief Mitch Barker introduced the newly promoted Sergeant Kelly Busey and his family. Chief Barker explained that Sgt. Busey had been an officer with the Department for seven years and was heavily involved with the Marine Services patrol. The Mayor and Councilmembers congratulated Sergeant Busey.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the February 23, 1998 as presented.
Picinich/Owel – unanimously approved.

CORRESPONDENCE/PROCLAMATIONS: None scheduled.

OLD BUSINESS:

1. First Reading of Ordinance (Continuation) – Planning Commission Recommendations on Amendments to Chapter 17.80 – Sign Code. Steve Osguthorpe, Planning Associate, gave an overview of what occurred at the last meeting in regards to this ordinance. He explained that he had made changes to the ordinance to reflect the amendments made at the last meeting. Mr. Osguthorpe added that the amendment made by Councilmember Ekberg to modify Section 17.80.030, the definition of flashing signs to read "...and off in a constant, random or irregular pattern" had not been voted on, but that he understood that it was the intent to amend that section. He asked if this were not the case to let him know. The Councilmembers then reviewed the remaining proposed amendments and the following motions were made.

MOTION: Move to strike the language regarding color in 17.80.020B; 17.80.060 2cii; and 17.80.130C.
Young/Platt –

Councilmember Owel asked if staff would explain the rationale behind this language regarding color values. Steve Osguthorpe explained that the issue was not a matter of regulating color per se, but of regulating sign glare and also of aesthetic issues. The Comprehensive Plan, Sign Code and Design Manual restrict internal illumination of illuminated panels. He added that the current code and the proposed language does not

restrict color, it restricts illumination to sign graphics only. The only regulation of color is the restricted florescent colors, and illumination in residential areas. He added that any color was allowed provided the background of the sign is not internally illuminated. As an optional approach, the entire background could be illuminated utilizing the darker colors that would not allow excessive light to come through. Councilmember Owel suggested that the intent is not clear, and in order to address glare, any reference to colors should be eliminated and deal only with the glare issue. Councilmember Dick asked for clarification that this section only applies if someone wants an exception.

Councilmember Young withdrew his original motion and after discussion, the following motions were made.

MOTION: Move to remove section 17.80.060.G2cii.
Young/Platt – Councilmembers Young and Platt voted in favor. Councilmembers Ekberg, Owel, Dick and Picinich voted against. The motion failed.

MOTION: Move that in Section 17.80.060.G2cii, amend the paragraph to read “Color value of the sign face shall be limited to the darker values which *diminish glare*” and eliminate the words “heavily imbued with brown or black undertones.”
Owel/Dick – unanimously approved.

MOTION: Move that in that same section to eliminate the sentence “Examples of acceptable colors and unacceptable contrasts include: deep burgundy or maroon as opposed to red; dark forest green as opposed to Kelly or lime green; dark navy blue as opposed to royal or sky blue.”
Picinich/Owel – unanimously approved.

Councilmember Young asked if there were any way to address the concerns of Mr. Perrow and Mr. Holmaas regarding the Freeway Node. Mr. Osguthorpe explained that there was substantial discussion on this item and that the criteria came from the Comprehensive Plan’s Visually Sensitive Areas map, which identifies parcels in which signage could be oriented towards the interchange areas. He said that the Planning Commission considered Mr. Perrow’s request but could see no rationale for inclusion of his property without having to consider the next person’s request and felt the best place to stop the exposure was where the interchange on-ramp/off-ramps actually begin and end.

Councilmember Platt added that the freeway node did not need to be extended, but that the legitimate need for signage needed to be addressed for this property. Mr. Osguthorpe gave an overview of the visibility of the chimney sign from the freeway. He then answered questions from Councilmember Dick about frontage and the orientation of the buildings in these nodes. Discussion regarding the Freeway Visibility Node did not lead to any motions.

Councilmember Young brought up the issue of manufacturing of signage and how the lettering height limitation would affect custom made and franchise signs. Councilmember Platt pointed out that custom-made signs produce waste and that the true cost was in the labor, not the materials. Councilmember Ekberg added that the Planning Commission had considered this issue at great length and suggested utilizing their proposed language. Councilmember Owel agreed and said she supports the Planning Commission's reasoning for limiting letter height to the 21". Discussion regarding lettering height and manufacturing of signs led to the following motion:

MOTION: Move to change 17.80.060-2a and 2c from 21" to 24" height.
Young/Dick – Councilmembers Dick and Young voted in favor.
Councilmembers Ekberg, Platt, Owel and Picinich voted against. The motion failed.

Councilmember Young spoke about temporary, open house signs and the lack of ability to regulate them. Councilmember Ekberg said that these signs seem to be self-regulatory and that if it becomes a problem, it could be addressed at a later date.

MOTION: Move that in Section 17.80.110-B.2, strike the language "Such signs shall be limited to one (1) sign per street frontage on the premises for sale and no more than one (1) open house sign at any street intersection for any one developer, broker or seller."
Young/Owel – Councilmembers Ekberg, Young, Owel, Dick and Picinich voting in favor. Councilmember Platt voted against. The motion was approved.

Councilmember Picinich said that his items and comments had been addressed in previous discussions. He then asked about the Perrow request and if there would be a problem of other property owners approaching the City and asking to be included in that visibility node. Steve Osguthorpe explained that the Planning Commission could not come up with a rationale that would allow them not to expand the node further upon future requests. Mayor Wilbert asked if there would be any way to approve just the one sign on the chimney on the Inn at Gig Harbor, which currently was not permitted. Steve explained that Mr. Perrow could apply for a variance, but there was no guarantee that it would be approved.

Councilmember Dick discussed the duration of temporary signage and how it affects political signage. He withdrew his suggestion to reinstate the stricken language in Section 17.80.110(D) regarding a 90 day posting period for political signs because of the uniformity issue.

Mayor Wilbert invited the public to submit their comments on the Councilmembers' amendments in writing for the next reading. Councilmembers voiced their wish to allow the audience to be allowed to speak on their concerns at this meeting. Mayor Wilbert asked that the comments be limited to three minutes.

James Seely. Mr. Seely said that he was representing Wade Perrow and John Holmaas. Mr. Seely said that they are in favor of the sign code and the proposed amendments with one exception, the node at the Olympic Village Interchange. He said that the way the map is drawn is unfair. He referred to two portions of the ordinance that refer to removal of vegetation and the preservation of the visual quality of the area. He explained that neither of these principles would be compromised by extending the node. He said that as drawn, the existing nodes are not fair or realistic, and do not reflect the existing buildings or substantial investment Mr. Perrow had made in his facility and Gig Harbor. He said that it also discourages reinvestment by business owners such as Mr. Holmaas. He discussed the orientation of the building and the reopening of the off-ramp by this property. He passed out pictures to illustrate the orientation of the Inn and asked Council to consider extending the node.

Wade Perrow – 9119 North Harborview Drive. Mr. Perrow asked for a staff determination on what defines a freeway node. Steve explained that the definition came from the City's Comprehensive Plan and the Visual Sensitive Areas Map. Mr. Perrow referred to page 10, Item 18, "as illustrated in Exhibit '1'." He said that Exhibit '1' is inconsistent with the Comprehensive Nodes and also with the explanation given to Council that the interchange ends where the fogline ends. He added that the fogline entering onto Highway 16 ends beyond the Inn at Gig Harbor, and in fact stops 75' towards Stroh's. He added that the only visibility that they are attempting to maintain by the chimney sign is for travelers heading northbound. He said he knows that he has the option to file for a variance but does not believe he would be granted one because it does not meet the freeway visibility requirements. He suggested utilizing the language that already exists in the sign code and to not consider the proposed Exhibit '1'. He submitted photos and said it would be easy for Council to include the Inn in the interchange node by extending the line approximately 300'. He ended by saying all he wants is fairness and parity.

John Holmaas – 7524 Goodman Drive. Mr. Holmaas spoke to the same issue. He explained that the visual node was the problem and should be defined with certainty. He described the problems with his vacant property and said that he had worked with Steve Osguthorpe to design a building that would conform to the Design Review Manual. He added that if the interchange node were not extended, it would deter the construction of this building, as well as the re-design and construction to replace the existing buildings adjacent to the Inn. He talked about the screening requirements and explained that it wouldn't work in this area. He asked that council consider extending the node to encompass the two properties.

Tom Morfee – 3803 Harborview Drive. Mr. Morfee said he was representing the PNA Association. He explained that his organization supports the limitation of the lettering height to 21" and said that the main concern is glare in residential areas. He added that color is also important and gives discretion to the DRB to eliminate impact on residential communities. He addressed real estate signs and jokingly suggested that PNA could contract to the City to remove excessive signage when the City Administrator's truck gets full. He added that signage and clutter in the public right of way is a community concern. He then addressed Mr. Perrow's request and suggested that the Inn would qualify for a "Scenic Vista Information Logo" which is the best way to advertise to freeway traffic. He said that PNA fully supports the Planning Commission's recommendations and the amendments that have been made by Councilmembers.

Phil Arenson – 6750 Kimball Drive. Mr. Arenson thanked the Council for their patience and voiced his concerns. He talked about the definition of “holidays” and asked for consideration to change the language from the state’s list. He addressed glare and spoke extensively on the function of wattage and horizontal lighting. He asked if there was any proof of how the city has protected the public health, safety through regulating glare, which he added, has yet to be defined. He said that by limiting signage color, we would become a “town without color” and asked Council to reconsider this issue.

Lois Eyrse – Chamber of Commerce. Ms. Eyrse asked Council to review the issue of state holidays, which are not pertinent to retail sales, only to employee days off. She then addressed the Inn at Gig Harbor and asked that rather than over-regulating existing businesses, to write rules to regulate future businesses. She asked to allow these existing businesses to retain their signs and added that the City would stand to make a lot of money from a hotel of this size. Councilmember Dick asked if she had any suggestions for language to improve the holiday definition and if she had an idea for Mr. Holmaas and Mr. Perrow’s properties on how to employ a rule that would apply uniformly. She suggested that any language referring to holidays be stricken. She then suggested that the sign code could be amended to grandfather these two properties and then from this date forward, no others would be allowed.

Carol Holmaas – 7524 Goodman Dr. Ms. Holmaas said she was concerned with the reference to intersection signs for real estate signs and the use of the word “broker”. Councilmembers explained that this language had been stricken in a previous amendment. She explained that she was also addressing directional signs and said that the language was too limiting.

Mayor Wilbert asked to recess for a short break.

MOTION: Move to recess for five minutes until 9:15 p.m.
Owel/Dick – five Councilmembers voted in favor. Councilmember Picinich voted against. A recess was called.

The meeting resumed at 9:15 and Mayor Wilbert asked if there were any further comments regarding the sign code. As there were none, she closed the first reading of the Sign Code ordinance.

2. First Reading of Ordinance (Reintroduction) – Planning Commission Recommendation on Amendments to Chapter 17.98 – Design Review. Mr. Gilmore explained that this was a continuation of the first reading, and that it was proposed changes to the GHMC pertaining to the Design Review Board signage review concerns and optional review process. He added that this would return at the next meeting for a second reading.
3. Resolution – Fee Schedule Update for 1998. Ray Gilmore presented this resolution updating the fee schedule. He said that Council’s concerns from the last reading in January had been incorporated, specifically, not charging for the first meeting with the

DRB, establishing a “step-rate” fee structure for Master Sign Plans, and pre-application review fees. He answered questions regarding the process and charges for services. He was instructed to include language to clarify the charges for the Design Review process.

