

REGULAR COUNCIL MEETING: July 9, 1973

The meeting was chaired by mayor pro tem Bunch. Present also was Councilwoman Bogue, Councilman McGuire, Attorney Johnson and Clerk Avery.

The first public hearing was called to order at 7:30 p.m.

SHORELINE MANAGEMENT/SEWER PUMP STATIONS: Mayor Bunch read the public notice. There was just one letter in opposition and it was from Vincent Skansi. Glenn Sherwood said his objection was no longer valid since they have now moved the pump station about 100 feet north of Skansi's property. Councilman McGuire moved that the application be approved. Councilwoman Bogue seconded. Motion carried.

SHORELINE MANAGEMENT/SEWER TREATMENT PLANT AND OUTFALL - ENVIRONMENTAL SYSTEM:

The environmental impact portion was read. Joel Sierra commented favorably. Councilman McGuire moved that the Town of Gig Harbor approve the statement and made it a matter of public record. Councilwoman Bogue seconded. Carried. Public Hearing closed.

The regular meeting was called to order. The bills were approved upon motion by Councilwoman Bogue. Councilman McGuire seconded. Carried.

CLAIMS: Adams Rents \$37.80; Association of Wash. Cities \$10.00; Borgen and Johnson \$55.68; Conrad and Johnson \$270.00; P. Ebert \$60.00; G.H. Hardware \$55.36; G.H. Insurance \$60.00; G.H. Union Service \$3.98; Telephone Utilities \$124.48; Jarvis and Sanes \$59.00; D. Karlson \$69.39; K. Marvin \$24.19; NW Petroleum \$9.52; Parker Paint \$108.94; Peninsula Gateway \$205.04; Peninsula Light \$306.66; Overall Laundry \$7.77; Rich Auto Truck \$151.14; Structural Steel Painters \$735.00; Stutz Fuel \$733.09; Stationers \$21.88; Wicks Trophy \$61.53; Woodworth \$66.15; D. Avery \$25.61; Steven Motor \$3,194.58.

PAYROLL: Mid month withdrawals; Washington Physicians Service \$73.80.

MINUTES: As there were no corrections they stood approved as posted.

Councilwoman Bogue moved that Councilman Bunch be appointed mayor pro tempore for this meeting. Councilman McGuire seconded. Carried.

CORRESPONDENCE:

1. Planning Commission recommendation on the Bolstad variance request. Meeting set for August 13 at 7:30 p.m.
2. Planning Commission letter referring Interdisciplinary Advisory Commission on Shoreline Management questionnaire to the council.

REPORTS:

Wayne Goodno asked for an interpretation on the sign ordinance, so far as the ordinance goes regarding non-conforming use. The attorney will make a ruling.

Jim Hibbs had left estimates on new tires for the pickup as follows:

Gig Harbor Union	\$164.00
Marvin's	186.00
David Roby ARCO	177.56

The Gig Harbor Union Service estimate was accepted.

INTEREST BEARING WARRANTS. This warrant in the amount of \$1,135.85, was held over from the last meeting pending an explanation from Will Hawkins. They questioned the 1.19 salary cost as well as the 2.5 other cost. He explained that the 1.19 salary cost includes employee contributions as well as employment security, medical, etc. The other amount contains the normal overhead items of a company.

The other warrant needing approval was:

Washington Development Company, \$32,388.35 for one steel tank, painting, foundation, etc. The bill is 95% complete.

Will Hawkins went on to say that Tank B is in full use and operation and Tank A will be ready by Thursday or Friday of this week.

Regarding the junction box at the bottom of the hill, this is a connection for the tank level indicator at the base of the tank and easily accessible to vandalism. He has a method of protecting it.

Councilman McGuire moved that we approve both the interest bearing warrants. Councilwoman Bogue seconded. Carried.

TENNIS COURT FENCE: This will have to go up for bid since it is over the legal stipulated minimum. Tabled.

REVENUE SHARING FUND ORDINANCE - FIRST READING:

This ordinance was written on the advice of Mr. Irish, the State Auditor.

SHORE ACRES WATER MEETING: They informed the Shore Acres Water Company that the contract calls for a meeting every second year and that water rates may be raised.

FEDERAL SEWER GRANT: Clerk Avery read the letter from the Environmental Protection Agency received on June 25. It states that the town has been granted \$917,106, representing 75% of the cost of the project. The grant agreement was enclosed and is to be returned in three weeks. The attorney will review it.

UNIFORM LITTER CONTROL CODE - PROPOSED ORDINANCE:

This was given to the mayor by the Department of Ecology with the suggestion that it be passed. This was tabled until the entire council is present.

SEWER CONSTRUCTION FUND INTEREST-BEARING WARRANTS: Paul Flint was present to tell of the change in the methods regarding payment.

Clerk Avery explained that an interest-bearing revenue warrant to McLean and Company on the construction fund be issued to replace the interest-bearing warrants issued to Delta and Geo-Labs. These two warrants will absorb the two we issued and the account will still come out zero at this point. Councilman Bunch moved, Councilman McGuire seconded and motion carried.

Clerk-Treasurer recommended that the Revenue Warrants be drawn on the Sewer Construction Fund payable to McLean and Company, Inc., to replace outstanding interest-bearing warrants drawn on such fund under the date 6-25-73 and payable to Geo Labs of Washington and Delta Engineering.

On motion by Mr. Bunch and seconded by Mr. McGuire and unanimously carried, Revenue Warrant No. 1, in principle amount of \$50,000 and Revenue Warrant No. 2 in principle amount of \$36,191.41, were authorized to be drawn upon the Sewer Construction Fund dated 6-2-573 and made payable to the order of McLean and Company bearing interest at the rate of 6 1/2% per annum from the date of issuance to replace the outstanding interest-bearing warrant previously issued to Geo-Labs of Washington and Delta Engineering of like principal amount and interest rate and date of issue. The net principal amount not previously deposited in the Sewer Construction Fund or paid to said creditors shall be deposited in such fund and cash warrants drawn thereon in favor of the respective creditors in payment of any unpaid statements previously approved for payment by the Council and any action heretofore taken in drawing interest-bearing warrants or check to accomplish these purposes is hereby satisfied and approved.

Councilwoman Bogue moved that the council accept the recommendation of the Clerk-Treasurer as regards the revenue warrants to be drawn on the Sewer Construction Fund payable to McLean and Company, Inc. Seconded by Councilman McGuire. Carried.

HUNTER CONSTRUCTION COMPANY/SHORELINE MANAGEMENT HEARING: Date set for July 30, 7:30 p.m.

FEDERAL GRANT: Paul Flint said it is necessary that a method of management and how we are going to accomplish it be set up. He said he will write a letter stating that the rates for sewer collection be of sufficient size for the sewer system starting with the residential rates and going through business, commercial, industrial and any special rates. He will call McCully and then have Jake sign it.

REINVESTMENT OF FUNDS:

A motion was made and seconded that the clerk reinvest the transfers and interest. Carried.

SEWER AGENDA: Glenn Sherwood presented the following agenda:

1. Bid opening.
2. Council to consider the fact that the Nelson Construction Company failed to submit a pre-qualification statement with their bid. It was submitted on 7-2-73. The council should make a finding that constitutes an irregularity which can be waived.
3. Award contract of \$1,395,938.44 plus tax subject to financing and approval by EPA and DOE.
4. Reject all bids on treatment plant and pump stations and authorize re-advertising for bids to be opened August 9 and 3 p.m.
5. Authorize preparation of final assessment roll at a cost not to exceed \$10,000.
6. Authorize interest-bearing warrants to bring Delta billings up to date.

The council's action was as follows:

2. Ferndale gave a good recommendation to the Nelson Construction Company. Delta Engineers have absolutely no reservations about the qualifications of the Nelson Construction Company. Glenn Sherwood suggested that a better term to use would be "informality." Councilman McGuire moved that the "informality" be waived. Councilwoman Bogue seconded. Carried.
3. The award was postponed to the next meeting.
4. Councilman McGuire moved and Councilwoman Bogue seconded that any and all bids be rejected on the treatment plant and pumping stations. These bids are to be opened at the Town Hall.
5. Glenn cited the amount of funding available against the total cost. Paul Flint urged prompt preparation of the final assessment roll because there are bound to be corrections made. Councilwoman Bogue asked if the final roll might not be somewhat less than the preliminary roll because of the additional funding received. Sherwood said no because the cost of the project has increased by about \$300,000. At the end the overall job price will be reduced in the sale of the C.O. bonds.

Reuben Berkheimer wondered if it wasn't wrong to let the bids exceed the estimates since the people voted for a certain sum of money.

Councilman McGuire moved to table to July 23. Councilwoman Bogue seconded. Carried.

6. Postponed to next meeting by motion, second and carry.

Glenn Sherwood said a lot of work could be begun on the assessment roll and wondered if the council would authorize them to go ahead. In order to comply with State Law it must be a new roll.

PETER STANLEY, owner of the Tides, told of his letter from Attorney Johnson regarding his deck. This permission was previously given by the council. They are still using the deck and Stanley has a different reading of the ordinance by his own attorney which was that they could use the deck. Johnson said until a determination is made he should be allowed to go on using the deck. Councilman McGuire felt the three persons here cannot overturn the full council. The decision was postponed.

Chief Galloway asked about the police department communications equipment. He said the federal grant was turned down. He had a new estimate. The council will make a determination at the next meeting.

Meeting adjourned at 10 p.m.

Tape 21, Side 1, 0-747

*Bunch Pro Tem*  
\_\_\_\_\_  
Mayor pro tem

*Patricia Ebert*  
\_\_\_\_\_  
Assistant Clerk

Regular Meeting, July 23, 1973

The public hearing was called to order by Acting Mayor Bunch. Present were Councilman Corum, McGuire and Stainbrook, Attorney Johnson and Clerk Avery. Mayor Bujacich and Councilwoman Bogue were not present.

PUBLIC HEARING - CURTIS CONDITIONAL USE PERMIT:

Mayor Bunch read the public notice and the Planning Commission recommendation. He then called for comments from those in favor.

MONTE HESTER, attorney for Mr. Curtis, said that Mr. Curtis owns a two-story daylight basement type home directly across the street from an R-2 zone. There is ample parking. It is only a one-bedroom apartment so it would hardly likely be lived in by more than one or two tenants. He stressed that Mr. Curtis is a retired person living on a limited income, and the money is needed. He feels that it will not set a precedent.

Mayor Bunch asked about the present owner, as cited in the letter from the Planning Commission. Attorney Johnson said it would mean Mr. Curtis only.

Comments in opposition:

Mr. and Mrs. Paul Zimmerman, Terrance, California, sent a letter in opposition saying they did not wish a single-family residence used as an apartment. They own property next to Mr. Curtis.

Attorney Hester said that Mr. Curtis owns two lots there, leaving a vacant lot between Curtis and Zimmerman. Attorney Hester also presented a petition from property owners in favor of the conditional use permit.

Mayor Bujacich had requested that his disapproval be read into the record because he felt it would set a precedent to grant the permit. Attorney Hester suggested that the mayor's request be denied because it is a beforehand conclusion and not in line with the intent behind public hearings.