MOTION: Move to approve Resolution No. 512 which establishes fees for land use planning and building applications and permits; amending the fee schedule to include fees for design review and pre-application review and to update current fees; reducing the fees for site plan review, with amendments as discussed.
Owel/Young – unanimously approved.

NEW BUSINESS:

1. Communications Maintenance Contract – GHPD. Carol Morris explained that this was a standard renewal of an existing contract and recommended approval.

MOTION: Move to authorize the Mayor to renew the contract with Pierce County for communications maintenance services for 1998.
Platt/Owel – five voted in favor. Councilmember Dick abstained and announced that he is an employee of the County, but has only a remote interest in the contract.

2. Backhoe Attachment – Purchase Authorization. Wes Hill, Public Works Director, presented this contract to purchase a backhoe, which was a budgeted item, and recommended approval.

MOTION: Move to authorize the purchase of the backhoe attachment for the John Deere 2155 Tractor from Jennings Equipment Co., as the lowest responsible respondent, for their price quotation proposal amount of nine-thousand seven-hundred fifty-two dollars and seventy-five cents (\$9,752.75), including state sales tax, as corrected.
Dick/Platt – unanimously approved.

3. Federal Aid Projects – Right-of-Way Acquisition Procedures. Mr. Hill explained that in order to obtain right-of-way on federally funded projects, local agencies must adopt acquisition procedures conforming to FHWA and WSDOT requirements.

MOTION: Move to approve the attached right-of way acquisition procedures for federally funded projects, as set forth in the attached “Right-of-Way Procedural Contract as Required by the Local Agency Guidelines Manual,” and authorize the Public Works Director to execute the agreement with the Washington State Department of Transportation.
Picinich/Owel – unanimously approved.

4. Nomination to Pierce Transit Board of Commissioners. Mayor Wilbert recommended the nomination of David Viafore, Mayor of Fircrest, to this position.

MOTION: Move to nominate David Viafore for the position on the Pierce Transit Board of Commissioners to provide representation on the Board for the fourteen small cities and towns of Pierce County.
Owel/Picinich – unanimously approved.

5. Liquor License Renewals – Maritime Mart, Eagles, Gig Harbor Texaco, and Tides Tavern. No action taken.

PUBLIC COMMENT: None.

ANNOUNCEMENTS: Mayor Wilbert explained that she had received letters of resignation from Planning Commission members, Debra Vosburgh and Carl Halsan, and invited all city residents interested in service on the Planning Commission to submit letters of interest to her no later than April 1st.

MAYOR'S REPORT: None.

COUNCIL COMMENTS: None.

STAFF REPORT:

1. Chief Mitch Barker – GHPD Stats. No verbal report given.
2. Wes Hill, Public Works Director. Mr. Hill explained that construction of the Jerisich Dock extension project would begin on Tuesday morning and to expect the noise of the boom installing the pilings.

ANNOUNCEMENT OF OTHER MEETINGS: None.

APPROVAL OF PAYROLL:

MOTION: Move approval of checks #15361 through #19497 in the amount of \$238,477.63.
Young/Ekberg - unanimously approved.

APPROVAL OF BILLS:

MOTION: Move approval of checks #19643 through #19700 in the amount of \$83,467.86.
Young/Ekberg - unanimously approved.

EXECUTIVE SESSION:


MOTION: Move to adjourn to Executive Session at 9:42 for approximately 10 minutes for the purpose of discussing property acquisition per RCW 42.30.110, (b) and litigation per RCW 42.30.110 (i).
Picinich/Young – unanimously approved.

MOTION: Move to return to regular session at 9:50 p.m.
Young/Platt – unanimously approved.

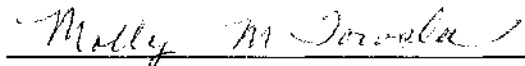
ADJOURN:

MOTION: Move to adjourn at 9:51 p.m.
Platt/Young - unanimously approved.

Cassette recorder utilized.
Tape 488 Side A 250 - end.
Tape 488 Side B 000 – end.
Tape 489 Both Sides.
Tape 490 Side A 000 – end.
Tape 490 Side B 000 – 232.



Mayor



City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF MARCH 23, 1998

PRESENT: Councilmembers Ekberg, Young, Platt, Owel, Dick, Picinich, and Mayor Wilbert.
Councilmember Markovich was absent.

CALL TO ORDER: 7:03 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of March 9, 1998 as presented.
Picinich/Owel – unanimously approved.

CORRESPONDENCE/PROCLAMATIONS:

Mayor Wilbert gave an overview of several pieces of correspondence that arrived after the packets were prepared.

Proclamation – Friends of Peninsula Library Week. Mayor Wilbert read the proclamation proclaiming the week of April 19th as Friend of the Library Week. She introduced members from the Friends of the Library organization who thanked Mayor Wilbert and passed around bookmarks.

OLD BUSINESS:

1. Second Reading of Ordinance (Continuation) – Planning Commission Recommendations on Amendments to Chapter 17.80 – Sign Code. Ray Gilmore, Planning Director, explained that because changes have been made to the original ordinance since the first public hearing, Carol Morris, Legal Counsel, suggested a public hearing be scheduled for the April 13th council meeting. Ms. Morris added that due to public notice issues, the most conservative approach would be to hold another public hearing on the final changes to the ordinance.

MOTION: Move to hold a public hearing and third reading of this ordinance at the April 13, 1998 regular meeting.
Ekberg/Picinich – unanimously approved.

2. Second Reading of Ordinance (Reintroduction) – Planning Commission Recommendation on Amendments to Chapter 17.98 – Design Review. Steve Osguthorpe explained that a first reading of this ordinance was held on February 23rd and was continued to the March 9th meeting. He added that this ordinance would redefine the design review process and would allow the Design Review Board to consider items in the zoning code that have reference to the Design Review Board.

MOTION: Move to adopt Ordinance No. 787 as presented.
Picinich/Young – unanimously approved.

NEW BUSINESS:

1. Resolution – Hotel-Motel Tax, Proposed Uses. Dave Rodenbach, Finance Director, explained that after two meetings of the Lodging Tax Advisory Committee, proposed expenditures had been made. He gave an overview of the proposed uses of the funds. Councilmember Owel suggested that an explanation be added to the resolution that these funds must be spent on tourist related activities.

MOTION: Move to adopt Resolution No. 513, adding the language, “Whereas, the funds should be directed toward tourism,” utilizing the language from the statutes, and in Section 1-A, changing the words “ten thousand” to “eleven thousand.”
Owel/Picinich – unanimously approved.

2. Communications Equipment Maintenance Contract – Public Works. Mark Hoppen, City Administrator, explained that this is a standard radio maintenance agreement, similar to the one for the police department.

MOTION: Move to authorize the Mayor to renew the contract with Pierce County for communications maintenance services for 1998.
Platt/Owel – five voted in favor. Councilmember Dick abstained as an employee of the County.

3. Interlocal Agreement with Pierce County for Maintenance Services. Mark Hoppen explained that this agreement with Pierce County was to supplement current maintenance capabilities to include such items as traffic signals and controllers.

MOTION: Move to approve execution of the attached Interlocal Agreement between Pierce County and the City of Gig Harbor to Provide Street and Traffic Maintenance Services.
Picinich/Owel – unanimously approved. Councilmember Dick abstained as an employee of the County.

PUBLIC COMMENT: Mayor Wilbert introduced members of Scout Troop #212 and asked them to lead the Council and audience in the Pledge of Allegiance.

MAYOR’S REPORT: None.

COUNCIL COMMENTS: Councilmember Young announced that he had recently become involved with the efforts to build a Skateboard Park. He added that the group was looking for creative fund-raising ideas.

STAFF REPORT: None.

ANNOUNCEMENT OF OTHER MEETINGS: None.

APPROVAL OF BILLS:

MOTION: Move approval of checks #19701 through #19801 in the amount of \$213,065.71.
Young/Ekberg - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 7:30 p.m. for approximately 30 minutes for the purpose of discussing property acquisition per RCW 42.30.110, (b) and litigation per RCW 42.30.110 (i).
Picinich/Owel – unanimously approved.

MOTION: Move to return to regular session at 7:59 p.m.
Picinich/Owel – unanimously approved.

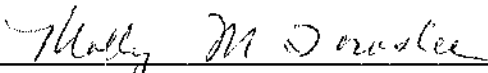
ADJOURN:

MOTION: Move to adjourn at 8:00 p.m.
Owel/Platt - unanimously approved.

Cassette recorder utilized.
Tape 490 Side B 233 - end.
Tape 491 Side A 000 – 172.



Mayor



City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF APRIL 13, 1998

PRESENT: Councilmembers Ekberg, Young, Owel, Dick, Picinich, Markovich and Mayor Wilbert. Councilmember Platt was absent.

CALL TO ORDER: 7:06 p.m.

PUBLIC HEARING: Amendments to Chapter 17.80 – Sign Code. Mayor Wilbert opened the public hearing at 7:07 p.m. Ray Gilmore, Planning Director, announced that staff would make a presentation later in the meeting on this item.

Wade Perrow – 9119 North Harborview Dr. Mr. Perrow handed out an aerial photo denoting the end of the fogline on Highway 16 at the Olympic Village Interchange. He said that at a previous council meeting, staff had stated that the best place to limit exposure was at the beginning and end of the on and off-ramps. He said that it was his understanding that the visual node was to include the on and off-ramps and added that the Inn at Gig Harbor was within the area where the westbound fogline ended. He said that the choice is up to City Council to interpret the Comprehensive Plan and to make a fair and reasonable decision for what should be done to protect the visual corridor on SR-16. He assured Council that there would never be a tree removed from in front of the Inn at Gig Harbor.

Lois Eyrse – Gig Harbor Peninsula Chamber of Commerce. Ms. Eyrse spoke about the issue of the definition of holidays as it pertains to temporary signs and promotional events. She said that the state holidays listed were to allow for employee days off and do not reflect celebrations important to retail businesses. She asked that the holidays be defined as Valentines Day, President's Day, Easter/Passover, Mother's Day, Father's Day, 4th of July, Halloween, and Christmas/Hanukkah. She added that she wanted to go on record to challenge several resolution statements and read the items. She concluded by asking that Council review the Sign Code in two years to assure that the intent had been met.

Councilmember Dick said that this was the first time he had heard these concerns and asked for clarification for what was being sought as a result of the comments. He said that a request to change this wording should have come at an earlier time, not at the last minute after many scheduled public hearings. He added that he understood from the Chamber that the process to resolve conflicting issues in the sign code had been successful on a number of significant changes.

Ms. Eyrse said that the resolution had been written after the process was almost over and this was her first opportunity to address their concerns with the resolution. Councilmember Dick said that if the Chamber felt the language in the resolution was flawed, they should have come forward with wording that they thought was appropriate to match what was being done.

Sean Eagan – Government Affairs Director of the Pierce County Association of Realtors. Mayor Wilbert told Mr. Eagan that Council had been given a copy of his letter. Mr. Eagan said the Association of Realtors wished to voice their support of several of the changes made to the proposed amendments to the sign ordinance. He added that there still were concerns remaining about the number of temporary “For Sale” signs in Section 17.80.110(b)(1), which they felt were too restrictive.

Jim Pasin – 3208 50th St. Ct. NW. Mr. Pasin raised several concerns such as definitions that he felt were unclear, the 21” lettering height, and signage in the interchange. He suggested that interchange areas have a tendency to fluctuate and that he felt the proposed visual node was attempting to be too restrictive.

Councilmember Dick asked Mr. Pasin if he had any proposed language to resolve the concerns he had brought up and again stated that it was late in the process to be bringing up suggestions.

James Seely – representing Wade Perrow. Mr. Seely said that his clients support the changes to the Sign Code with one exception and asked Council to include the properties owned by Wade Perrow and John Holmaas in the Interchange Node. He said that the issue seems to be that by amending Exhibit ‘1’, which illustrates the nodes, an amendment to the Comprehensive Plan would be required. He said that he disagreed and that the Comp Plan Nodes are not meant to be parcel specific. He said that a decision to include The Inn at Gig Harbor would be fair, reasonable, and provide a natural break, and that prohibiting signage facing SR-16 would attack the lifeblood of a brand new, significant investment in Gig Harbor.

Councilmember Dick said he appreciated Mr. Seely’s comments and asked if his concern was that Exhibit ‘1’ was inconsistent with the exhibit in the Comp Plan. Mr. Seely said that the shape difference made the coverage inconsistent and that if the exhibit has to be exactly consistent with the Comprehensive Plan, there are properties that would be covered in the Comp Plan that are not included in the proposed Exhibit ‘1’ to the Sign Code. He added that because the exhibits are not consistent, it wouldn’t be inappropriate to further extend the node to include his client’s properties without having to amend the Comprehensive Plan.

Councilmember Young said that he had been advised by Staff the boundaries could not be extended without amending the Comprehensive Plan, which could only be changed once a year. He then offered to propose that this section be reviewed during the update period.

Phil Arenson – 6750 Kimball Dr. Mr. Arenson said that the business community was aware that City Council, the Planning Commission and Staff have worked diligently on the problems of the Sign Code, but nevertheless, there remain serious problems which he wanted to be put on the record. He talked about the arbitrariness and lack of factualness that exhibits itself many times in the document, sometimes to the point of embarrassment. He responded to Councilmember Dick’s question as to why these comments were coming at such a late date. He said that the resolution sets up legal grounds by which the ordinance will be upheld in potential litigation, and then added that no one that he knew of had plans to litigate. He went on to describe at length many of his concerns and the “great constitutional flaws” within the document.

Councilmember Picinich said that he agreed with the suggestion to review the document in two years. He asked about the request to add holidays. Mr. Arenson stated that nine holidays had been suggested.

Councilmember Dick said that he appreciated that the Chamber had submitted ideas for which holidays were important. He then asked if he was to understand by Mr. Arenson's that the ordinance should not be passed because of the litany of difficulties and arbitrary elements. Mr. Arenson said that his preference would be that the City Council take one more hard look at the document and actually read it page by page and change any arbitrary language included.

Councilmember Markovich said he supported Councilmember Dick's frustration at these comments from Ms. Eyres and Mr. Arenson. He said that as a past president of the Chamber of Commerce, he has been an active proponent of the dialogue to amend the Sign Code and to allow the business community an opportunity to have input into the process. He added that after numerous public hearings, it was hard to believe these comments were coming forth on the last evening, affecting everything that had been accomplished in the last 18 months.

Mr. Arenson said he understood the frustration. He said that he expected the ordinance to be passed this evening, with a few minor changes such as the holidays, and that they hoped it would be reviewed again in two years.

Tom Morfee – 3803 Harborview Drive, PNA. Mr. Morfee said that he hoped that Council would pass the ordinance this evening as PNA supports the proposed amendments which came about with a great deal of compromise. He added that there is still a great deal of support for amortization of non-conforming signs, but that they understand the Planning Commission's compromise on this issue. He said that he was glad to hear that the Chamber of Commerce was conciliatory and that there will be no litigation, but was surprised to hear the future President of the Chamber state that they felt the document was arbitrary and unconstitutional. He added comments on the visual node, economic development, and concluded that he would like to see the document reviewed in two years. He concluded by stating that the advocacy letter from the Chairman of the Planning Commission was entirely inappropriate and raised an issue of fairness.

Donna Lormor – 3026 Harborview Drive. Ms. Lormor said that she has a business at 3026 Harborview Drive and is a member of the Chamber of Commerce and the Gig Harbor Waterfront Retail and Restaurant Association. She asked that the holidays not be defined by the state RCWs and that the business owners be allowed to choose holidays on which to decorate. She added that the 32 pages of information in the sign code was difficult for most people to interpret and agreed with the need for some kind of index to help understand the document. She also asked if a staff member could attend some of their meetings to answer questions. She then addressed seasonal decorations and holiday banners.

Councilmember Dick asked if the suggested retail holidays would be beneficial to her business. She asked for flexibility for special events not listed as a holiday. Steve Osguthorpe, Planning Associate, explained that the proposed amendments have taken out restrictions for window signs

except for the 50% coverage, which would allow for these events. He added that 60 days were allowed for temporary banner and balloon signs for added flexibility.

Marie Sullivan – Executive Director for the Gig Harbor Peninsula Chamber of Commerce. Ms. Sullivan explained that the Chamber is interested in a sign code that works for business and apologized for the lateness of the comments that had come forward at this meeting. She said they are looking for a sign code that is easy to understand, easy to implement and is fair. She said that there are still concerns that there are subjective statements in the document, and the Council should understand that they are adopting findings as facts and need to be aware of the implications. She added that the Chamber would continue to work with the City.

Mayor Wilbert closed the public hearing at 9:47 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of March 23, 1998 as presented.
Picinich/Owel – unanimously approved. Councilmember Markovich abstained.

CORRESPONDENCE/PROCLAMATIONS:

Proclamation – Disaster Preparedness Month. Mayor Wilbert read this proclamation from the Pierce County Director of Emergency Management proclaiming April as Disaster Preparedness Month.

MOTION: Move to declare April as Disaster Preparedness month.
Dick/Picinich – unanimously approved.

Mayor Wilbert announced the need for a short break at 8:52 p.m. The meeting resumed at 9:03 p.m.

OLD BUSINESS:

1. Third Reading of Ordinance-- Planning Commission Recommendations on Amendments to Chapter 17.80 – Sign Code. Ray Gilmore, Planning Director, introduced Steve Osguthorpe, who gave a brief presentation illustrating the comparison between the proposed Exhibit '1' and the nodes in the Comprehensive Plan. He addressed the location of the Inn at Gig Harbor in relation to these maps. Ray Gilmore answered Council's questions regarding the signage at The Inn and the process to update the Comprehensive Plan. Mr. Gilmore explained that Mr. Perrow had the option to apply for a variance for his signage. Discussion on the comments brought forth during the public hearing led to the following motions.

MOTION: Move we direct the Planning Commission to address the Interchange Node

when the Comprehensive Plan is updated.
Young/Picinich – unanimously approved.

MOTION: Move to adopt Ordinance No. 788 with the various changes and corrections to the Gig Harbor Sign Code.
Ekberg/Owel –

Mayor Wilbert suggested that Council make any amendments to the ordinance consequent to the public hearing.

Councilmember Markovich suggested that all the sections that were found objectionable could be deleted from the preamble. Carol Morris, Legal Counsel, explained that ‘Whereas’ sections only provide legislative history to the ordinance and are not enforceable and could be deleted.

MOTION: Move to delete the entire recitation of the Planning Commission findings beginning on page four, up to the first ‘Whereas’ on page seven. Amend the second ‘Whereas’ on page four to read, “Whereas the Planning Commission has made findings and facts dated ...” Modify the second ‘Whereas’ on page seven to read, “Whereas the City Council considered the findings of the Planning Commission,” and finally, strike sections (b) and (c) from the third ‘Whereas’ on page seven.
Young/Markovich – unanimously approved.

MOTION: Move to amend Section 17.80.050 A(4), changing the word ‘site’ to ‘sight’.
Owel/Dick – unanimously approved.

ORIGINAL MOTION: Move to adopt Ordinance No. 788 with the various changes and corrections to the Gig Harbor Sign Code.
Ekberg/Owel – unanimously approved.

MOTION: Move that the Sign Code be reviewed by the Planning Commission within two years and that a report be given to the City Council.
Ekberg/Picinich – unanimously approved.

NEW BUSINESS:

1. Appointments to the Planning Commission. Mayor Wilbert explained that two vacancies had opened on the Planning Commission and that she had received five applications for the positions. She introduced the applicants that were present to give a brief presentation regarding their vision for Gig Harbor. Mayor Wilbert explained that she had asked Mark Robinson and Bruce Gair to complete the terms left vacant. She added that one vacancy would end in June of 1998 and the other in June of 1999. She asked Mark Robinson to draw a card to determine which term he would serve. He drew the term ending June of 1999.

MOTION: Move we accept the appointment of Mark Robinson and Bruce Gair to the Planning Commission, with the terms to be determined by a drawing .
Owel/Dick – unanimously approved.

2. Council Committees. Mayor Wilbert explained that there are three active Council Committees and that an additional two had been suggested, an Economic Development Committee consisting of Councilmembers Young, Owel and Picinich, and a Land Use Planning Committee consisting of Councilmembers Dick, Markovich and Ekberg. She thanked Councilmembers for volunteering to serve and explained that it was her expectation that these committees would help her and staff better assess the needs of the community.
3. Voting for Representative for Pierce Transit. Mayor Wilbert explained that she had receive another request for support for this position from Phil DeLeo of Bonney Lake. She asked for Council to vote for either David Viafore or Phil DeLeo for the position of representative for Pierce Transit.

MOTION: Move to vote for David Viafore, Mayor of Fircrest, and approve Resolution No. 415 supporting this action.
Markovich/Young – unanimously approved.

4. First Reading of Ordinance Amending GHMC 9.26.050 – Domestic Violence. Mitch Barker, Chief of Police, introduced this first reading of an ordinance to amend GHMC Section 9.26.050 to bring it current with state law. This will return at the next meeting for a second reading.
5. Resolution – Hotel-Motel Tax, Proposed Uses. Dave Rodenbach, Finance Director, gave an overview of this second resolution for the proposed use of the revenues from the hotel-motel tax.

MOTION: Move to adopt Resolution No. 515.
Markovich/Picinich – unanimously approved.

6. Liquor License Renewal – Harvester Restaurant. No action taken.

PUBLIC COMMENT:

Mark Robinson – 7415 Stinson Avenue. Mr. Robinson explained that he had been interviewed for an upcoming article about Gig Harbor in the Neighborhood Section of the Seattle PI on Sunday, April 26th and asked Council to look for it in the paper.

COUNCIL COMMENTS:

Councilmember Dick handed out a memo regarding issues of orderly process and legal issues during Council meetings. He added that he thought it would be to Council's advantage to have staff gather copies of procedural rules adopted by other cities to improve the process. He suggested a retreat to discuss these issues. He said then Council could adopt rules which would help people who come before Council to better understand the process.

Councilmember Markovich agreed and added that, most importantly, Council should adhere to whatever rules are adopted.

Councilmember Owel added that as the city grows, it would be good to provide parameters for the meeting procedures, as the process can become complicated. She said that the Parliamentary Procedure classes she attended were very helpful. She said that matters of form lead to a clearer process, and that she was supportive of the idea to adopt rules of procedure.

Councilmember Dick then said he appreciated the information in the packet regarding computer software and the year 2000. He said he was interested that issue that be solved at the city and asked if staff would let him know how this was being addressed.

MAYOR'S REPORT: Salmon Protection and Recovery Plan.