Councilman McGuire felt that it did not agree with the intent of the ordinance and objectives of the comprehensive plan. It is conditional use but still the same as zoning it R-2.

Councilman Stainbrook moved that the conditional use permit request by Mr. Curtis be denied. Councilman McGuire seconded. Motion carried by vote of 2-1-1 with one "no" vote and one abstention.

The regular meeting was opened with a motion and second that the bills be approved. Carried.  
CLAIMS: Anderson Sheet Metal \$16.36; D.Avery \$41.40; Conrad & Johnson \$500.00; E.Malmo \$26.12; G.H. Insurance \$91.00; Harbor Janitor \$40.00; Monroe \$10.50; Pen.Light Co. \$11.03; PCED \$1703.05; J.Setina \$34.13; Stationers \$3.56; State Utility Tax \$77.26.

PAYROLL:

The minutes stood approved as posted.

CORRESPONDENCE:

1. Letter from the Project Civil Engineer of HUD concerning security fencing for Tank A. Clerk Avery went on to tell of the other security features planned.

SPECIAL GUESTS:

PETER STANLEY of the Tides Tavern again asked about the serving of beer on his outside deck. He felt that since it is a permitted use under B zoning that C zoning should also allow all previously permitted uses. It was felt that Peter Stanley could apply for a variance. He was still given permission to use the deck since the full council had given him interim permission and any other decision should be made by a full council.

DAGHLM, represented by Shirley Holman, told of 150 tourists expected on July 31. She said there will be three busloads and they will be rotated to the various areas of town.

ROBERT TANGREN, previously granted a variance on height, asked if it can be extended since it has expired. He was told he would have to reapply.

REPORTS:

Chief Galloway wanted an opinion on radio equipment for the town. Mr. Carlos Petari, of the Mobile Communications Office in Seattle, told of a VHF set coming out soon that will have a much lower price than in the past. Tabled to next meeting.

SEWER CONTRACT AWARD:

Mrs. Rockey complained that the contractor did not appear in the town at the pre-conference.

Acting Mayor Bunch suggested that awarding of the bid be postponed until the next bids are opened and the council will have a better idea of the overall costs. Motion was made to that effect by Councilman McGuire, seconded by Councilman Bunch. Carried.

PEABODY EASEMENT:

Vincent Cadbow, attorney, was present to speak concerning this easement. The Peabody's prefer a second lateral line below their home and refuse to grant an easement at this time that crosses their property.

Mrs. Doyle, who bought the house formerly occupied by the Tomlinsons, has now found that they do not live in the town. They would annex and would like the lateral line between her property and the Peabody's. There was a discussion whether the easement could follow the property lines.

Mrs. Peabody explained why she opposes the easement.

Mrs. Bolton would not like to give up the lateral on the upper road. The lower road, said Glen Sherwood, would be the best location as far as gravity feed goes but would not serve those homes on the upper road. He also said that no assessments would be gained by putting in the second lateral. The financing is the main difficulty. A price of about \$8000 for the second lateral was quoted with no assessments to be gained from it.

Acting Mayor Bunch asked if Everett Peabody would consider the changes as proposed by the attorney. He answered that it was better than the present plan.

Glen Sherwood was asked to collate more information for the council on this easement and they will postpone their decision to the next meeting.

INTEREST-BEARING WARRANTS:

Glen Sherwood asked if the council would authorize the issuance of sufficient interest-bearing warrants to update Delta's billings. Councilman Corum moved that the clerk be authorized to issue warrants. Councilman Stainbrook seconded. Carried.

REVENUE SHARING ORDINANCE - ORDINANCE #16B: Second reading.

Councilman Stainbrook moved and Councilman McGuire seconded that this ordinance be adopted. Carried.

FINAL ASSESSMENT ROLL:

Glen had prepared a memo for the council. The computer printouts are being finished and will perhaps be ready by Wednesday. Perhaps the target dates can still be met.

Costs are higher than previously anticipated although there will be \$291,000 less direct cost to the property owners in either C.O. bonds or assessments.

Councilman McGuire moved that we approve the final assessment roll preparation. Councilman Corum seconded. Councilman McGuire also moved that the assessment rates be the same as in the preliminary roll. Councilman Corum seconded the addition to the motion. Carried.

Councilman Stainbrook moved that we authorize Delta Engineers to prepare the final assessment



Councilman Stainbrook then moved that we award Pease and Sons the contract for the Secondary Sewage Treatment Plant for a total bid of \$431,999.40, including sales tax, subject to financing and approval of EPA and DOE. Councilman Corum seconded and motion carried.

Councilman Stainbrook moved that we award the contract for Sanitary Sewers to Nelson Construction Company of Ferndale for a total bid of \$1,395,938.44, plus sales tax, subject to financing and approval of EPA and DOE, Councilman Corum seconded. Carried.

INTEREST-BEARING WARRANTS:

Councilman Stainbrook moved that we issue an interest-bearing warrant to Washington Development Company for final partial payment for the two water tanks in the amount of \$2183.65. Councilwoman Bogue seconded. Carried.

Councilman Corum moved that an interest-bearing warrant be issued to Sleavin-Kors for \$687.59 for inspection for the month of June. Councilman Stainbrook seconded. Carried.

SEWER CONSTRUCTION FUND:

An interest-bearing warrant, in the amount of \$52,000 to McLean and Company was ready for approval. Of the \$52,000, \$27,000 went to Delta Engineering for Preliminary Sewer Assessment Charges and Preliminary Plan Charges, and \$10,000 went to Mr. and Mrs. Strandin for property acquisition and \$15,000 to Mrs. Berg for property acquisition.

Councilman Stainbrook moved that the warrant be drawn in favor of McLean and Company for the items specified. Councilman Corum seconded. Carried. Clerk Avery then read the following statement:

"The Clerk-Treasurer presented a statement for engineering services from Delta Engineering in the amount of \$27,000 and property acquisition costs from Mr. and Mrs. Strandin and Mrs. Berg in the amount of \$25,000, and recommended that it be approved for payment. On motion by Mr. Stainbrook, seconded by Mr. Corum, and unanimously carried, payment of the Delta Engineering bill and the property acquisition cost was approved. and to provide moneys for the payment thereof, an interest-bearing warrant was authorized to be drawn upon the Sewer Construction Fund in the amount of \$52,000, dated August 13, 1973, made payable to the order of McLean and Company, Inc. and bearing interest at the rate of 6 $\frac{1}{2}$ % per annum from date of issuance; the proceeds of said interim interest-bearing warrant were ordered to be deposited in the Sewer Construction Fund and a cash warrant or warrants drawn thereon in favor of Delta Engineering and Mr. and Mrs. Strandin and Mrs. Berg in payment of their statements."

BOOK PUBLISHING COMPANY - CODIFICATION:

This regards the codification of our ordinances. The company sent a complete analysis and request a meeting with the Town Clerk and the Town Attorney. This was tabled to give the council time to look over the report.

PEABODY EASEMENT:

There was a letter for each council member from Glen Sherwood concerning this easement. The council took a recess in order to read this letter and Glen gave a short explanation of it. He went on to say that it could detain the entire program since a public hearing must be held if assessments must be raised on only one parcel. He delineated the best possible route. There was a great deal of discussion on whether it was best to go the one-line or two-line plans. The decision will be tabled to the next meeting pending word from the bond counselor as to what effect it might have on the entire system. Councilwoman Bogue moved that consideration be tabled pending a legal opinion til the August 27 meeting. Councilman Stainbrook seconded. Carried. Mrs. Peabody said the town would have to go through condemnation proceedings on their property if the two-line alternative was not adopted.

COUNTY GAMBLING LAW:

The clerk said the town received a letter from the County Commissioners regarding authorized gambling. They met in public session which Clerk Avery attended. At this session a Uniform County ordinance was discussed. The county has legal authority to adopt it. Only 1st class towns can adopt their own so our town must go along with the county. On October 13 this ordinance goes into effect.

The application for federal grant on Solid Waste Management was discussed.


DELTA ENGINEERING advised that septic tank haulers NOT be permitted to dump into the Gig Harbor Treatment Plant.

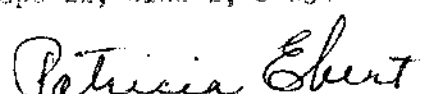
Councilman Corum brought up connection to the sewer system of the Women's Treatment Plant.

Clerk Avery said the Bond Counselor advises that, in order to issue our Revenue Bond Issue to the water tank improvement, we must have an official with authority to sign authorize Sleavin-Kors to make up a parity certificate. Councilman Bunch will be authorized.

Meeting adjourned at 9:35 p.m.

Page 22, Side 2, 0-634

  
Acting Mayor

  
Assistant Clerk

Public Hearing - IRVING BOJARD:

The hearing was opened and then closed since Mrs. Bojard was unable to furnish her drawings as previously requested by the Council. No further date was set.

The regular meeting was then opened with a motion by Councilman Gorman, seconded by Councilman Stubbins, that the bills be approved. Carried.

- CIMINS: Betty Cash \$30.93; A.G. Gooden, \$50.00; Harbor Lantier \$60.00; Telephone Utilities \$122.72; Lundberg Pipe \$78.81; Pacific Water Works \$132.71; Bond #5 \$103.05; Flower Business \$63.49; Pitney Bowes \$28.35; Tech's Auto \$13.13; State of Wash. \$153.73; The Stationers \$13.69; Traffic Control \$19.69.
- WALKOHL: M. Calloway \$222.38; D. O'Byrne \$229.99; C. Griffin \$223.02; C. Westman \$264.69; R. Ruff \$90.95; D. O'Neil \$91.42; D. Johnson \$229.62; D. Johnson \$132.75; D. Johnson \$204.59; D. Avery \$398.35; Albert \$104.30; M. Richardson \$306.22; C. Tibbs \$112.25; Bond #1 \$265.52; L. Stone \$235.75; A. Romie \$279.59; R. St. Leger \$97.25; City Credit Union \$19,000; Pub. Encl. Item #373.10; Encl. Sec. #941.72; Encl. Sec. #942.71; Encl. Sec. #943.72; Encl. Item #17.00.

As there were no corrections or additions to the minutes they stood approved as posted.

COMMISSIONERS:

1. Planning Commission recommendation on Harbor area. Tabled.
2. Planning Commission recommendation on "Lagoon" area. Planning set for Sept. 10 at 8 p.m.
3. Stationers requested acceptance of the Water System Improvements. Tabled.
4. Dept. of Ecology permit granted on the dock at the town of Westport.
5. Councilwoman Roge letter advising removal of the dock at the town of Westport. The bill failed.
6. Robert Hoover, Planning Engineer, State Dept. of Health, requested location of the county adjacent to the town in the sewer system.

ROAD IN POSSESSORS' ADJUNCTION:

The deed to the road was referred to the town. Attorney John Jones advised that there is a question as to whether the road is for use as a Board of Equalization at this hearing. They have the deed and the deed is being read and lower the roll. The clerk then read the following list:

CLARENCE WATSON, Parcel 4-73 - who felt that his cottage easement was the same since the property fronts on Sweeney Bay as well as to work. Glenn Sherwood explained that the easement has unimpeded access to Beach Bay although part of the property has along Sweeney Bay. The council agreed that another dwelling could be constructed on the vacant property.