Mayor Wilbert gave a brief report on an upcoming community orientation session regarding protection and recovery of salmon in the local creeks. She added that she regularly receives information regarding this issue and that there are several interested citizens willing to work on stream management.

STAFF REPORT: None.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Salmon Protection and Recovery – Community Orientation, Saturday, April 18th, 1 p.m. to 3 p.m. at the Gig Harbor Peninsula Historical Society.

APPROVAL OF PAYROLL:

MOTION: Move approval of payroll checks #15495 through #15634 in the amount of \$247,948.16.
Young/Ekberg - unanimously approved.

APPROVAL OF BILLS:

MOTION: Move approval of checks #19802 through #19920 in the amount of \$197,333.30.
Young/Ekberg - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 10:19 p.m. for approximately 20 minutes for the purpose of discussing property acquisition per RCW 42.30.110, (b) and litigation per RCW 42.30.110 (i).
Picinich/Owel – unanimously approved.

MOTION: Move to return to regular session at 10:40.
Picinich/Owel – unanimously approved.

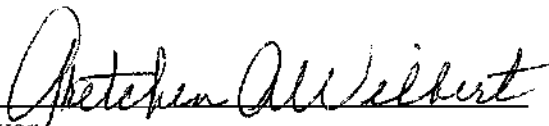
MOTION: Move to extend the Executive Session for an additional ten minutes.
Ekberg/Owel – unanimously approved.

MOTION: Move to return to regular session at 10:50.
Picinich/Owel – unanimously approved.

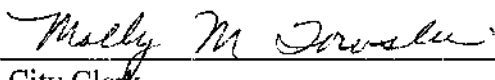
ADJOURN:

MOTION: Move to adjourn at 10:50 p.m.
Young/Owel - unanimously approved.

Cassette recorder utilized.
Tape 491 Side A 173 - end.
Tape 491 Side B 000 – end.
Tape 492 Both sides.
Tape 493 Both sides.
Tape 494 Side A 000 – 142.



Mayor



City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF APRIL 27, 1998

PRESENT: Councilmembers Ekberg, Young, Platt Owel, Dick, Picinich, Markovich and Mayor Wilbert.

CALL TO ORDER: 7:04 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of April 13, 1998 as presented.
Picinich/Young – unanimously approved.

CORRESPONDENCE/PROCLAMATIONS: Mayor Wilbert asked the Councilmembers to check the reading file in the copy room for correspondence that arrived too late to be included in the packet.

OLD BUSINESS:

1. Second Reading of Ordinance Amending GHMC 9.26.050 – Domestic Violence. Mitch Barker, Chief of Police, introduced this ordinance to amend GHMC Section 9.26.050 to bring it current with state law.

MOTION: Move to adopt Ordinance No. 789.
Owel/Picinich – unanimously approved.

NEW BUSINESS:

1. Gig Harbor North – Water ULID Request. Mark Hoppen, City Administrator, explained that the preannexation agreement with Gig Harbor North included provision for water transmission and storage facilities. He added that he had received a letter from First Western Development Services requesting the formation of a ULID for these water improvements. He explained that the first step would be to develop a preformation agreement with the property owners so that certain costs, other than construction costs, could be recovered if the ULID was formed.

MOTION: Move to direct Legal Counsel to draft a preformation agreement addressing the requested water improvements with the review of the Public Works Director.
Picinich/Owel – unanimously approved.

2. First Reading of Ordinance – Planning Commission Recommendation, Pre-annexation Zoning for the Purdy Area. Ray Gilmore, Planning Director, presented the Planning Commission's recommendations on a pre-annexation zoning plan for the Purdy

community, which became part of the Urban Growth Area in 1995. He added that this would return for a second reading at the next meeting.

Paul Cyr. Mr. Cyr explained that he was representing Dave Morris, a property owner in the Purdy area that would be affected by the pre-annexation zoning. He said that they concur with the recommendations, and thanked Council for their time.

3. First Reading of Ordinance – Planning Commission Recommendation, Zoning District Amendments for the Westside. Ray Gilmore presented these recommended zoning changes for areas that became part of the city in the latest annexation. Utilizing an overhead projector, he compared the land use recommendations submitted by the Westside Subarea Committee and the final recommendations from the Planning Commission to the City Council.

Paul Cyr, Land Use Consultant. Mr. Cyr explained that he was representing Fred and Dorothy Stroh. He voiced his concerns that some of the recommendations made by the Westside Subarea Committee had been overturned by the Planning Commission. He gave the reasons that he believed that the zoning for the Stroh's property east of SR-16 should be zoned C-1 rather than B-2 as proposed by the Planning Commission. He asked Council to hold a public hearing on the ordinance before the final decision was made.

Ray Gilmore answered Council's questions regarding these properties and the following motion was made.

MOTION: Move we schedule a public hearing and second reading on this ordinance for the May 11th City Council meeting.
Young/Ekberg – unanimously approved.

4. First Reading of Ordinance – Proposed Revisions to Chapter 18.04, SEPA Policies. Ray Gilmore introduced this ordinance updating the City's Environmental Policy to reflect changes to the State SEPA regulations effective last year. He added that Staff had one additional recommendation to delete the posting requirements for SEPA notice, because the city currently provides ample notification during the public review process, and added that very few other jurisdictions in Pierce County post for environmental policy decisions. Councilmember Owel asked if the public depends on posting for notice procedures. Mr. Gilmore explained that most of the interest is generated through the mailings to property owners within 300 feet. Councilmember Owel said posting was important for those who live beyond the 300 feet limit. Councilmember Markovich discussed the importance of specifying the size and type of posting in any posting provisions. This will return for a second reading at the next meeting.
5. Street Pavement Marking – Contract Award. Wes Hill, Public Works Director, explained that two contractors had responded to the request for bids to restripe the arterial streets and recommended awarding the contract to the lowest bidder. Councilmember

Markovich asked what it would cost to purchase the striping equipment and perform the work in-house. Mr. Hill explained that it was a costly piece of equipment sitting idle for most of the year, but added that he would look into the cost effectiveness of purchasing the equipment and the possibility of sharing it with another city.

MOTION: Move to execute a contract for Pavement Marking on City Streets – '98 to Apply-A-Line, Inc., for \$17,296.48.
Picinich/Platt – unanimously approved.

6. Destination Identification and Mapping. Mayor Wilbert introduced this resolution requesting that the North Harborview business district be given a name that would identify it on any maps highlighting points of interest in the city. She added that she had received several petitions requesting that this area be called the Finholm Market Place. Discussion on the spelling of the title led to the following motion.

MOTION: Move to approve Resolution No. 516, designating the business area on North Harborview as *Finholm's Marketplace* on future maps.
Picinich/Owel – unanimously approved.

7. Liquor License Assumption – Spiro's Pizza. No action taken.
8. Discontinuation of Liquor Sales – Captain's Terrace. No action taken.

PUBLIC COMMENT:

Don Estes. Mr. Estes explained that he had recently moved to the Peacock Hill Mobile Home Park, where they recently lost a member of their neighborhood in an accident as she walked along Peacock Hill. He voiced his concerns about the speeding traffic along Peacock Hill and requested that the city do something about lowering the speed in that area.

COUNCIL COMMENTS:

MAYOR'S REPORT: Pedestrian Safety.

Mayor Wilbert read her report addressing the need to enhance the safety of city pedestrians. She talked about working with the Public Works Department to create driver alert courtesy signage for entrances into city limits. Councilmembers also voiced their concerns regarding speeding in various areas within the city. Wes Hill explained that traffic studies are currently being done and that they are awaiting the computer reports to be able to report back to Council with recommendations for speed limit changes throughout the city.

STAFF REPORT:

1. Dave Rodenbach, Finance Director – Quarterly Report. Mr. Rodenbach gave an overview of the first quarter report and added that there was nothing significant to bring to Council's attention.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Pierce County Council District #7 Meeting – May 12th, 7:00 p.m. at the Pt. Fosdick Branch Library.
2. Council Retreat – Thursday, May 21st, from 2:00 p.m. to 7:00 p.m. at the Inn at Gig Harbor.

APPROVAL OF BILLS:

MOTION: Move approval of checks #19922 through #20023, except warrant #20000 which was voided, in the amount of \$106,800.89.
Young/Platt - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 8:05 p.m. for approximately 15 minutes for the purpose of discussing property acquisition per RCW 42.30.110, (b) and litigation per RCW 42.30.110 (i).
Young/Platt – unanimously approved.

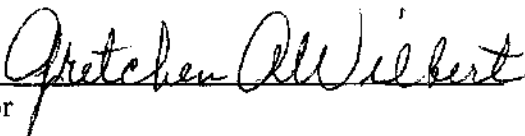
MOTION: Move to return to regular session at 8:20 p.m.
Picinich/Platt – unanimously approved.

MOTION: Move we authorize Mr. Hoppen to work with Mr. Rodman in purchasing the Wilkinson Property for whatever the appraised value.
Picinich/Owel – Councilmembers Ekberg, Young, Owel, Dick, Picinich and Markovich voting in favor. Councilmember Platt voting against. The motion carried.

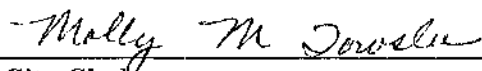
ADJOURN:

MOTION: Move to adjourn at 8:25 p.m.
Platt/Owel - unanimously approved.

Cassette recorder utilized.
Tape 494 Side A 143 – end.
Tape 494 Side B 000 – end
Tape 495 Side A 000 – 097.



Mayor



City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF MAY 11, 1998

PRESENT: Councilmembers Ekberg, Young, Platt, Dick, Picinich, and Markovich. Councilmember Owel acted as Mayor Pro Tem in Mayor Wilbert's absence.

SPECIAL PRESENTATION: Mayor Pro Tem Owel introduced Carol Olsen Dick, Elementary Teacher at Discovery Elementary, and two of her students, Katey Saul and Jeffrey Bond. Ms. Olsen explained that these two students were members of her last year's fifth grade class. She added that these students and their classmates recently became nationally published authors and illustrators with Scholastic Inc., with their chapter about Washington State which was included in the book "*Kids Book of 50 Great States.*" Both students gave a description of the Washington State chapter and invited everyone to a book signing on May 16th at Border's Books in Tacoma.

CALL TO ORDER: 7:09 p.m.

PUBLIC HEARING: Proposed Zoning District Amendments – Westside Area.

Mayor Pro Tem Owel opened the public hearing on this item at 7:09 p.m. and introduced Ray Gilmore, Planning Director. Mr. Gilmore gave a brief overview of the proposed amendments to the zoning on the Westside and the recommendations from the Westside Area Subcommittee and the Planning Commission.

Mayor Pro Tem Owel read the procedures for a public hearing and asked if there were any conflict of interest issues with members of the audience or with any Councilmembers. There was no response and the public comment portion of the hearing was opened.

Jim Pasin – 3298 50th St. Ct. NW. Mr. Pasin gave an overview of his letter to the Planning Commission that was included in the council packet asking that the Council accept the Subarea Committee recommendations.

Paul Cyr – 4102 55th St. Ct. NW. Mr. Cyr explained that he was representing Fred and Dorothy Stroh. He described the recommendations by the Subarea Committee to the Planning Commission regarding the properties owned by the Stroh's. He added that the owners were willing to compromise and allow the area on the west side of SR-16 to remain B-2, but asked that the property on the east side be allowed to be zoned C-1. He added that the owners did not intend on changing the current use of the properties, which were already largely developed. He said that any future expansion would have to conform to design standards and city review.