MARK W. SKAKET - Parcel 7-40 - who asked that the stub be deleted. No objection, and Parcel 6-31 - who said the area was assessed as though it were totally usable. Glenn Sherwood did not recommend an adjustment.

Paul Flint brought up the current prime interest rate and the effect it would have. He said the interest rate will fall between 7 1/2 and 7 3/4 percent. PAUL AND MARIE MILLER - Parcel 4-8 - pleaded hardship. They do not wish to look up to the sewer. Paul Flint said that sewers in the State of Washington are available. Looking must be accomplished within 3 to 6 months of completion of the system.

ROYD GALLAGAN - Parcel 14-33 - asked that his assessment be referred since he lives on the GEORGE STREET - Parcel 10-253 - maintaining that his property is insufficiently zoned to qualify as a building site. Tabled.

LARRY STEIN - Parcel 11-42 - requests correction to positive books. All other systems exist. Paul Flint said this is the same as the Miller's case. Acting Mayor Brock said it remains "as is."

A. K. GOLDMAN - Parcel 11-23 - said they have been assessed on both residential and industrial. Glen Sherwood said that the number of available building lots in the assessment area. The council felt it was justified since there are two legal-lot building lots there.

IRVING BOJARD - Parcel 11-39 - complained on the records that he did not have all that usable square footage and he also requested correction of the records. Therefore because it would require zoning to the lateral. Tabled.

FRANK COBBIN - Parcel 10-214 - questioned the number of feet of lot to be included on Mythen Street. Glen Sherwood explained that it is changed for the zoning. But when part of the property has the property. He said that some corner lots are not included by shortening lines that do not need to be extended.

roll, Councilman McGuire seconded. Carried. Motion by Councilman Stainbrook that the final assessment roll hearing take place on August 27 at Harbor Heights School at 8 p.m. Councilman Corum seconded. Motion carried.

The information in the memo will be published in the Gateway.

MASTER PLAN SHORELINE MANAGEMENT:

It was advised by the Pierce County Planning Commission that the local Planning Commission be appointed to make the study required by the adoption of the master program. Motion was made by Councilman McGuire that the Town Planning Commission be appointed as nucleus committee for the preparation of a Master Program for Shoreline Management and that they will be prepared to present this program to the Town Council not later than November 12. Councilman Stainbrook seconded. Carried.

TOWN HALL PLANS:

Motion was made and seconded that Councilman Stainbrook make a study of this project. Seconded and carried.

WILL HAWKINS reported that the Tank Construction will cost \$2800 less than originally anticipated. He went on to say that the tank construction is acceptable to HUD with two conditions:

- 1. That the town provide minimum-risk insurance for fire and earthquakes on the tanks/
- 2. That fencing be provided at Tank site A. Hawkins stressed that the fence costs must be omitted from the contract and the 25% restocking fee added before a decision is made about the town paying for the fence.

Councilman McGuire moved that the town submit a change order deleting the fence, also approving the payment of the \$400 restocking charge and such other changes as may be required to bring the contract to a substantial agreement with quantities installed. Seconded by Councilman Stainbrook. Carried with Councilman Corum opposed.

Councilman Stainbrook moved that Councilman McGuire give him aid and comfort in getting the schedule together for the Town Hall. Seconded by Councilman Bunch. Carried.

Meeting adjourned at 10:40 p.m.

Tape 21, Side 1 747 to End  
Tape 22, Side 1 0-412

E. A. Bunch  
Acting Mayor

Patricia Ebert  
Assistant Clerk

Public Hearing, July 30, 1973

SHORELINE MANAGEMENT/HUNTER CONSTRUCTION COMPANY - KNAPP GARAGE:

Present were Councilmen Bunch and Corum, Attorney Johnson and Clerk Avery. The meeting was postponed to August 6, 1973, for lack of a quorum.

Patricia Ebert  
Assistant Clerk

CONTINUATION OF PUBLIC HEARING - August 6, 1973

SHORELINE MANAGEMENT/HUNTER CONSTRUCTION COMPANY - KNAPP GARAGE:

The meeting was called to order by Acting Mayor Bunch who explained that it is a continuation of the meeting of July 30, 1973. Present also were councilwoman Bogue, Councilman Corum, Attorney Johnson and Clerk Avery.

There were no comments in opposition.

For the application, Albert Malanca, representing the owners of the property, Dennis Harlowe and Tom Morris, felt they needed no permit and that they complied under exemption because they are simply repairing the existing structure. They will, however, comply with the town on the basis of requesting a permit because they were asked to do so. He went on to say that it would be real beautification of that portion of the town and all parking regulations are complied with. Before a building permit can be issued, said Acting Mayor Bunch, the property will have to be surveyed or other proof of parking lot size will have to be furnished to prove that they have sufficient parking for the size of the building.

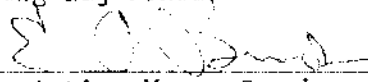
Councilman Corum asked if it will be brought up to standard so far as fireproofing and electrical work goes. Yes, it will have a whole new heating system also.

It is estimated that the work entails about \$70,000 in repairs to the existing building. According to the square footage of the building there is ample parking provided. Councilwoman Bogue asked if screening or landscaping will be provided to shield the parking lot from the water view as well as the street view.

Councilman Corum moved that the petition be granted. Seconded by Councilman Bunch. Motion carried unanimously.

Meeting adjourned.

Tape 22, Side 1, 419-597

  
Acting Mayor Bunch

  
Asst. Clerk

Regular Council Meeting, August 13, 1973

The public hearing was called to order by Acting Mayor Bunch. Present were Councilwoman Rogus, Councilmen Stainbrook and Corum, Attorney Johnson and Clark Avery.

PUBLIC HEARING - IRMGARD BOLSTAD VARIANCE REQUEST:

Acting Mayor Bunch read the notice of public hearing and the letter of recommendation from the Planning Commission. The Bolstads had requested a variance in height from 15 to 26 feet on a small-shops complex to be constructed on the corner of Pioneer Way and Teabrook Street.

It was discovered from the plans that most of the buildings were over legal height. The attorney said they would have to apply for variances for the other buildings as well. As it stands now the heights of all the buildings could be increased to 26 feet. The variance application will be tabled until the architect lowers the other buildings to fit.

Councilwoman Rogus moved that the request for variance in the height of a building from 15 feet to 26 feet by Lowell and Irgard Bolstad be tabled until the meeting of August 27. This was seconded by Councilman Stainbrook. Motion carried. Public hearing closed.

The regular meeting was opened with a motion that the bills be allowed. Seconded & carried.

CLAIMS: Basic Fire Equip Co. \$14.18; Borgen & Johnson \$44.93; Buck & Sons \$3755.87; Daily Journal of Commerce \$138.60; Coast to Coast \$21.08; Conan Fuel \$4.12; D. Avery \$23.40; G.H. Hardware \$69.81; C.H. Union \$228.28; Lundberg Concrete \$51.23; NW Petroleum \$816; Overall Laundry \$4.62; Pacific Water Works \$51.80; Parker Paint \$177.45; Peninsula Auto Parts \$7.48; Peninsula Gateway \$86.05; Peninsula Light \$359.20; Pioneer Bus. \$72.45; Pycallup Tractors \$92.51; Rick's Auto \$348.16; Royal \$50.40; Spadoni \$23.63; Utility Tax \$4.50; Mun. Audit \$1233.20; Stutz Fuel \$124.83; USEO \$80.00; Woodworth \$66.15; Delta \$24.09.

PAYROLL: Mid Month Withdrawals and Washington Physicians Service \$73.80; Glen Stenbak \$19.82; Alfred Tomlin \$100.00.

As there were no corrections or additions to the minutes they stood approved as posted.

Correspondence:

1. Planning Commission letter of recommendation on the Charles Lane variance request. A public hearing was set for September 10 at 7:30 p.m.

REPORTS:

Chief Calloway reported again on the communications equipment. The Pierce County Sheriff's Office does not plan to use Ultra High Frequency equipment--only the City of Tacoma will make that change. He furnished written information and the council decided to table the issue to study it.

Jim Hibbs asked again about the fence around the tennis court. He said they could re-fence it themselves for about \$1000 against the bid of \$2080. They will need a wire stretcher (\$50), auger drills (\$445), wire (\$400) and blacktop (\$400). The old wire can be moved to the ball field. This will give the town two new pieces of equipment in addition to saving money on the fence. He was told to go ahead.

He then went on to ask if the council would consider moving the gate at the ball field to the tank site. They decided to look into this.

SEWER BID:

Glen Sherwood explained that they had received 7 bids on the pumping stations and 6 bids on the treatment plant. Pease and Sons was low bidder on both jobs; D.W. Lauer had some errors in addition which moved Pease into the low bid spot.

He went on to explain the required funding analysis in addition to the Environmental Protection Agency and Department of Ecology share. The \$247,000 in C.O. Bonds and the ULB Polls of \$1,106,840 leaves funding available of \$152,000 in excess--a comfortable cushion. He recommended that we go ahead and award the bids to the low bidder subject to the financial approval of the EPA and DOE. In order to reduce the size of the bids the treatment plant size was reduced, the heating changed to electric baseboard instead of forced air, the landscaping was reduced and a change in diameter was made in one clarifier. There were no changes made to the pumping stations. He went on to say that there is a 5% contingency factor included in the estimates.

Councilman Stainbrook moved that Pease and Sons be awarded the contract for sewer pump stations, Schedule 2, as specified in their total bid of \$151,375, plus sales tax, subject to financing of EPA and DOE. Councilman Corum seconded. Motion carried.

PETTY VILKINSON - Parcel 6-4 - had the same complaint as above.

Clen said that their original petition had been received and was considered as an objection to the formation of the ULID. There were only 7% objections at that time and the council decided to proceed with the project.

MILTON ROBY - Parcels 9-3, 9-15 and 9-16 - objected on the basis that they do not need any extra side covers installed on their property in addition to the one they need. Tabled.

E.M. WARDING - Parcel 6-53 - said he had been assessed for both sides of his corner lot. Glen Sherwood said he had at least two extra building lots there and that was the reason for the footage charge. Tabled.

JEAN NORD - Parcel 5-1 - said the sewer does not come anywhere near her property and she could not understand why she had to help pay for the sewer when she will not benefit. Glen Sherwood said she is assessed the avg. charge only.

ESTHER WOOD - Parcels 3-55, 3-67 and 3-68 - asked if she was assessed on both Peacock on Franklin Avenue. Glen Sherwood said no, only on Franklin. She went on to ask about the stubs and was told that they could be added later. She asked when the sewer system would be finished. She was told July 1974. How is it to be paid for? Paul Flint explained that after publication of the final bill that the first 30 days will be without interest if full or partial payment is made. Then interest will be added and the entire assessment will be apportioned into twenty equal annual installments. The end of the 30-day interest-free period becomes the annual due date.

The assessment roll hearing was continued to Tuesday, September 4 at 7:30 p.m.

REVENUE SHARING REPORT:

Clerk Avery reported that the town has received \$20,430 in federal funds, of which \$9,061 has been set aside for the town hall, leaving \$11,369 for drilling of another well. Councilmen Stainbrook moved and Councilman Corum seconded that the revenue sharing plan be adopted. Carried.

SPECIFICATIONS FOR PRIVATE SEWER LINES:

Clerk Avery said it was time to think of establishing these specifications and also the fact that there will possibly be illegal hookups to the sewer system. This could be handled by establishment of a very stiff fine. Glen Sherwood will take care of the specifications.

SORENSON BULKHEAD:

Acting Mayor Bunch read the Department of the Army permit. Wayne Goodno said he had gone over the plan. The way it is outlined it will not be strong enough to hold earth fill so it will not be creating land and so will not require a Shoreline Management permit. It is only a retaining wall to keep their land from washing away. The town need only say that they have no objection to the granting of the permit. This was approved.

1948 REVENUE BOND REDEMPTION:

Paul Flint said that the two people holding these bonds are willing to sell them and suggests that the town purchase them. The price as of September 4, 1973, is \$20,273.32, including interest to that date. Councilman Corum moved that we call in the 1948 bond issue. This was seconded by Councilmen Stainbrook and carried.

SLEAVIN-KORS INSPECTION BILL: The bill for July was \$407.10. Tabled.

Clerk Avery announced that he had received tickets to Professor Lewis' appearance at a price of \$2.00 each.

PIERCE COUNTY SOLID WASTE:

Clerk Avery said that Pierce County badly needs the town's approval on the solid waste program or they cannot get the federal grant. Councilman Corum felt that the town should agree.

Meeting adjourned at 10:30 p.m.

Tape 23, Side 1, 0-056 feet.

*E. W. Bunch*  
Acting Mayor Bunch

*Patricia Ebert*  
Assistant Clerk

Final Assessment Roll Hearing - September 4, 1973

The continuation of the hearing was called to order by Mayor Rajacich. Present were Councilwoman Pogue, Councilmen Bunch, Corum, McGuire and Stainbrook and Clerk Avery.

ROBERT E. LARSON - Parcel 9-27 - Tabled from August 27. Glen Sherwood explained the dimensions of the property. He felt that Larson objected on the grounds that part of the acre assessment is a roadway. The roadway is an easement and Larson does own it. Motion was made by Councilman Stainbrook, seconded by Councilman Bunch, that no adjustment be made in this assessment. Carried.

Page 2

GEORGE SLEET - Parcel 10-253 - previously tabled. Glen said the property lies between two streets. It is a combination of two parcels, with 5900 square feet remaining in this parcel after the other lot was sold off. Councilman Stainbrook moved that the parcel shall remain the same as assessed. Councilman Bunch seconded. Carried.

Mr. Sleet requested that a stub fee be added on this parcel. Okayed.

BOYD CALLIGAN - Parcel 14-33 - tabled from August 27. Councilman Bunch moved that the assessment remain the same. Seconded by Councilman Stainbrook. Carried.

M. J. ROBY - Parcels 9-3, 9-15 and 9-16 - tabled from August 27. Glen Sherwood said the sewer lines will run up the private road to the Harbormaster Apts. Bill Topper objects to this because it would mean that he will have donated his road to neighbors interested in developing the rear of their properties. At this time the mayor brought up Mr. Cooper's protest on Parcels 9-41, 9-30, 9-32 and 9-31. After considerable discussion action was made by Councilman McGuire, seconded by Councilman Stainbrook, that parcels 9-3, 9-15 and 9-16 remain as assessed. Carried. Motion was then made by Councilman McGuire, seconded by Councilman Bunch, that Parcels 9-30, 9-31, 9-32 and 9-41 remain as assessed. Carried.

IVERSON COXOAT - Parcel 11-39 - tabled from August 27. Councilman Bunch moved that the assessment remain the same. Seconded by Councilman Stainbrook and carried.

ELSTER BURNS - Parcel 14-30 - asked that one stub be deleted and that her area charge be reduced to 18,876 square feet since part is unusable. Councilman Stainbrook moved that Parcel 14-30 remain the same as assessed except for deletion of one side sewer. Councilman Bunch seconded. Carried.

Councilman McGuire requests the addition of one stub on Parcel 7-113. Okayed.

R. L. HAGERMAN - Parcels 11-28 and 11-29 - claims that errors made by 9-11 in the preliminary roll need be corrected on the present roll. Mr. Hagerman had a survey from State Engineers which showed different area and front foot figures. He also asked if a penalty can be given to build over a sewer line. Councilman Stainbrook moved that Parcel 11-28 be reduced in total assessment from 9276.40 to 7541 square feet and the front foot charge reduced from 105 to 104 feet and that Parcel 11-29 be increase in square footage assessment from 2274.40 to 2602 and that another front footage assessment of 100 feet be added to the roll. Councilman Bunch seconded. Carried.

MARION MURPHY - Parcels 7-51 and 7-60. Please delete one stub on Parcel 7-51. Okayed.

E. F. MATHING - Parcel 6-53 - tabled from August 27. It is a corner lot assessed on both sides. Glen Sherwood said the feet should round a circle building lot still. The hearings have at least two extra building lots there. Councilman Stainbrook moved that parcel 6-53 be assessed on Rosedale Street for 260 feet which makes it one side. Councilman Bunch seconded. Parcel 6-53 is reduced from 274 feet to 260 feet. Carried.

NICK MONTIN - Parcel 10-115 - protested the front foot charge of 125 feet. He said the lot is only 75 feet. Glen Sherwood said his lot measures 225 feet by 75 feet, with a total area of 13,000 square feet as it sets. This is equal to another building lot but is not usable because the house sets in the middle. Councilman Bunch felt it is really only one building side but Glen said it might penalize the area if each one doesn't pay their fair share. Councilman Bunch moved to adjust the front footage charge on Parcel 10-115 to 120 feet for assessment purposes. Councilman McGuire seconded. Carried by vote of three to one.

CHET LARSON - Parcel 4-104 - requests addition of one stub. Okayed.

Joe CHILES - Parcel 4-101 - requests addition of one stub. This parcel is too far from a trunk line and the request was denied.

MORRIS GOLDMAN asked why she was charged the area charge in addition to the front footage charges. Glen Sherwood said the area charge pays the treatment plant cost as well as the pump stations.

VERA DUBHAM - Parcel 9-23 - has property both in and out of the town limits in this parcel. He asked if they can hook up the property outside the town. Councilman Stainbrook moved that Parcel 9-23 be included in the assessment rolls on a front footage basis and provided with a side sewer. Councilman Bunch seconded. Carried three to one.

H. SMIRNICH - Parcel 10-33 - protested his assessment as he has no access to his property. Councilman Bunch moved that the assessment stand as is. Councilman Stainbrook seconded. Carried.

JENS LOCKERT - Parcel 11-20 - asked that one side sewer be deleted. Councilman Stainbrook moved and Councilman Bunch seconded that one side sewer be deleted on Parcel 11-20. Carried.

N. M. KAJCA - Parcel 6-2 - said there is a discrepancy in the legal description. Glen Sherwood said they arrived at the front footage by averaging sides of an odd-shaped lot. Councilman Bunch moved and Councilman Stainbrook seconded that Parcel 6-2 remain as assessed. Carried.

Page 3

P. E. JOHNSON - Parcel 2-37 - requests a stub at main sewer line; Councilman Bunch moved and Councilman McGuire seconded that a stub be added to Parcel 2-37. Carried.

JOYI STUBER - Parcel 14-83 - asked that a stub be added. Councilman McGuire moved and Councilman Bunch seconded, that a side sewer be added to Parcel 14-83. Carried.

CITY OF TADONA - Parcels 6-11, 6-12 and 9-26 objected on these parcels since they are transmission lines and should be considered rights of way the same as streets. Councilman Bunch moved that the deletion of Parcels 6-11, 6-12 and 9-26 be approved. Councilman McGuire seconded. Carried with Councilman Steinbrook abstaining.

BETTY ATWATER - Parcel 3-15 - feels that an extra 20 feet was added to her property. Councilman Bunch moved and Councilman Steinbrook seconded that Parcel 3-15 remain the same. Carried.

LESTER STEIN - Parcel 11-62 - requested permission to postpone hookup to the system. Motion was made by Councilman Bunch, seconded by Councilman Steinbrook, that the assessment remain as is. Carried.

HANS VINKERS - Parcel 3-166 - protested that he was assessed on the long side of his property and not the short side. Councilman Bunch moved and Councilman Steinbrook seconded that the assessment remain the same. Carried.

A. K. GOLDMAN - Parcel 11-23 - said he was assessed on two streets. The existing house is near the middle even though there is more than one building lot there. Councilman Bunch moved that the assessment remain as is. Seconded by Councilman Steinbrook and carried.

It was asked if it will be possible to get the stub fee for \$150 after this meeting. Glen said this brings up the question not yet resolved by the council if they will permit two dwellings on one stub. Councilman Bunch felt that two things must yet be determined:

1. Length of time permitted before mandatory hookup and
2. Number of hookups on each stub.

MARVIN McCRAY - Parcel 13-3 - said there is a discrepancy in his front footage. Mayor Rejacic was familiar with the property and said the footage is 32.5 feet.

MR. THADEN - Parcel 6-76 - said the County Assessor's Office had furnished him with a correction in the area of his property. Glen Sherwood recommended that the revision be made. Councilman Bunch moved and Councilman Steinbrook seconded that the revision be allowed. Carried.

FRANK HAMPTON - Parcel 14-93 - protested that part of his property is unusable and the street should be deleted from the assessment. Councilman Bunch moved that Parcel 14-93 remain the same with the deletion of the town street. Councilman Steinbrook seconded. Carried.

From last week's meeting these following protests were again brought up for formal consideration. Councilwoman Bogue abstained from voting in each case because she had not been present last week.

EARL MILLER - Parcel 4-8 - Motion by Councilman Bunch and second by Councilman McGuire that Parcel 4-8 remain the same. Carried.

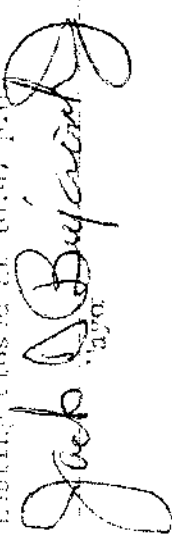
CHESTER DADSMAN - Parcel 4-73 - Motion by Councilman Steinbrook, seconded by Councilman Bunch, that Parcel 4-73 be assessed as the records show. Carried.

WILKINSON - Parcel 6-4 - Councilman Bunch moved that Parcel 6-4 remain as is except for deletion of a strip of land. Councilman Steinbrook seconded. Motion carried.

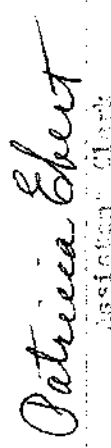
WILKINSON - Parcel 9-25 - Councilman Steinbrook moved that Parcel 9-25 remain as is. Councilman Bunch seconded. Motion carried.