Scott Wagner – 6507 27th Ave NW. Mr. Wagner explained that he lives on the southeast side of the Stroh property where his family owns three parcels. He said that he had been raised in the

area and had never experienced a problem with the Stroh's properties. He added that it was logical to keep the zoning consistent with the current, commercial use and asked that it be zoned as C-1.

There were no further public comments and the hearing was closed at 7:25 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of April 27, 1998 as presented.
Picinich/Ekberg – unanimously approved.

CORRESPONDENCE/PROCLAMATIONS:

1. Pierce Transit – Election of Phil DeLeo to Board of Commissioners. No report given.

OLD BUSINESS:

1. Second Reading of Ordinance – Planning Commission Recommendation, Zoning District Amendments for the Westside. Ray Gilmore presented this second reading of proposed amendments to the zoning for the Westside. He explained that the testimony just heard in the public hearing had centered on the difference in the recommendations from the Westside Subarea Committee and the Planning Commission's final recommendation. He explained that if Council wished to act upon the recommendations brought forth in the public hearing, the changes could be made to reflect Council's action, and that the ordinance could be adopted this evening. After discussing the proposed zoning changes, the following motion was made.

MOTION: Move to adopt Ordinance No. 790 adopting the amendments to the zoning district map with the modification that the B-2 designation on Stroh's Feedlot and Nursery be changed to C-1.
Picinich/Ekberg – unanimously approved.

2. Second Reading of Ordinance – Proposed Revisions to Chapter 18.04, SEPA Policies. Ray Gilmore introduced this ordinance updating the City's Environmental Policy to reflect changes to the State SEPA regulations effective last year. He addressed the concerns brought up about notification.

MOTION: Move to adopt Ordinance No. 791.
Dick/Picinich – unanimously approved.

NEW BUSINESS:

1. Jerisich Park Dock -- Amendment to Consultant Services. Wes Hill, Public Works Director, explained that during the recent dock expansion project, it was determined that there was insufficient support facilities and budget for inclusion of water and power

connections, and that these amenities could be added at a later date. He said that requests have been received recently to add water and power at this time, and explained that he had explored the cost of providing the amenities. He added that the estimated construction cost to add water and power to the dock would be approximately \$40,000, and if Council would like to add these improvements, the consultant services agreement with Layton & Sell could be amended to perform the necessary design work for an additional \$6,500. Councilmembers discussed the proposed amenities and agreed that it was not an urgent item and could be addressed in the next budgetary year. Councilmember Markovich voiced concerns about recouping the cost of the utilities through the current "honor" system of collecting dock fees and recommended waiting until the city was in a better position to spend the additional funds and manage the facility to assure collection of user fees. Councilmember Dick suggested contacting other municipalities to see how they handle their dock amenities. No motion was made to approve the Consultant Services Agreement with Layton & Sell.

2. Printer Purchase. Wes Hill, Public Works Director, explained that the department's current plotter was designed for limited production and larger prints, and that with the designing of the East-West Road project, it's slower speed and other limitations were becoming more apparent. He recommended authorization to purchase a printer that would have the capacity to print half-scale drawings at the speed of 16-pages per minute, and to charge the cost to the East-West Road budget.

MOTION: Move we authorize the Public Works Department to purchase a HP LaserJet 5000 printer in the amount not to exceed \$2,000 plus sales tax.
Platt/Ekberg – unanimously approved.

3. Payroll Systems Upgrade. Dave Rodenbach, Finance Director, discussed upgrading the payroll system. He explained that the current system was inadequate and that he had researched outsourcing the process as opposed to upgrading the current system. He gave a comparison of the options and recommended upgrading the current payroll system rather than utilizing an outside vendor.

MOTION: Move to upgrade our current payroll system to Eden Systems Payroll 5.0.
Young/Dick – unanimously approved.

7. Liquor License Acquisition – Stockmarket Foods. No action taken.

PUBLIC COMMENT:

Bruce Rogers – 2804 Harborview Drive. Mr. Rogers asked for an update of the progress on the improvements to the Harborview Street End. He described some of the neighborhood concerns, which include speeding traffic and unsafe sidewalks. Wes Hill explained that the city has been monitoring the waste receptacle on a regular basis and has submitted a grant application for additional funding to complete the improvements. He asked that if there were additional

concerns with the area, that the citizens should contact the Public Works Department to alert them to any problems.

John Rose – Olympic Resource Management. Mr. Rose explained that Olympic Resource Management was a subsidiary of Pope Resources, a participant in the Gig Harbor North annexation. Mr. Rose said he was present to answer any questions Council may have and gave an update on events that had occurred during the past year. He added that city staff had done a remarkable job of facilitating the process. He stressed the importance of the completion of the East-West Road in a timely manner and asked that Council support the efforts to complete the project. He introduced the next speaker.

Dale Pinney – 1st Western Development. Mr. Pinney began to pass out illustrations of a proposed project to be located in the Gig Harbor North area. Carol Morris, Legal Counsel, advised Mr. Pinney that he could not discuss a proposal with Council as they may be required to hear an appeal of the project as a quasi-judicial body. Mr. Pinney then discussed the crucial timing of the completion of the East-West road to his project and asked Council to support staff in completion of the project. He added that he was hoping for some sort of a commitment from the city by July 1st stating that the project could be completed by 1999.

COUNCIL COMMENTS:

Councilmember Steve Ekberg gave a short report on the Local Involvement Committee for SR-16 project. He explained that the committee met to attempt WSDOT to draft a description for the advisory election and how to reduce the cost that may be incurred by the citizens.

Councilmember Bob Dick spoke briefly on the upcoming AWC Conference June 16 – 19. He said that he thought some of the training sessions seemed valuable and planned to attend. He volunteered to be a voting delegate for the City of Gig Harbor during the business meeting.

Mayor Pro Tem Owel said Mayor Wilbert had received a letter from Don Estes thanking the Police for their quick response to his concerns regarding speeding on Peacock Hill.

MAYOR'S REPORT: Council Retreat Notice

No verbal report given.

STAFF REPORT: None scheduled.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Pierce County Council District #7 Meeting – May 12th, 7:00 p.m. at the Pt. Fosdick Branch Library.
2. Council Retreat – Thursday, May 21st, from 2:00 p.m. to 7:00 p.m. at the Inn at Gig Harbor.

3. Second Council meeting in May – Tuesday, May 26th, due to Memorial Day.

APPROVAL OF PAYROLL:

MOTION: Move approval of checks #15636 through #15776 in the amount of \$243,717.06.
Young/Ekberg - unanimously approved.

APPROVAL OF BILLS:

MOTION: Move approval of checks #20024 through #20156 in the amount of \$350,556.93.
Young/Ekberg - unanimously approved.

EXECUTIVE SESSION:

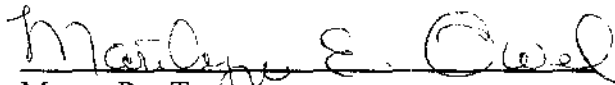
MOTION: Move to adjourn to Executive Session at 8:41 p.m. for approximately 40 minutes for the purpose of discussing property acquisition per RCW 42.30.110, (b) and litigation per RCW 42.30.110 (i).
Picinich/Young – unanimously approved.

MOTION: Move to return to regular session at 9:00 p.m.
Picinich/Platt – unanimously approved.

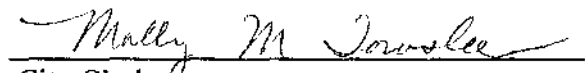
ADJOURN:

MOTION: Move to adjourn at 9:00 p.m.
Platt/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 495 Side A 098 - end.
Tape 495 Side B 000 – end.
Tape 496 Side A 000 – end.
Tape 496 Side B 000 – 167.



Mayor Pro Tem



City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF MAY 26, 1998

PRESENT: Councilmembers Ekberg, Young, Platt, Dick, Picinich, Owel, Markovich and Mayor Wilbert.

CALL TO ORDER: 7:04 p.m.

PUBLIC HEARING: Proposed Zoning District Amendments – Purdy Area.

Mayor Wilbert opened the public hearing on this item at 7:01 p.m. and introduced Ray Gilmore, Planning Director. Mr. Gilmore explained the reason this ordinance was being reintroduced was to satisfy the statutory requirement to hold two public hearings not less than 30 days apart on any pre-annexation zoning. He gave an overview of the Planning Commission's recommendations for zoning for the area.

Mayor Wilbert asked if anyone wished to speak. No one came forward and the hearing was closed at 7:05 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of May 11, 1998 as presented.
Picinich/Owel – unanimously approved.

CORRESPONDENCE/PROCLAMATIONS: None scheduled.

OLD BUSINESS:

1. Reintroduction of the First Reading of Ordinance – Planning Commission Recommendation – Preannexation Zoning Plan for the Purdy Community UGA. Ray Gilmore explained that this was the first public hearing on these recommendations and that the second public hearing would be held at the July 13th meeting. He added that the ordinance would also return on July 13th as a reintroduction of a first reading.

NEW BUSINESS:

1. First Reading of Ordinance – Amendments to Title 15 GHMC (Building Code Update). Steve Bowman, Building Official/Fire Marshal, explained that every three years the Washington State Building Code Council, in conjunction with the Legislature, adopts new codes. He said that the latest revisions were set to become effective on July 1, 1998 and gave an overview of the proposed amendments. He answered Council's questions and explained that this would return for a second reading at the next meeting.
2. Skateboard Park Resolution – IAC. Wes Hill, Public Works Director, presented this resolution confirming Council's support of project development for a skateboard park.

He explained that the resolution was necessary for consideration by the IAC Technical Committee, in conjunction with the grant application, to assist in building the skateboard park. He gave a brief description of the proposed project and answered questions.

MOTION: Move to approve Resolution No. 517.
Markovich/Picinich – unanimously approved.

3. Harborview Street End Project Resolution – IAC. Wes Hill explained that this was a second resolution confirming Council's support for the Harborview Street End Project for IAC's consideration for grant funding. He explained that this grant only covered the street-end project itself, and funding for improvements to the street would need to come from another source.

MOTION: Move to approve Resolution No. 518.
Markovich/Picinich – unanimously approved.

4. First Reading of Ordinance – Public Docks. Mark Hoppen, City Administrator, explained that this ordinance and the one following address the management of Jerisich Dock. He said that while reviewing the current code, several recommendations arose from Public Works, Law Enforcement and Administrative Staff. He added that one recommendation was to change the current 24 continuous hour limit to 48 hours to more appropriately reflect recreational boating patterns and another was to post the time for payment as anytime after 7:00 p.m. to enable the police to make a routine check in the evening for those boaters who may not have posted their payment slip in their window. The final recommendation was to delete the language that refers to the 65' loading and unloading space. He answered questions regarding how the funds are collected and tracked.

Councilmember Owel made a recommendation to modify the beginning hours from 7:00 p.m. to 5:00 p.m., and not to designate an ending time. Another recommendation was made to add language to reflect usage of the loading zone for the waste disposal facilities. This ordinance will return at the next council meeting with the recommended amendments.

5. First Reading of Ordinance – City Dock Fees. This ordinance was discussed during the previous agenda item, and will return with modifications for a second reading at the next meeting.

PUBLIC COMMENT: None.

MAYOR'S REPORT:

Mayor Wilbert thanked Councilmembers and staff for their participation in the Council Retreat last Thursday, and asked if there were any issues that needed further discussion.

Councilmembers agreed that their concerns had been covered in the retreat and that no further worksessions were necessary until staff began the budget preparation.

COUNCIL COMMENTS:

Councilmember Derek Young reported that Councilmember Owel, Councilmember Picinich, and he were going to attend the local Business Development Meeting for the Chamber of Commerce, Tuesday, June 2nd. He added that if any Councilmembers had any concerns or comments, to contact one of the three before the meeting.

Councilmember Steve Ekberg gave a short report on the Local Involvement Committee for SR-16 project. He explained that the description of the project for the advisory election had been drafted and that if anyone was interested in a copy, to contact the City Clerk.

STAFF REPORT:

Mitch Barker, Chief of Police, Gig Harbor Police Department. Chief Barker gave an update of the April statistics. He invited Councilmembers to come and observe the upcoming firearms training session on June 1st at the Sportsman Club. He added that one session runs from 1:00 p.m. to 3:00 p.m. and the second from 6:00 p.m. to 8:00 p.m.

ANNOUNCEMENT OF OTHER MEETINGS: None.

APPROVAL OF BILLS:

MOTION: Move approval of checks #20157 through #20277 in the amount of \$141,377.52.
Young/Ekberg - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 7:52 p.m. for approximately 30 minutes for the purpose of discussing property acquisition per RCW 42.30.110, (b) and litigation per RCW 42.30.110 (i).
Picinich/Young – unanimously approved.

MOTION: Move to return to regular session at 8:20 p.m.
Picinich/Owel – unanimously approved.

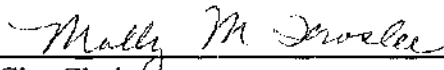
ADJOURN:

MOTION: Move to adjourn at 8:20 p.m.
Platt/Owel - unanimously approved.

Cassette recorder utilized.
Tape 496 Side B 168 – end.
Tape 497 Side A 000 – 389.



Mayor



City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JUNE 8, 1998

PRESENT: Councilmembers Ekberg, Young, Platt, Dick, Picinich, Owel, and Mayor Wilbert.
Councilmember Markovich was absent.

CALL TO ORDER: 7:00 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of May 25, 1998 with corrections by Councilmember Owel, regarding beginning and ending times for the Jerisich Dock overnight moorage.
Picinich/Owel – unanimously approved.

CORRESPONDENCE/PROCLAMATIONS:

1. **Hire a Veteran Month.** Mayor Wilbert introduced this proclamation honoring the Veterans.

MOTION: Move to proclaim the month of June as “Hire a Veteran Month.”
Picinich/Young – unanimously approved.

OLD BUSINESS:

1. **Second Reading of Ordinance – Amendments to Title 15 GHMC (Building Code Update).** Steve Bowman, Building Official/Fire Marshal, described the amendments that had been made to the ordinance since the last reading. He explained that there were typographical errors remaining to be corrected and gave an overview of the changes.

MOTION: Move to approve No. 792 amending Title 15 – Building Code Update with corrections to typos as outlined by Mr. Bowman on pages 5, 6, 23, and 35.
Ekberg/Young – unanimously approved.

2. **Second Reading of Ordinances – Management Public Docks.** Mark Hoppen, City Administrator, explained that Councilmember Owel wished to make a recommendation to amend the time for overnight moorage. Councilmember Owel amended the language in Section 3.28.010, stating that she had not intended for an ending time for overnight moorage to be stated. Mark added that Councilmember Markovich also had recommended amendments to the second ordinance regarding limitations to the loading and unloading portion of the dock, to clarify the intent. He suggested that the corrections be made, and the ordinances be brought back for a third reading.

MOTION: Move to bring these two ordinance regarding management of the public dock for a third reading, incorporating the amendments suggested by Councilmembers Owel and Markovich.
Owel/Picinich – unanimously approved.

NEW BUSINESS:

1. Purchase Authorization – Public Works Equipment. Wes Hill, Public Works Director, explained that one of the budget objectives for 1998 was to purchase an air compressor and compressed-air powered jackhammer and boring unit for utility work. He gave an overview of the bid prices and recommended approval of the purchase of the equipment from the lowest bidder.

MOTION: Move to authorize the purchase of the trailer air compressor and jackhammer from Construction Machinery, Inc., for twelve-thousand nine-hundred five dollars and thirty cents (\$12,905.30), including sales tax.
Picinich/Platt – unanimously approved.

2. Liquor License Assumption – JT’s Original Louisiana Bar-B-Que. No action taken.
3. Liquor License Renewals – Harbor Humidor; Puerto Vallarta Restaurant; Round Table Pizza. No action taken.

PUBLIC COMMENT: None.

COUNCIL COMMENTS: None.

STAFF REPORT: None.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Effective Meeting Techniques Workshop – Monday, June 29th City Hall 6:00 – 9:00 p.m.

APPROVAL OF BILLS:

MOTION: Move approval of checks #20278 through #20380 in the amount of \$50,650.49.
Young/Ekberg - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of checks #15777 through #15920 in the amount of \$251,697.81.
Young/Ekberg - unanimously approved.

EXECUTIVE SESSION:

Councilmember Owel asked to be excused from Executive Session at this time.

MOTION: Move to adjourn to Executive Session at 7:17 p.m. for approximately 30 minutes for the purpose of discussing property acquisition per RCW 42.30.110, (b) and litigation per RCW 42.30.110 (i).
Picinich/Ekberg – unanimously approved.

MOTION: Move to return to regular session at 7:37 p.m.
Picinich/Ekberg – unanimously approved.

ADJOURN:

MOTION: Move to adjourn at 7:37 p.m.
Picinich/Ekberg - unanimously approved.

Cassette recorder utilized.
Tape 496 Side B 168 – end.
Tape 497 Side A 000 – 389.



Mayor



City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JUNE 22, 1998

PRESENT: Councilmembers Platt, Dick, Picinich, Owel, Markovich and Mayor Wilbert.
Councilmembers Young and Ekberg were absent.

CALL TO ORDER: 7:06 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of June 8, 1998 meeting as presented.
Picinich/Dick – four members voted in favor. Councilmember Markovich abstained.

CORRESPONDENCE/PROCLAMATIONS:

1. American Legion Flag Program. Mayor Wilbert read this letter from the city thanking the American Legion for the flag display on the City of Gig Harbor streets, and awarding them \$250 towards the project.
2. Proclamation – Honoring Max Bice. Mayor Wilbert spoke briefly on Emergency Preparedness efforts to prepare the community in case of a disaster. She introduced Max Bice, who gave a history of KGHP, the local radio station. Mr. Bice thanked members of the audience including Keith Stiles, Daphne Daus, Milt Boyd and others who supported the formation of the station. He explained that the station has a very active role in dissemination of information in emergency situations on the Peninsula, as well as a vocational aid to the Peninsula School District. He added that the station would celebrate a ten year anniversary in August. Mayor Wilbert read the proclamation, thanked Mr. Bice for his contribution, and explained that a Max Bice KGHP Radio Fund would be established through the Peninsula School District, dedicated to the education and training of students at the station.

OLD BUSINESS:

1. Third Reading of Ordinances – Management Public Docks. Mark Hoppen, City Administrator, explained that the first ordinance modifies the mooring time limits and restrictions for the loading and unloading zones, and the second ordinance relates to moorage fees and overnight time limits. He added that there remained concerns over enforcement of the second ordinance due to the lack of a terminal time on the overnight stay.

MOTION: Move for adoption of Ordinance No. 793.
Picinich/Dick –

Councilmembers asked Mitch Barker, Chief of Police, questions about enforcement. After discussion, Council recommended defining the overnight period as 10:00 p.m. to 7:00 a.m.

AMENDED MOTION: Move to defining the hours of overnight moorage as the period beginning 10:00 p.m. to 7:00 a.m.
Picinich/Markovich – unanimously approved.

ORIGINAL MOTION: Move for adoption of Ordinance No. 793.
Picinich/Dick – unanimously approved.

MOTION: Move to approve Ordinance No. 794 changing the mooring time from 24 to 48 hours and establishing restrictions for the loading/unloading zone.
Dick/Owel – unanimously approved.

NEW BUSINESS:

1. Request for Consideration to Annex to the City -- Fairway Estates. Ray Gilmore, Planning Director, presented this petition from Fairway Estates for consideration to annex to the City of Gig Harbor. He explained that this neighborhood was included within the Urban Growth Area and that the area, if annexed, would be zoned R-1. He added that Staff recommended that if Council accepted the annexation, that the neighborhood be required to assume their pro-rata share of the city's bonded indebtedness. He explained that if Council approved the request to continue with the annexation effort, a public hearing would be scheduled for consideration of a 60% petition, which would be submitted to Pierce County Assessor for certification.

Councilmember Dick asked if the zoning had been established. Mr. Gilmore explained that zoning had been set by ordinance previously. Councilmember Dick then asked if a legal description had been submitted for the neighborhood. Mr. Gilmore explained that the required legal description had not yet been prepared and that it would be submitted with the 60% petition.

Councilmember Dick said that he believed that it was statutorily required for the persons requesting annexation to submit a legal description for Council's approval and modification before it could be attached to the 60% petition, along with a map and any bonded indebtedness requirements.

Mr. Gilmore said he would confer with Legal Counsel to whether the 10% petition would have to be recirculated with a legal description and resubmitted, or if the map included in the petition as an Exhibit would suffice. He said he would also contact Fairway Estates to have them prepare a legal description to be brought back for approval.

Councilmember Platt asked which services were currently provided to the proposed annexation area. Mr. Gilmore explained no city services were provided at this time, and that it was his understanding that the neighborhood had functioning septic systems. Wes Hill, Public Works Director, explained that there is a concern regarding the economics of extending sewer to the area because the annexation was proposed for only one side of the public right-of-way. He added that the streets in the neighborhood were in poor condition and that the storm water detention facility had not been properly maintained, a matter which may have to be coordinated with Pierce County.

Jim Pasin, 3208 50th St. Ct. NW. Mr. Pasin asked for assistance in moving the annexation forward. He gave a brief history of the process which he said had begun in 1996. He said that the systems in the neighborhood are all operational and that he knew of no existing problems. He answered questions regarding the roads within the neighborhood and the greenbelt park. He explained that there is an active Homeowners Association.

After discussion by Council, staff was requested to provide Council with a description and the economic feasibility of the annexation, and a resolution adopting or modifying a legal description to meet legal requirements and requiring assumption of city bonded indebtedness to be circulated with the 60% petition. Mark Hoppen explained that in past annexations, the overall profile information was not submitted until after the 10% petition had been approved to allow for a more in-depth study to be presented. Councilmembers asked for clarification on when the final judgement had to be made on whether to accept the annexation. Howard Jensen, Legal Counsel, explained that the final decision would come at a later date, after the public hearing process.

Councilmembers asked if Fairway Estates was asking the city to assume responsibility for the water system, the park area, roads, and storm water run-off system. Mr. Pasin explained that the water was provided by an outside purveyor, and that they would not be asking the city to maintain the park facilities. He added that he was not sure of the ownership of the storm water system or roads. He stressed that if Fairway Estates had been included in the Urban Growth Area at the time of the Westside Annexation, the neighborhood would have been included in the annexation process without any separate scrutiny. He asked for consideration because of this.

MOTION: Move we set the July 13th Council Meeting as the date to consider the 10% petition for Annexation for Fairway Estates and to modify the legal description of the annexation area to meet legal requirements and to require the assumption of bonded indebtedness by the annexed property.
Picinich/Owel – unanimously approved.