Parcels 10-215, 10-258, and 10-214 - Councilman Steinbrook moved that these remain as assessed. Councilman Bunch seconded. Carried.

Meeting closed at 10:47 p.m.

  
Jacob S. Bujacich  
1950

Page 26, Side 1 0-1324

  
Patricia Ebert  
Assistant Clerk



Council Meeting and Public Hearing - September 10, 1979

Acting Mayor Beech called the public hearing to order at 7:00 pm. Present were Council-  
woman Boggs, Councilman Corwin, Weldon and Steinbock, Attorney Johnson and Clark Avery.

CHARLES LANE PUBLIC HEARING

Acting Mayor Beech read the public notice for the recommendation of the Planning Commission  
who voted for denial of the variance request. There were letters in opposition from Walter  
M. Hocht and Mr. and Mrs. Bjorkelm, Mr. Scott Foster, Herb Atterberry.

Speaking in opposition were Don Hottel, OLV Executive, who said he was opposed to any type of  
covered moorage and felt that preservation of the aesthetics and charm of the area was of  
vital importance.

John Boyd **X** 8815, N. Harborview Drive, a parent of John Bjorkelm, objected on the basis of  
blocking of his view. Charles Lane came in later, stating to be not a homeowner, just a  
cover.

George Cogliardi, representing Mr. Lane, said Mr. Bjorkelm was the prime objector with perhaps  
a nominal opposition from the Shoreline Restaurant. He showed pictures of what they intend  
to do - a see-through roof of clear plastic. He was asked if this was the same type cover that  
came into the Harbor on a barge. No, this is no longer what they intend to do. Mrs. Lane  
said there will be only enough uprights to hold up the roof.

Mr. Lane said he inadvertently left out the word "covered" when he applied for a building permit.  
Councilman Steinbrook voted for denial. Attorney Cogliardi objected, saying he would like to  
hear from the objectors himself.

A man from Federal Way spoke on behalf of Charles Lane.

Attorney Cogliardi said that perhaps he was speaking to much directly allowed.

Steve Ballman, a resident of Warren County, spoke on behalf of Lane on the basis that the cover  
would be a real improvement.

A woman from Federal Way said the cover would not block any view at all.

Attorney Cogliardi asked for an opinion from the town attorney on whether the time for  
requesting height standards, near 100 feet, or what? Attorney Johnson said he would  
not attempt to give an opinion without first researching the request.

Councilman Steinbrook repeated his motion that the variance be denied. There is one stand on  
about grounds he asks his objection he said that it would not be a hardship for height and would  
definitely block view. This was seconded by Councilman McQuinn and unanimously approved. The  
hearing was closed.

Other Business and Announcements

The public hearing portion and by 7:45 pm. Councilman Johnson called for a vote.

Robert Ferguson explained that he had previously been granted the variance but the 100 foot  
requirement is now adding for a 100 foot variance.

The Hadden's representing Jim Hadden, Inc. had a objection of 20 feet but was not asked for  
favor of the variance.

There was a discussion on the ultimate height of the house. Councilman McQuinn moved that  
the variance of 20 feet at the north end of the house with more 11 1/2 feet and a covered 24  
foot be granted. Councilman Corwin seconded. Denied.

The regular meeting was then called to order. There were 8 motions and 1 motion that the bill  
be approved. Carried.

- CLAIMS: Party Cash \$90.03; Redtop Motor 1989 \$8; Oregon and 1st one 1104.44; Mark 200106
- \$26.34; Dick and Sons Tractor \$201.34; Ouse 1 to Coast 20.79; Ouse 2 and 3 25.41; Computer
- Reserve 274.03; Milwanna-Kovla 298.91; E.L. Hughes 256.78; E. Decker 293.60; Cell phones
- \$134.90; Kendall Constr. 27.88; Morrow 206.25; Overhill Laundry 24.60; 2nd 1/2 1st Motor 1000s
- \$356.29; Ben Auto Parts 271.32; Don Light Co. 277.00; Ben Motor 241.29; Wood 21196.50;
- Stutz Wheel 2340.58; Tacoma 2344 240.95; Stationers 28.47; Pacific Council 211.81.

MINUTES: Mid Month Withdrawals and Wash Day. Done. 271.80

The minutes stood approved as printed.

CONGRESSIONAL BUSINESS:

1. Hearing on Oct. 13 at the County City Building to hear application for unclassified use  
permit to construct a 450 foot cable TV relay tower by Tribune Broadcasting Co. with a location  
100 feet west of Highway 16.
2. Hearings Board - Morris vs Town to be held at Town Hall Building, Room 9 at 9:30 am.

\*CORRECTED TO READ VOIET

3. Sleavin-Kors request for payment. Jim stated that there is a lack of balance in the system/ Approval is withheld pending this balancing.

REPORTS:

Jim Hibbs reported that Well #1 was back in operation on Sunday. The column had broken where the bowls are joined but it is not known why it broke. The parts will be mailed to California for post-mortem. The column and bowls will be rebuilt and held as spare parts.

Jim went on to say that he was able to buy a little generator for \$100. The machine shop can build a trailer for it for \$250 and it can then be used to operate the old booster station at Harbor Heights. This was okayed.

Jim mentioned a Fire Department van that is for sale. A recommendation will be made by the next meeting as Councilmen McGuire and Stainbrook were appointed to look into it.

ASSESSMENT ROLL ORDINANCE - FIRST READING:

Councilwoman Bogue read the entire ordinance. There was a discussion on interest rates and certain points about repayment were considered. Paul Flint will obtain further information from Jim Ellis before the final passage.

COMMERCE BANK SIGN:

Clerk Avery said the discussion and decision concerning the Commerce Savings and Loan sign took place during a recess at a previous meeting. He asked that it be discussed now and made a part of the formal record for the minutes. Attorney Johnson said the question was what a "abutment" meant. Grandview Street runs between R-2 and R-1 property at the point in question. The sign would have been legal in a R-2 zone but if it abuts an R-1 zone then the R-1 setback rules had to be followed. The sign did not follow the setback rules of an R-1 zone so the issue was whether or not there was an abutment. The council had felt that the intervening street was not a buffer and the R-2 zone did indeed abut an R-1 zone and they will have to comply with R-1 zoning. A motion was made by Councilman Stainbrook that their piece of property is a R-2 abutting on R-1 and must comply with the setbacks as required by the ordinance. Seconded by Councilwoman Bogue and carried.

SLEAVIN-KORS INTEREST-BEARING WARRANT

Hold for final inspection and acceptance.

Joel Sierra had asked permission to attend an Advanced Waste Water Treatment Seminar on September 12-13 at Vancouver/ It bore a \$140 registration fee and the council said there is no money in the budget at this time to pay it but will keep it in mind for the future.

SPADONI PROJECT:

The Catholic Church is re-routing the drainage on Escadero Avenue. The town is furnishing the catch basins for the project.

FILING FOR COUNCIL POSITIONS:

Clerk Avery said filing for Mayor and Council positions opened September 7 through Sept. 21. Councilman McGuire moved that the books be kept open until 5:30 p.m. on Friday, September 21, 1973. Councilman Stainbrook seconded. Carried.

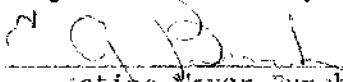
REVENUE-SHARING FUNDS:

Clerk Avery said that funds are received for the entitlement period of July 1, 1973 through June 30, 1974, bringing the total to \$13,764 for the acquisition and construction of a new water well. Councilman Stainbrook moved that the new figure for Revenue Sharing be used for land acquisition and construction of a new well. Councilman Corum seconded. Carried.

Councilwoman Bogue brought up the conservation of power. She felt it might be wise to write to local businessmen asking their cooperation. Councilman Bunch suggested writing to the Highway Department suggesting that they turn out freeway lights during the day. They asked Clerk Avery to write so they can all sign.

Meeting adjourned at 9:40 p.m.

Tape 24, Side 1 0-575 feet.

  
Acting Mayor Bunch

  
Asst. Clerk

The meeting was called to order at 8:15 p.m. by the Acting Director, Mr. J. G. ...

The following were approved from the Department of Education, Mr. J. G. ...

Mr. J. G. ... \$100.00; Mr. J. G. ... \$100.00; Mr. J. G. ... \$100.00;

Mr. J. G. ... \$100.00; Mr. J. G. ... \$100.00; Mr. J. G. ... \$100.00;

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Mr. J. G. ... \$100.00; Mr. J. G. ... \$100.00; Mr. J. G. ... \$100.00;

Mr. J. G. ... \$100.00; Mr. J. G. ... \$100.00; Mr. J. G. ... \$100.00;

ASSESSMENT ROLL - ORDINANCE 169 - Final Reading:

This was read by Clerk Avery. The Insel property had formerly been included in the roll as there was an annexation involved. Now it is proposed that this property be stricken from the roll. Approved. Councilman McGuire moved and Councilman Corum seconded that the ordinance be adopted. Carried.

CABLE TV TOWER:

Clerk Avery had attended the meeting last week. A 130 foot tower is proposed and the hearing was postponed 30 days. Mr. Erwin was supposed to attend tonight's meeting but was not present. Joe Boots, County Commissioner, had felt that not just one company should use it. Several companies could combine. The town does not okay a franchise to anyone. The town has no objection to a tower erected for multiple use. The clerk was asked to write a letter to the Pierce County Planning expressing approval with the above provisions.

HDD PAYMENT LOAN:

About 15% of the old bill of \$9400 to Harstad and Company has been approved for payment and the other 85% forgiven. They will accept \$1410 as full payment of the outstanding loan. Councilwoman Bogue had felt that we were already off the hook. It is to be tabled until Mayor Bujacich has a chance to look it over.

WATER REVENUE BOND ISSUANCE AND SALE - First reading of Proposed Ordinance:

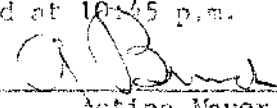
CLASS H LICENSE FOR MAURI BROWN:

Councilman McGuire and Councilwoman Bogue objected to the issuance of this license. Councilman Corum felt that it would be giving the Shoreline exclusive rights if they refuse this license. The issue is tabled by motion of Councilwoman Bogue until next regular meeting. Seconded by Councilman McGuire. Carried. The Clerk will write to the Liquor Board requesting the basis of criteria for issuing Class H licenses.

Councilwoman Bogue advocated the purchase of planning books for the use of the council and the Planning Commission. The final motion was that ten books "THE USE OF LAND" be purchased by the town. This was moved by Councilwoman Bogue and seconded by Councilman Corum. Carried.

Adjourned at 10:45 p.m.

Page 23, Side 2, 0-951

  
Acting Mayor

  
Assistant Clerk

Regular Council Meeting, October 9, 1973

The meeting was called to order by Acting Mayor Busch. Present were Councilwoman Bogue, Councilman Corum, McGuire and Stainbrook Attorney Johnson and Clerk Avery.