2. NPDES Effluent Mixing Study, Water Quality Monitoring, and Sediment Monitoring – Consultant Service Contract. Wes Hill introduced this contract and explained that under the NPDES permit, the city is required to test the water quality in the bay twice a year. He added that this contract provides for this testing.

MOTION: Move to approve the execution of the Consultant Services Contract with Cosmopolitan Engineering Group, in an amount not to exceed fifteen thousand ninety-two dollars and no cents (\$15,092.00).
Dick/Owel – unanimously approved.

3. TIB Grant Agreement – 38th Avenue Sidewalk Improvements. Wes Hill explained that the Transportation Improvement Board had approved the city’s grant application for design and construction of a sidewalk along the east side of 38th Avenue from 47th Street Court to the city limits. He added that two conditions for accepting the TIB grant offer include execution of the Project Agreement for Design and Construction Proposal, and completion of the sidewalk construction by July 1, 2000. He answered Council’s questions and recommended execution of the project agreement for design and construction of the project.

MOTION: Move we authorize execution of the attached “Project Agreement for Design and Construction Project” with the Transportation Improvement Board.
Markovich/Owel – unanimously approved.

4. First Reading of Ordinance – Establishment of Speed Limits. Wes Hill introduced this ordinance with recommended speed limits for the newly annexed Gig Harbor North and Westside areas. He explained that traffic counters had been placed at various locations and that the information had been submitted to WSDOT for processing. He gave an overview of the summary of the analysis. Councilmember Picinich voiced his concern that the speed limit on Peacock Hill had recently been reduced to 25 mph and the recommendation from WSDOT raised the limit to 35 mph. Mr. Hill explained the reasoning for the recommendation for a 35 mph limit. Councilmember Owel stated that citizen concerns about traffic safety on Peacock Hill Road suggest review of the historical county speed limit, which in her view, did not address issues like driveway access, school children, and other pedestrian activity.

Mr. Hill further explained one of the reasons for posting at a percentile is to limit frustrated drivers who take unnecessary chances. He added that he had received several calls subsequent to the reduction of the speed limit with the concern that people are passing when cars in front of them slow to the slower speed limit or attempt to make a left hand turn. He said that the calls are running eight to one against the 25 mph, mostly from persons living outside the city limits. Chief Barker said that he also had a number of complaints from people, several of them asking when they could speak to Council in regards to the limit. He added that he understood the concerns, but as the traffic study reflects, the road is designed to travel significantly above the 25 mph limit and it would become an area that would always have a speeding problem.

MOTION: Move that at the next meeting, we allow public comment at the second reading of this ordinance.

Dick/Markovich – unanimously approved.

5. Purchase Authorization – Materials for Watermain Replacement. Wes Hill introduced these price quotations for purchase of materials for replacement of the undersized and aging water main in Sellers Street. He added that the work would be performed by the Public Works crew.

MOTION: Move we authorize the purchase of the water main materials for the Sellers Street water main replacement project from H.D. Fowler in the amount of nine-thousand four-hundred forty-two dollars and fifty-five cents, (\$9,442.55) including sales tax.

Markovich/Picjnich – unanimously approved.

6. First Amendment to the Consultant’s Service Agreement – Parametrix. Mark Hoppen asked that a motion be made to move this item to the end of the agenda.

MOTION: Move we postpone this agenda item to after the Executive Session.

Dick/Owel – unanimously approved.

7. Six-Year Transportation Improvement Program, 1999 – 2004. Wes Hill explained that essential to the Growth Management Act, and to receive state and federal-aid funding assistance, local agencies are required to prepare a Six-Year Transportation Plan. He gave an overview of the top projects and answered Council’s questions.

MOTION: Move to adopt Resolution No. 519 adopting the Six-Year Transportation Plan as presented.

Markovich/Owel – unanimously approved.

8. First Reading of Ordinance – Eliminating a Reference to the Process for Appeals of the CUP Process. Ray Gilmore explained that this ordinance corrected a reference in Chapter 17.64.080 regarding a review process that was superceded by the adoption of Title 19. He added that this ordinance would return at the next meeting for a second reading.

9. Appeal of Hearing Examiner’s Decision – Memory Lanes Bowling Center. Mayor Wilbert introduced this as a closed-record appeal and read the rules governing an appeal of a Hearing Examiner’s decision. She asked if any Councilmembers wished to reveal any ex parte oral or written communications on this matter, or to disclose any potential appearance of fairness issues, or if any member of the audience had any appearance of fairness challenges to any of the Councilmembers or Mayor. Councilmember Markovich said that the appellant, Scott Wagner, was his wife’s first cousin. There was no objection to Councilmember Markovich remaining to hear the appeal.

Ray Gilmore presented this appeal of the Examiner's decision to not allow a storm water main line to run under the parking structure of the proposed Memory Lanes Bowling Center. He explained that Staff was recommending a modification to the Condition of Approval #7 to allow the applicant to locate the sewer main beneath the parking structure if it conformed with the Uniform Plumbing Code and that the structure not be allowed in its proposed location unless the existing easement was formally extinguished and a new easement established. Mr. Gilmore introduced the appellant, Scott Wagner.

Mr. Wagner explained that he was in agreement with Staff's recommendations and asked for clarification of Section C of the decision, due to the length of the sentence. Mr. Gilmore explained that the storm detention system could be constructed if it meets with the requirements of the Uniform Plumbing Code, and it can be demonstrated to the Building and Public Works Departments that the system can be maintained and repaired if necessary.

MOTION: Move to approve Resolution No. 520 and that in Section C, page three of three, the word 'main' be inserted after the second word 'storm' in the seventh line.
Picinich/Dick – unanimously approved.

10. Resolution – Indemnification. Howard Jensen, Legal Counsel, explained that this resolution was to be presented by Carol Morris and suggested that Council move to postpone the item until the next meeting. Councilmember Dick suggested that Carol Morris may want to bring the item back as an ordinance rather than a resolution so it could be included in the city's code.

MOTION: Move to table this agenda item until the next meeting when Carol Morris, Legal Counsel, is present.
Picinich/Owel – unanimously approved.

11. Liquor License Application – Chrome Grill Restaurant & Lounge (Memory Lanes). No action taken.

PUBLIC COMMENT:

John Rose – PO Box 1780, Poulsbo, Washington. Mr. Rose explained that he represented Olympic Resource Management and was before Council to talk about the East-West Road. He said that they had been working toward the annexation and development of the East-West Road for ten years, and that it had been a cooperative effort. He said that he hadn't spoken to anyone from the city in several months, but began seeing articles in the local newspapers about overruns in the cost of the project that may cause delays. He asked why he had not been contacted by someone from the city about these delays. Wes Hill apologized for not contacting Mr. Rose and said that he thought by the direction of the last meeting, that he understood the problems that the city is facing with escalating costs. He added that later in the meeting Council would be

considering an amendment to a contract to move the project forward, and said that he appreciated all the support from Olympic Resource Management.

Councilmembers voiced concerns about the lack of information on the estimated cost of the project and asked when they could expect this information to be able to share it with the property owners. Wes Hill explained that it could take up to four months to complete the conceptual design, submit the plans to DOT, complete the wetlands delineation then submit the results to the Corps of Engineers and the Department of Ecology for review.

COUNCIL COMMENTS: None.

STAFF REPORT:

Mitch Barker, Chief of Police. Chief Barker gave a brief overview of the May statistics and offered to answer questions.

ANNOUNCEMENT OF OTHER MEETINGS:

Dedication of Lightpole Park on Pioneer Street – 7:00 a.m. on July 3rd.

APPROVAL OF BILLS:

MOTION: Move approval of warrants #20381 through #20472 in the amount of \$90,409.02.
Platt/Owel - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 9:35 p.m. for approximately 45 minutes for the purpose of discussing property acquisition per RCW 42.30.110, (b) and litigation per RCW 42.30.110 (i).
Picinich/Dick – unanimously approved.

MOTION: Move to return to regular session at 10:10 p.m.
Picinich/Owel – unanimously approved.

MOTION: Move we authorize the Amendment No. One to the Consultant Services Contract between the City of Gig Harbor and Parametrix, Inc. for the East-West Road Construction Project.
Dick/Picinich – unanimously approved.

ADJOURN:

MOTION: Move to adjourn at 10:13 p.m.
Platt/Dick - unanimously approved.

Cassette recorder utilized.
Tape 497 Side A 390 – end.
Tape 497 Side B 000 – end.
Tape 498 Both Sides.
Tape 499 Both Sides.
Tape 500 Side A 000 – 036.

Spetcher Alkupert
Mayor

Nolly M Jawske
City Clerk

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JULY 13, 1998

PRESENT: Councilmembers Ekberg, Young, Owel, Dick, Picinich, Markovich and Mayor Wilbert. Councilmember Platt was absent.

CALL TO ORDER: 7:03 p.m.

Mayor Wilbert introduced Matt Cox, and other members of Scout Troop #212, who led the assembly in the Pledge of Allegiance.

PUBLIC HEARING: Planning Commission Recommendation – Preannexation Zoning for the Purdy Area.

Mayor Wilbert opened the public hearing on this item at 7:07 p.m. Ray Gilmore, Planning Director, explained that this recommendation had been presented to Council for a first reading and public hearing on May 26, 1998. He added that this proposed pre-annexation zoning plan was to establish a zoning plan consistent with the city's Comprehensive Plan to establish zoning guidelines for future annexation. He introduced the ordinance and the attached map outlining the proposed zoning.

Mayor Wilbert asked if anyone wished to speak on this issue. No one came forward, and the public hearing was closed at 7:07 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of June 22, 1998 meeting as presented. Picinich/Owel – four members voted in favor. Councilmembers Ekberg and Young abstained.

CORRESPONDENCE/PROCLAMATIONS: None scheduled.

OLD BUSINESS:

1. Planning Commission Recommendation – Preannexation Zoning for the Purdy Area – Second Reading of Ordinance. Mr. Gilmore gave a brief overview of this recommendation from the Planning Commission for preannexation zoning for the Purdy area located within the city's urban growth area.

MOTION: Move to adopt Ordinance No. 795. Picinich/Young – unanimously approved.

2. Request for Consideration to Annex to the City – Fairway Estates. Ray Gilmore, Planning Director, explained that at the last council meeting, he had been asked for a legal description to accompany this request to consider annexation of approximately 20 acres. He explained that staff prepared the legal based upon the description of the plat submitted with the petition, but included the rights-of-way abutting the subdivision. He added that the second document submitted for review and consideration is a fiscal analysis of the annexation prepared by Finance and Administration.

Councilmember Dick asked about the option to exclude the rights-of-way because the annexation request did not include the area across from the subdivision. Mark Hoppen, City Administrator, explained that historically it was the policy of the Boundary Review Board to include any adjoining streets in an annexation request.

Councilmember Ekberg asked for clarification on the maintenance of the common areas and greenbelts. Ray assured him that the city would not be assuming responsibility for these areas. Councilmember Dick asked about maintenance of the storm-drainage facilities. Wes Hill, Public Works Director, explained that it had been confirmed that the storm drainage facilities and streets within the development are public and have been maintained by Pierce County. Councilmember Young asked if there was any chance of obtaining funds from Pierce County to bring the facilities up to city standards. Wes explained that it was a possibility. Wes gave an explanation of the stormdrainage facility locations.

Jim Pasin – 3208 56th St. Ct. NW. Mr. Pasin asked Council for consideration so that the neighborhood could move ahead with the next step in the annexation process.

MOTION: Move for adoption of Resolution No. 521 accepting the annexation request from Fairway Estates.
Picinich/Owel – unanimously approved.