The bills were approved upon motion and second. Carried were:

CLAIMS: Atlas Foundry \$94.92; Book Publ. Co. \$233.33; Dorgan L. Johnson \$237.57; Poyles Chev. \$2.89; Buck and Sons Tractor \$4.40; Coast to Coast \$8.54; Conan Fuel \$18.18; T. Crowell \$30. Dept. Housing and Urban Dev. \$1410.00; P. Ebert \$50.00; C.H. Hardware \$47.66; C.H. Union \$2.10; Isl. Emp. \$144.77; Lundberg Comm. Pipe \$414.56; Petrol. Car. Wash \$6.80; Pen. Auto Parts \$375.52; Pen. Light Co. \$452.65; Pen Pub. Sch. \$50.43; Pioneer Bus. Forms \$258.27; Ken Martin \$91.43; Fryellor Tractors \$13.36; Overall Laundry \$6.22; Oxygen Sales \$181.76; Rich's Auto and Truck \$291.72; Spadoni Bros. \$1910.90; Steag Hydronics \$1899.40; Stationers \$13.75; Wash. Tree Serv. \$420.00; Union Oil \$10.55; Don Avery \$26.52; Betty Cash \$30.39; U.S.P.O. \$50.00; Don Davis \$234.25.

BYROLL: 3rd-month withdrawals and Wash. Physicians Conv. \$73.80.

As there were no corrections or additions to the minutes they stood approved as posted.

COMMUNICATIONS:

1. Planning Commission recommendation on the Sea Haven Yacht Club application for conditional use permit. Public hearing set for November 12 at 8 p.m.

SPECIAL GUESTS:

Don Deber presented plans for a proposed apartment complex on R-3 zoned land above Foster Street. Had had site plans showing 50 units; he said they could have put 70 to 80 units on the site but did not care to maximize. The council asked that it be tabled until the next meeting so they can look the plans over.

REPORTS:

Chief Calloway brought up the communications equipment. They have a federal grant for \$1472. He felt they could definitely need the equipment by the time power construction starts. The council advised him to get complete figures so that it can be included in the 1974 budget.

The pre-construction conference was held on 10-9. The tape will be transcribed and copies

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The meeting was called to order by Mayor DeLoach at 8 p.m. Present were Councilman Eugene Connelley, Mayor DeLoach, Councilmen DeLoach, Connelley, and Stubbins, Attorney Johnson and David Lewis.

The bill was approved from action by Councilman DeLoach, seconded by Councilman Connelley, and thirded by Councilman Stubbins. The bill was then referred to the Finance Committee.

The Finance Committee has reported that the bill is in the nature of a bill and a resolution and is of a general character. It was referred to the Finance Committee for their consideration.

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The dock measures 20 by 28 feet with an 8-foot walkway.

Councilman Couch moved that the conditional use be allowed as is. Councilman Duch's seconded. Carried unanimously with one abstention. Public hearing closed.

The regular meeting was recalled with a motion and second that the bills be allowed. Carried. CLAIMS: L. Allen \$400.00; Kitty Cash \$27.02; Badger Motor \$337.00; Borgens \$743.04; Buck & Son \$4.54; Coast to Coast \$20.81; Conan's Fuel \$65.63; John Cox \$4.50; D. Davis \$639.77; C.I. Hardware \$25.21; C.I. Union \$2.63; A. Grodno \$27.75; Holroyd \$35.35; Tel. Exp. \$154.23; L. Kelly \$50.00; Kendall \$68.25; Lundberg \$1110.25; Marvin's \$14.70; MI Rental \$21.00; Overall Laundry \$4.62; Oxygen Sales \$11.66; Peninsula Lute Parts \$65.66; Peninsula Catering \$184.60; Terin. Light \$266.24; Trosten, Etc. \$90.41; Russlip Tractors \$6.06; Spahn's Bros \$19.00; Strong Electronics \$265.52; Steven Mtr \$23.10; Stroch's Feed \$95.42; Stutz Deal \$530.25; Stationers \$4.17; Timco \$24.53; Traffic Control Signs \$713.16; Wendworth \$88.20; Warsaw City Trees \$39.22. PAYROLL: 15d month withdrawals and Washington Physicians Serv \$73.80.

As there were no corrections or additions to the minutes they stood approved as posted.

#### CORRESPONDENCE:

1. Planning Commission recommendation on Thomas variance request. Meeting set for December 10 at 7:30 p.m.
2. SHRILL letter on November 30 late-opening hours. They asked if the town will provide lighted decorations and a tree by that date. In view of the energy crisis some were against the lighted decorations. The tree, it was decided, will be decorated the "old fashioned" style. There was criticism of the late business hours in view of reduced energy consumption. A letter will be written.
3. State of Washington, Department of Biology, increase in St to Grant.
4. U.S. Environmental Protection Agency letter on grant.

#### SPECIAL EVENTS:

George Cogliardi, representing Charles Long, asked that the council reinstate the building permit for his electric boat cover. He explained that Mr. Long went to considerable expense to redesign the cover and the boat so that the boat could fit in a 15 foot high house. He asked attorney Johnson about violations of sections 16.1 and 16.2 and accused the council of a "totally arbitrary act."

Attorney Johnson quoted Section 16.2 (b) which states that side setbacks in Waterfront are 12 feet.

Mayor Bujasich said that Mr. Long should have made reapplication through Shoreline Management and a covered garage since the original permit did not include any cover.

Attorney Johnson said that Lighter Dept. of Shoreline Management did a new hearing in a defectively organized.

3-2 Apartment Site: Don Labella, partner of Don Liben, again present site plan for council approval on a 3.3 acre site of 4 acres of land.

There was a great deal of discussion on the proposed driveway and if there it would have adequate visibility. The location of the swimming pool was questioned by Charles Dikery, saying it could be too noisy next to Simpson Avenue. The owner did not feel it would be feasible to place it at the other end of the property as there are too many trees in the area.

Councilman McGuire moved that the site plan as submitted be approved. Councilman Couch seconded. Carried with 4 ayes and 1 nay, Councilwoman Bogus voting no because of the driveway.

CLASCO COLLECTION: Harold Lally, a garbage collector for 30 years, suggested that if he is given permission to operate in this vicinity, that the town handle the billing for a percentage of the cost. The town is getting nothing now and has no control, admitted the mayor. Lally will come back for a study session.

#### WORKERS:

Chief Calloway applied for a license from the FCC for the proposed radio equipment and would like approval to call for bids. The council said he may not until the budget is approved.

Jim Dikhs asked if the town will extend water line to Alvestada past the Masonic Temple. Councilman Duch said the policy is to NOT extend water lines outside the town.

#### WATER BILLING:

He presented the first reading of an ordinance providing for the issuance of sewer revenue bonds. Mayor Bujasich read the letter from the bond counselors requesting transcript material. The bonds will bear interest at 6% and 6-3/8% per annum. The McLean and Company proposal was read and accepted upon motion by Councilman Stainbrook, seconded by Councilman Duch. Carried. Clark Avery asked for an explanation of the disparity in interest rates. It was then agreed that the assessment roll interest will be reduced to 7%; this will be accomplished through ordinance amendment.

#### AN UNCLE TOM COTTAGE - 4171:

This ordinance, in its second reading, was adopted upon motion by Councilman Duch, seconded by Councilman McGuire. Carried.

REPORT OF THE COMMISSIONER OF THE LAND OFFICE

STATE OF CALIFORNIA  
DEPARTMENT OF LAND OFFICE  
LAND OFFICE REPORT FOR THE YEAR ENDING DECEMBER 31, 1910

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GENERAL STATEMENTS

The following statements are taken from the report of the Commissioner of the Land Office for the year ending December 31, 1910. They are given for the purpose of showing the general condition of the land office and the progress of its work during the year.

The total number of acres of public land in California at the beginning of the year was 1,100,000,000. At the end of the year it was 1,090,000,000. The decrease was due to the sale of 10,000,000 acres of land during the year.

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REPORT OF THE COMMISSIONER OF THE LAND OFFICE

STATE OF CALIFORNIA

*John M. Bunker*

*Patricia A. Blunt*

Commissioner of the Land Office

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THE BOARD OF DIRECTORS OF THE COMPANY HAS APPROVED THE FOLLOWING RESOLUTIONS:

RESOLUTION NO. 1: THAT THE BOARD OF DIRECTORS HAS APPROVED THE FOLLOWING RESOLUTIONS:

RESOLUTION NO. 2: THAT THE BOARD OF DIRECTORS HAS APPROVED THE FOLLOWING RESOLUTIONS:

RESOLUTION NO. 3: THAT THE BOARD OF DIRECTORS HAS APPROVED THE FOLLOWING RESOLUTIONS:

RESOLUTION NO. 4: THAT THE BOARD OF DIRECTORS HAS APPROVED THE FOLLOWING RESOLUTIONS:

RESOLUTION NO. 5: THAT THE BOARD OF DIRECTORS HAS APPROVED THE FOLLOWING RESOLUTIONS:

RESOLUTION NO. 6: THAT THE BOARD OF DIRECTORS HAS APPROVED THE FOLLOWING RESOLUTIONS:

*Patricia Blunt*  
SECRETARY

*John A. Burchard*  
PRESIDENT

RESOLUTION NO. 7: THAT THE BOARD OF DIRECTORS HAS APPROVED THE FOLLOWING RESOLUTIONS:

RESOLUTION NO. 8: THAT THE BOARD OF DIRECTORS HAS APPROVED THE FOLLOWING RESOLUTIONS:

*Patricia Blunt*  
SECRETARY

*John A. Burchard*  
PRESIDENT

RESOLUTION NO. 9: THAT THE BOARD OF DIRECTORS HAS APPROVED THE FOLLOWING RESOLUTIONS:

RESOLUTION NO. 10: THAT THE BOARD OF DIRECTORS HAS APPROVED THE FOLLOWING RESOLUTIONS:

RESOLUTION NO. 11: THAT THE BOARD OF DIRECTORS HAS APPROVED THE FOLLOWING RESOLUTIONS:

*Patricia Blunt*  
SECRETARY

*John A. Burchard*  
PRESIDENT

RESOLUTION NO. 12: THAT THE BOARD OF DIRECTORS HAS APPROVED THE FOLLOWING RESOLUTIONS:

RESOLUTION NO. 13: THAT THE BOARD OF DIRECTORS HAS APPROVED THE FOLLOWING RESOLUTIONS:

RESOLUTION NO. 14: THAT THE BOARD OF DIRECTORS HAS APPROVED THE FOLLOWING RESOLUTIONS:

RESOLUTION NO. 15: THAT THE BOARD OF DIRECTORS HAS APPROVED THE FOLLOWING RESOLUTIONS:

RESOLUTION NO. 16: THAT THE BOARD OF DIRECTORS HAS APPROVED THE FOLLOWING RESOLUTIONS:

RESOLUTION NO. 17: THAT THE BOARD OF DIRECTORS HAS APPROVED THE FOLLOWING RESOLUTIONS:

RESOLUTION NO. 18: THAT THE BOARD OF DIRECTORS HAS APPROVED THE FOLLOWING RESOLUTIONS:

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The clerk reported that an outstanding warrant has been lost and now must be cancelled. A motion was made by Councilman Hanson to pass Resolution #121 cancelling Warrant #1287 to Turk and Sons in the amount of \$4.54. Councilman Bunch seconded. Carried.

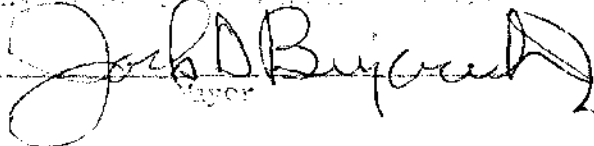
The Water Tank project, accepted as completed on November 11, now needs a resolution to accept the completion. All bills and taxes have been certified as paid. Councilman Bunch then moved that Resolution #122, accepting the water tank contract from Washington Development Company be accepted. Councilman Hanson seconded. Carried.

Mayor Bujacich told the council that an ordinance must be adopted concerning gambling or bingo in the Town. If no ordinance is drawn then the money goes directly to the county.

#### COUNCIL AND MAYOR SALARY:

Mayor Bujacich said that salaries may be raised now before the council takes office and cannot be raised later on. The mayor was for the raise but Councilman Bunch felt that it would be an insult and Councilman Tegge did not approve.

As there was no further business the meeting was adjourned at 9:24 p.m.

  
Mayor

Page 26, Side 1, 11 to 568 feet.

  
Asst. Clerk

#### Regular Council Meeting, December 26, 1973

The meeting was called to order by Mayor Bujacich at 8 p.m. Present were Councilwoman Bogue, Councilmen Bunch, Stainbrook and Hanson, Attorney Johnson and Clerk Avery.

The regular meeting was then recessed for the public hearing.

#### ERVIN S. CRAIG APPLICATION FOR REZONE:

There were no comments in favor or opposition. The Planning Commission had voted to recommend in favor of granting the rezone.

The council discussed general use and the county moratorium on general use. Councilwoman Bogue was for retention of a greenbelt or at least a compromise since our B-2 requires no side yards or open spaces. They considered the possibility of applying the proposed RB-1 zone here. Nowhere in Ordinance 109A did they find a provision for modular home or mobile home displays or sales.

They asked Mr. Craig if he would like to consider withdrawing his application pending the passage of the RB-1 zone. It was considered better if they table the request and let Mr. Craig decide when he has had an opportunity to read the new ordinance. Councilman Hanson moved that the hearing be tabled until the January 14 meeting. Councilman Stainbrook seconded. Carried. Hearing tabled.

The regular meeting was resumed with a motion that the bills be allowed. Motion seconded and carried.

CLAIMS: Petty Cash \$35.82; Bee's Barn \$42.00; A. Berg \$550.00; J. Bujacich \$16.70; Commonwealth Title \$28.88; Dept. MV \$9.60; G.H. Insurance \$87.00; Glacier Sand & Gravel \$8.74; Harb. Janitor \$40.00; NW Petroleum \$7.48; NW Rental \$20.48; Pac. Coast Stamp Works \$28.73; Pierce Cty. Aud. \$100.23; PCFD #5 \$1703.05; PC Library \$1950.98; Pioneer \$110.70; Preston, Etc. \$3342.35; Spadoni \$269.33; Steven Mtrs \$337.05; Stutz Fuel \$439.31; The Stationers \$8.95; USPO \$60.00 and \$56.25; United Graphics \$909.79; Zoning Map \$525.00.

PAYROLL: Regular Payroll and Pen. State Bank \$1045.50; City Credit Union \$372.00; PERS \$392.70 and \$572.80; Emp Sec. Dept \$1014.79; Dept of L&I \$44.00; EBP Trust \$85.37.

The minutes stood approved as posted.

There was no correspondence and there were no special guests.

#### REPORTS:

Glen Sherwood presented copies of a Delta Engineers memo to each councilman. This concerns progress on the lines and the treatment plant. He said the contractor will put a double crew on the lines in January. The problem so far has been the backfill material. 1½ to 2 feet of pit run gravel seems to solve the problem.

Site clearing is nearly done on the treatment plant and excavation has been started for some of the tanks.

Glen went on to discuss a proposal to help take care of ground water. It would require the purchase of \$60 to \$70 of plastic pipe by the town. The plan was okayed.

Councilman Bunch said that the truck for \$850 was in good shape and recommends that Jim be given permission to go ahead and buy it. A motion was made by Councilman Hanson, seconded by Councilman Bunch, that Jim Hibbs be authorized to purchase a used truck for \$850. Carried.

Mayor Bujacich now presented three ordinances for their first readings. These will be final on January 14, 1974, and concern annexations that have never been completed. They are Frank Bampton, Harbor Heights School and Jerry Willock.

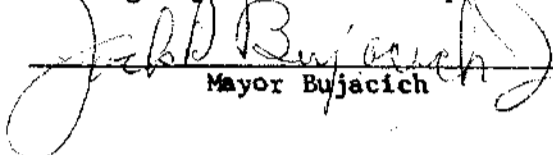
The clerk will write to Mr. Galbraith asking that the sidewalk be put in on his property.

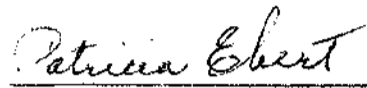
Mayor Bujacich said he had been in touch with the Pierce County Sheriff's Office concerning police protection for the town. A meeting will be set up with them. Also, the union has certified our police department by signature and the town must negotiate with them/

Mayor Bujacich and Councilwoman Bogue reported on the Shoreline Management/Morris Brothers hearing.

Meeting adjourned at 9:05 p.m.

Tape 26, Side 1, 568 to 1033 feet.

  
 Mayor Bujacich

  
 Asst. Clerk

Regular Council Meeting, January 14, 1974

The oath of office was administered by Clerk Avery prior to the meeting to swear in Mayor Bujacich, Councilwoman Melton and Councilman Ekberg into office. Present also were Councilwoman Bogue, Councilmen Stainbrook and Hanson and Attorney Johnson.

The first public hearing was then called to order by Mayor Bujacich.

DOUGLAS SORENSEN REQUEST FOR VARIANCE IN SETBACK:

Mayor Bujacich read the public notice and the recommendation of the Planning Commission. He asked for comments in opposition. There were none/ In favor, Douglas Sorensen explained that his proposed garage should not affect the view of anyone. It should not exceed 8 or 9 feet in height. The mayor wondered if he needs a Shoreline Management permit for it but Councilwoman Bogue determined that the building is attached and needs no permit. Councilman Hanson moved that the application be approved. Councilman Ekberg seconded. Carried. Hearing closed.

The regular meeting was called to order and then recessed for the second public hearing.

PETER STANLEY REQUEST FOR VARIANCE:

Mrs. Owen Hughes, property owner of the next door Stutz Fuel, asked if there is sufficient parking available at the Tides so that her renter is not affected. The mayor said that parking is not in question since this is a non-conforming use already in existence.

Mrs. Paul Babich asked if the granting of use of the deck was not expanding the space. The mayor answered that it is existing space, not new construction. This is not relative at this time nor is questioning the parking.

Mr. Stanley was asked about the size of the deck. The plans were consulted and the deck was determined to be about 20 x 45 feet.

Councilwoman Melton felt that the service of food and beverages on the deck is a <sup>NATURAL</sup> ~~non~~-progression and it is, after all, a commercial area.

Peter Stanley spoke on his own behalf. He said that the council had given him permission in the beginning and then revoked the permission. He said there had been only one complaint. He will not permit any music, loud noises or dancing on the deck. He will keep it orderly and quiet.

It was decided that it is within the council's domain to issue the variance with a condition of one year. Councilman Stainbrook moved that the variance be granted with the stipulations specified by the Planning Commission. Councilwoman Melton seconded. Carried. Public hearing closed and regular meeting resumed.

**BILLS:** There was a question about three bills which Jim Hibbs clarified. Councilman Stainbrook moved that the bills be approved. Seconded by Councilman Hanson and carried.

**CLAIMS:** D. Avery \$21.36; D. Avery (petty cash) \$44.35; Baker-Rooter \$50.56; B-Mac Gravel \$37.28; Borgen & Johnson \$329.25; Boyles Chevrolet \$20.32; Conrad & Johnson \$579.60; Hemley's Septic Tank \$49.88; Isl. Emp. \$118.79; Lundberg \$109.57; Overall Laundry \$13.44; Peninsula Auto Parts \$94.99; Pen. Gateway \$190.37; Pen. Light \$304.96; Pioneer Bus. Forms \$57.15; Stationers \$6.83; Traffic Control \$485.10; United Off. Equip \$4.88; Union Oil \$52.72; Woodworth \$176.40; Zip Mfg. \$37.81; Marvin's Serv. \$103.38; Stutz Fuel \$289.96.

**PAYROLL:** Mid-month withdrawals.

As there were no corrections or additions the minutes stood approved as posted.

**CORRESPONDENCE:** None

**Special Guests:** David Manger, representing Gene Cessna, told about the problem at 3026 Pioneer Way. Mr. Cessna is living in the house temporarily until a four-plex is finished in 4 or 5 months time. He would like to carry on a home-type business solely as a secondary use to the residence. There will be no yard signs or continuing ads in the papers. They request only a window sign and a recorder on the telephone. He plans to carry on his

income tax service by appointment only. He was informed by the Town Clerk that he would be refused a business license because he is operating in a R-1 zone. The clerk showed the ad which had appeared in the Gateway.

The mayor said he felt the ad showed that the residential use was secondary to the office use.

Councilman Hanson felt it was not truly a home occupation but solely a business. Mr/Cessna said he will no longer advertise, but feels that this is his primary residence since is separated and could find no other residence in Bremerton. Councilman Hanson then moved that the request be disallowed since the primary use is not residential and does not fall into the home occupation definition. Councilman Ekberg seconded. Carried with Councilwoman Melton voting no.

#### REPORTS:

The mayor reported that he had instructed Jim Hibbs to buy a pipe finder for \$300 to \$400.

Attorney: He spoke about a proposed ordinance to police gambling and collect the tax. If the town does not do so the county can step in or the town can instruct the county to collect the tax and reimburse us. The attorney had a recommended ordinance available for the first reading tonight. It will be drawn up by the next meeting.

#### SPECIAL ASSIGNMENTS:

The mayor said that, considering the new Town Hall, he has contacted Allan Bucholz. The site adjacent to the pump house is available. The mayor would like to arrange a meeting with the council and Mr. Bucholz. Don Avery reported on his telephone conversation with the U of W School of Architecture. He said the students and their instructor, a licensed architect, would be glad to present their plans. The town has set a meeting for Monday, the 21st at 7:30 pending Mr. Bucholz' acceptance.

#### OLD BUSINESS:

John Gillich proposed an ordinance on explosives, modeled after Steilacoom's ordinance.

Regarding the town's union negotiations with the Police Department, the mayor has appointed David Gravrock to negotiate for the town.

WATER TANK PROJECT AUDIT REPORT was presented by John Cox, CPA, for the council's information. The audit was required by HUD, the lending agency.

SEWER CONSTRUCTION FUND WARRANTS: Councilman Stainbrook moved that these bills be approved. Councilman Hanson seconded. Carried.