3. Second Reading of Ordinance – Eliminating a Reference to the process for Appeals for the CUP Process. Ray Gilmore explained that a section of the code had been superceded by the adoption of Title 19 and that this ordinance corrects the Municipal Code.

MOTION: Move for adoption of Ordinance No. 796.
Markovich/Dick – unanimously approved.

4. Second Reading of Ordinance – Establishment of Speed Limits. Wes Hill introduced the second reading of this ordinance establishing speed limits on various arterials in the city.

Bernard Hanson – 3512 109th St. Ct. NW. Mr. Hanson explained that he lives outside the city limits, but that he travels Peacock Hill Avenue extensively. He said that he was concerned with the reduction of the speed limit to 25 mph which he assumed was the result of the fatal accident. He added that he hoped that the city would follow the

recommendations to bring the speed limit back up to 35 mph. He said that it is a nice wide road with good shoulders and plenty of visibility.

Councilmember Owel said that she had spoken to Mr. Estes, who had addressed Council on this issue in the past, but could not be here this evening to speak. She explained that it was important to Mr. Estes that he be understood. His comment was that the speed limit being set at 35 mph might be acceptable if it were rigorously enforced, but if you set the speed at 25, people will drive 35, and if you set it at 35, people will drive 45 and 50. Councilmember Owel explained to Mr. Hanson that the speed limits in the city automatically are set at 25 mph when annexed.

MOTION: Move adoption of Ordinance No. 797.
Markovich/Ekberg –

Councilmember Picinich said that he is opposed to the increase to 35 mph on Peacock Hill, although he realized that it is hard to make it up the hill at 25 with a car that has automatic acceleration. He added that a lot of people walk up there three abreast, creating a safety concern.

Councilmember Owel said the difference between 25 miles and 35 miles for 8/10 of a mile is minimal. Councilmember Markovich said that it works both ways, and both agreed that enforcement was the key.

Councilmember Young added that the road is engineered for speeds limits considerably higher. He said he didn't think that moving the limit back to 35 would make a dramatic difference, and may even cure some road rage during peak traffic hours. Councilmember Ekberg said that it was much simpler when the entire city's speed limits were 25 mph, but there has been annexation of new areas where streets are built for speeds in excess of 25 mph, and creating an artificially low limit that would be difficult to enforce would not be in the city's best interest. He added that the 30 and 35 mph segments throughout the annexed areas are adequate.

Mayor Wilbert said that a no-passing zone had been suggested. Wes Hill explained that an additional study would need to be done to understand the relationship of the access roads and speeds to determine situations where a no-passing zone would be warranted. He pointed out that Pierce County had done studies last year before they repaved that segment, and that there had been no change in driveways or road access since that time. He added that by establishing a no-passing zone, you preclude the ability for a motorist to bypass an object within the roadway, such as a cyclist, without violating the law.

Councilmember Picinich said he has seen several incidences where school buses have had their flags out and vehicles have sped passed them. Wes agreed that pedestrian safety is a main consideration deciding an appropriate speed limit, and to lower the recommended limit was within the Council's discretion. He then reinforced that studies indicate that posting speed limits 15 miles per hour above or below the 85th percentile

result in no appreciable change in the speeds that are traveled, and that the studies also indicate that posting at the 50th percentile keeps the accident rates at a minimum, and that posting too low or too high may increase the accident rate.

Mayor Wilbert asked if there was an amendment to the motion.

MOTION: Call for the question to close debate.
Markovich/Ekberg –

Mayor Wilbert asked for a roll-call vote on the motion to close debate. The results of the vote are as follows:

Councilmember Ekberg voted yes. Councilmember Young voted yes. Councilmember Owel voted yes. Councilmember Dick voted yes. Councilmember Picinich voted no. Councilmember Markovich voted yes.

The motion to close debate carried.

ORIGINAL MOTION: Move to adopt Ordinance No. 797.
Markovich/Ekberg – five voted in favor. Councilmember Picinich voted against.

5. East-West Roadway Construction Project Release and Covenant Not to Sue. Carol Morris, Legal Counsel, explained that this Council was being asked to ratify Mayor Wilbert's signature on this agreement. She offered to answer any questions.

MOTION: Move to ratify the execution of the Release and Covenant Not to Sue.
Dick/Markovich – unanimously approved.

NEW BUSINESS:

1. DUI Task Force Interlocal Agreement. Lieutenant Colberg explained that the majority of law enforcement agencies in Pierce County have formed a DUI Task Force. He gave an overview of the process to target an area on a monthly basis to conduct a DUI emphasis patrol.

MOTION: Move to direct the Mayor to sign the interlocal agreement.
Picinich/Young – unanimously approved.

2. Cash Receipting Software Purchase. Dave Rodenbach, Finance Director, explained that this request to purchase a cash receipting system is in response to several years of auditor comments that the city's cash receipting system needed strengthening. He gave an explanation of how the receipting is done currently, and how the new system would integrate with the existing utility billing software. He added that there are other less

expensive systems that would not integrate with the existing system, and also would not realize any staff time savings.

MOTION: Move to approve Resolution No. 522 declaring the purchase of computer software for cash receipting.
Ekberg/Young – unanimously approved.

3. First Reading of Ordinance – Indemnification. Carol Morris explained that this item on indemnification came before Council at the last meeting in resolution form, and was being brought back as an ordinance so it could be codified. She added that this item was on the agenda in light of recent court decisions where liability was imposed on individual council members. She said that procedure would allow an individual to request that Council pay their attorney's fees in defense and any judgement. She answered Councilmember Dick's questions regarding under which circumstances the coverage would be considered. This will return at the next meeting for a second reading, with corrections to the language.
4. Transportation Plan Update – Consultant Services Agreement. Wes Hill explained that one of the 1998 budget objectives is to update the Transportation Plan element of the City's Comprehensive Plan of 1994. He added that several firms had been interviewed and that KJS Associates was selected as the most qualified to perform the work.

MOTION: Move we approve the execution of the Consultant Service Contract with KJS Associates, Inc., in an amount not to exceed forty-two thousand nine hundred ten dollars (\$42,910.00).
Owel/Young – unanimously approved.

5. Park, Recreation and Open Space Plan Update – Consultant Services Agreement. Wes Hill presented another update to the Comprehensive Plan of 1996 for parks, recreation and open spaces. He answered Council's question regarding the changes that had occurred since 1996.

MOTION: Move we approve the execution of the Consultant Service Contract with Beckwith Consulting Group, in an amount not exceed sixteen thousand dollars and no cents (\$16,000.00).
Young/Ekberg – unanimously approved.

6. Purchase Authorization – Harborview Drive Water Main Replacement. Wes Hill explained that a portion of the water main on Harborview Drive, south of Soundview Drive, failed earlier this year. Due to the damage caused by the break and continued concerns, the resident's living on the roadway requested that the water line be replaced this year. He gave an overview of the price quotations and recommended approval for the purchase of the materials to replace the water main.

MOTION: Move to approve the purchase of the materials from the lowest bidder, H.D. Fowler, in the amount of \$14,915.55.
Picinich/Markovich – unanimously approved.

7. Purchase Authorization – Hill Street Water Main Replacement. Wes Hill explained that this replacement was included in the 1998 Budget and requested approval to purchase the materials to replace the water main on Hill Street from the lowest bidder, H.D. Fowler.

MOTION: Move to authorize the purchase of the water main materials for the Hill Street water main replacement project from H.D. Fowler Company in the amount of fourteen-thousand eight hundred seven dollars and twelve cents (\$14,807.12).
Picinich/Ekberg -- unanimously approved.

8. Purchase Authorization - North Harborview Drive Street Lights. Wes Hill presented this request to purchase street lights for North Harborview Drive. He explained that the Public Works Department had distributed questionnaires to the residents in the area to determine if they approved of the choice of lights. He added that the lights would be installed in a two-phase effort and gave a brief description of the project.

MOTION: Move we purchase the materials and complete the work on the street lights on North Harborview Drive.
Owel/Young – unanimously approved.

9. Approval of Maintenance Agreements Renewal – Minolta Copier Machine. Molly Towslee, City Clerk, explained that this was the same contract that Council had approved the year before. She added that there was no increase in the amount and that staff remained happy with the service provided by Minolta.

MOTION: Move to authorize the Mayor to sign the attached maintenance contract.
Picinich/Young – unanimously approved.

10. Liquor License Applications- Flowers on the Bay; Satish Changela (AM-PM Minimart). No action taken.

11. Liquor License Renewals - Emerald Star Restaurant; Hunan Garden Restaurant; Kinza Teriyaki; Shorline Steak & Seafood Grill; Spiro's Bella Notte' Pizza & Pasta; The Keeping Room, Candles & Wine Etc. No action taken.

12. Approval of Special Occasion Liquor License - Peninsula High School Booster Club. No action taken.

PUBLIC COMMENT:

Mark Robinson – 7415 Stinson Avenue. Mr. Robinson spoke of his concerns about the increased traffic on Stinson Avenue, making it more difficult to get out of his driveway. He

talked about the increasing speed along the street and asked that Councilmembers encourage the enforcement of the 25 mile per hour speed limit.

Mike Esteb – 507 7th Ave., Fox Island. Mr. Esteb explained that he was currently building a home at 8808 Franklin Avenue. He passed out a letter and gave an explanation of his efforts to hook his home up to an existing side sewer. He asked for consideration to be able to hook up to the sewer without having to sign an indemnification agreement. Councilmember Picinich asked Carol Morris for her comments on this issue. Ms. Morris suggested that a full detailed staff report be brought back at the next Council Meeting addressing this issue. She added that the Public Works Director had not made a final decision, and that he had been in touch with her throughout the process.

COUNCIL COMMENTS:

STAFF REPORT:

Gig Harbor Police Department June Statistics. Lieutenant Bill Colberg gave a brief overview of the statistics and explained that it was expected that the numbers would continue to rise. He added that the crime of choice seems to be vehicle prowls and that an unmarked unit was being used at night to try and find the prowlers. He gave a brief update on the Marine Services Unit and the Bicycle Officers' efforts.

Mayor Wilbert shared several pieces of mail, newspaper articles and correspondence with Councilmembers.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Special City Council Meeting – August 3, 1998, 7:00 p.m. at City Hall.
2. Kimball Drive Park & Ride Project Meeting – 5:00 p.m., Thursday, July 16th at Fire District #5 Station on Kimball Drive.

APPROVAL OF PAYROLL:

MOTION: Move approval of checks #15921 through #16074 in the amount of \$266,895.39.
Young/Ekberg - unanimously approved.

APPROVAL OF BILLS:

MOTION: Move approval of checks #20473 through #20594 in the amount of \$112,527.15.
Young/Ekberg - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 8:30 p.m. for approximately 45 minutes for the purpose of discussing property acquisition per RCW 42.30.110, (b) and litigation per RCW 42.30.110 (i).
Young/Ekberg – unanimously approved.


MOTION: Move to return to regular session at 9:10 p.m.
Picinich/Ekberg – unanimously approved.

MOTION: Move that we have the Canterwood Agreement presented at our next Council Meeting of July 27th.
Picinich/Young – unanimously approved.


ADJOURN:

MOTION: Move to adjourn at 9:20 p.m.
Owel/Young - unanimously approved.

Cassette recorder utilized.
Tape 500 Side A 037 – end.
Tape 500 Side B 000 – end.
Tape 501 Side A 000 – end.



Mayor



City Clerk