006 Pierce County Commissioners \$40.00; 007 Pease and Sons \$10,463.02; 008 Pease & Sons \$1,101.37; 009 Nelson Construction \$41,385.08; 010 Nelson Construction/ Bellingham Nat'l Bank \$4,356.33; 011 Delta Engineers \$4,452.00.

#### PROPOSAL:

Jim Hibbs asked that a switch or relay be installed on the #1 pump so that if a power failure occurs then it cannot restart itself but must be manually restarted. This will eliminate the chance of damage. The two proposals are as follows:

- #1 Lou Herbert, \$485 plus tax, and
- #2 Harbor Electric, \$485 plus tax.

Since Mr. Herbert's proposal was more detailed the council instructed Jim to contact Mr/ Herbert to install it.

#### RB-1 ZONE, SECOND READING:

Councilman Hanson moved that the second reading be tabled until January 28. Councilwoman Melton seconded. Carried with Councilman Ekberg voting no.

#### ANNEXATION ORDINANCES - Second readings:

- #176 Harbor Heights School. Councilman Stainbrook moved that it be accepted. Councilwoman Bogue seconded. Carried.
- #177 Willock Annexation. Councilman Stainbrook moved that it be accepted. Councilwoman Bogue seconded. Carried.
- #178 Bampton Annexation. Councilman Stainbrook moved that it be accepted. Councilwoman Bogue seconded. Carried.

#### ADMINISTRATIVE CAR:

Councilwoman Melton wanted to know what the needs were to purchase an administrative car. She said she had checked with Steilacoom and they have neither a car nor reimbursement for mileage. Port Orchard has no car but has 10¢ a mile reimbursement. She had checked with 10 Washington towns near the size of Gig Harbor and only two towns allowed an administrative car. Councilman Hanson agreed with Mrs. Melton, saying that 12¢ a mile was fair, or even increase it to the allowed limit of 15¢ and do not buy the car. The mayor said the amount has been budgeted and it is felt that it will be an economy over the life of the car.



Councilman Ekberg asked what happened to the sidewalk around the Galbraith property. The building inspector answered that Galbraith would like to put in another building on the property and then put the sidewalks in. Concerning Councilman Ekberg's question on the signs a Grandview and Pioneer, and the letter the inspector wrote, the inspector answered that he is taking it up with Attorney Johnson.

INSURANCE:

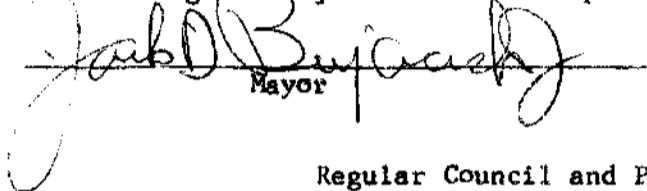
Councilman Ekberg said that the insurance coverage the town has is very good and complete. He spoke about the limits of liability. He suggested changing this portion for better coverage. He will speak with Mr. Gilbert about it.

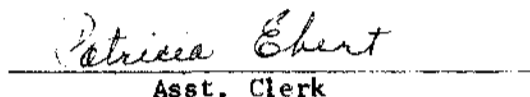
Councilwoman Melton asked why the waiting period in the zoning ordinance has been set at 12 months. She wondered if it was not feasible and desirable to change it to perhaps six months. There was a great deal of discussion but most of the council felt it was better to have a longer than shorter waiting period.

The mayor had recommended an appointee to the Planning Commission. The council wished to wait to consider this at the next meeting. The council can submit names also.

The meeting was adjourned at 10:22 p.m.

Tape 26, Side 2, 0-955 Feet

  
Mayor

  
Asst. Clerk

Regular Council and Public Hearing, January 28, 1974

SHORELINE MANAGEMENT PERMIT/CHARLES LANE:

The meeting was called to order by Mayor Bujacich. Present were Councilwoman Bogue, Councilwoman Melton, Councilmen Ekberg, Hansen and Stainbrook, Attorney Johnson and Clerk Avery. The public notice was read and the mayor called for comments in opposition. A letter was read from Walter N. Hogan who felt it would be detrimental aesthetically and also felt it would hamper operation of his float. The mayor asked for comments in favor:

George Gagliardi, attorney for Charles Lane, said the permission for the boat cover has been in process for about a year. The boat is in its slip in the Harbor and they are looking for a cover only, not a house. Mr. Lane has changed the plans considerably and has done just about all he can do to cooperate. He said they have complied with everything but the Shoreline Management Act and now they are attempting to comply with it. Mr. Lane said that he had to hinge his mast in order to get it under a 15-foot cover.

Myron Hilden, his engineer, explained the construction of the proposed cover. It will be uprights of pairs of 2 x 8's laminated with plywood between each pair. The 15 foot height is measured from the top of the floats to the top of the roof. About 8" of the 12" styrofoam float will be above the water so the cover will be about 8" over legal height. The roof will be corrugated aluminum with the aluminum extending down the sides part way.

The Robert Pollocks, renters of Mr. Lane, said that there is no problem with the view from their building. It will be no hindrance and they are completely in favor of it.

Ed Heacox, Shore Acres, felt that the Lane's have done everything possible to comply. They feel that people should be able to moor their boats in an area advertised as a "boat haven." He was much in favor of granting the permit and felt that there is need for a coordinated plan.

In opposition were: Betty Grounds, Nautic Apartments, felt it would be in her view constantly even though Mr. Lane has a right to protection for his boat. The size and type of building would be objectionable to her.

There was further discussion on width of property and whether B-2 zoning permits boat covers. There was discussion of mean or high water and datum lines, etc. It was decided that the zoning ordinance was not in question at this time, only the Seacoast Management guidelines.

Councilwoman Melton moved that Mr. Lane's application be approved. The motion died for lack of a second.

Councilman Hanson moved that the application be denied and that the town go on record as being opposed to it. He said that the boat is overpowering in that location and a cover would compound the question. Councilman Ekberg seconded. Motion carried with Councilwoman Melton voting no. Mayor Bujacich asked that Councilman Hanson cite his reasons for voting as he did because his opinion should be included in the answer to the Shorelines Management people. Attorney Gagliardi requested that Councilman Hanson's words be quoted in the minutes. He understood him to say that he had talked with various people around town and he felt that these people should have appeared in person at the meeting. Councilman Hansen said, "Various people that live in the town expressed amazement over, first of all, just the boat being there and that it is so large and towering and it is also my personal belief in that and I'm certain that something that is going to go up and be more square is going to compound that

question. It doesn't blend into the area at all."

Councilwoman Melton said, "I have this to say, that if the Town of Gig Harbor, being the council, has taken the position that people owning their own waterfront lots are not eligible to build covered moorage then the town should be in a position either to provide or to see that covered moorage is available to them. After all, they live here and they should be able to find it, if not their own spot, then possibly some place else. You have got a lot of marinas in Gig Harbor and there are many people that are keeping their boats here that are not from this area and if you're going to say no to him on this then we should be saying okay, the marinas that are here in Gig Harbor the people in the Peninsula area should have first go at them.

Councilman Stainbrook said, "One of the reasons I would be in opposition I think Mr. Lane ought to be complimented for the fact that he does go through all the due process that leads up to this and that one of the factors in the Shoreline Management Act is to preserve the scenic vistas or aesthetic features of an area. That is one of the reasons I base my vote on, that it doesn't preserve the scenic vista of that area and it's primarily aesthetic guise that my vote was based on."

Councilwoman Bogue was glad to go on record "As having been opposed to it on the basis of the Shoreline Management guidelines as regards aesthetic features.

The public hearing was closed and the regular meeting was called to order.

The bills were approved upon motion by Councilman Hanson, seconded by Councilman Stainbrook. Carried.

CLAIMS: Association of Wash. Cities \$189.24; G. Borgen \$4.00; Buck & Son \$892.50; Coast to Coast \$3.68; Delta \$366.00; P. Ebert \$60.00; G.H. Ins. \$61.00; G.H. Machine \$7.72; A. Goodno \$574.00; Harbor Pump \$57.71; Hydrophilic Ind. \$10.29; National Cash Register \$840.00; NW Petroleum \$11.98; NW Rental \$40.95; Pacific Water Works \$1202.76; K. Paterson \$4.00; Penin. Gateway \$48.03; Penin. Light \$11.08; Pioneer \$39.20; Reeves \$331.17; Spadoni \$480.65; Stroh's Feed \$21.12; Stutz Fuel \$370.82; Stationers \$24.12; Traffic Control \$505.58; Lou Herbert Electric \$16.02; Harbor Janitor \$40.00; PCFD #5 \$1862.21.

PAYROLL:

Regular Payroll and Peninsula St. Bank \$1302.60; City Credit Union \$236.00; Wn. Phy. Serv. \$110.80; DEOFF \$390.37; PE Ret. Sys. \$660.09; Empl. Sec. \$1142.92; Dept of Labor & Ind. \$96.96; EBT Trusts \$65.83

The bid opening was postponed to old business.

Regarding the minutes of the last meeting, Councilwoman Melton asked that her statement concerning the Tides Tavern be changed to read "natural progression" instead of "non-progression" otherwise the minutes stood approved as posted and corrected.

CORRESPONDENCE:

The mayor introduced members of the advisory board: Rosemary Ross, Pat Borgen, John Ross, Jack Hersee, Nick Skansi and Roy Edwards. The mayor instructed them as to their jobs. He announced at this time that the harbor lines are established but not yet drawn.

SPECIAL GUESTS:

Jan Elmer of DAGHLM notified the council that March 4 through 10 will be their Spring Festival.

Monte Hester, attorney for Huber and Antilla, presented a statement regarding the apartment complex on Stinson and Foster. This is a negative declaration of significant impact on the environment. They must publish it for two consecutive weeks if it is approved tonight, Councilman Ekberg moved that it be tabled to the next meeting since this is the first contact with this law. It is more in the line of a formal approval--nothing more, said Attorney Hester. Councilwoman Bogue seconded the motion. Carried. Attorney Hester asked that this be heard at the coming special meeting on February 4. It was agreed that it could be heard at 8 p.m. The clerk will publish notice.

COMMITTEE REPORTS: Councilwoman Bogue reported that she and Allan Bucholz had visited Town Halls at Fife, Eatonville and Bonney Lake.

Councilwoman Melton asked if the agenda could be prepared a week ahead of time.

RB-1 ZONE: Councilman Hansen asked about Section 6-B.8. Does the word "submitted" mean left until the project is completed. A. Yes. It was suggested that "a minimum of two site plans be left with the Town Council. . ." Also, in Section 6-B.8, subsection d (1) b, "The total area of all buildings. . ." is to be inserted. It was given ORDINANCE No. 179 and read in its entirety. Councilwoman Bogue moved that it be adopted as read. Councilman Ekberg seconded and motion carried.

SEWER REPORT: Glen Sherwood said that to date 7700 lineal feet of main line sewer, or about 1/8 of the total main line, have been laid to date. Today a crew started on Harborview Drive. The weather has deterred surfacing. Rosedale is ready to restore but decent weather is needed. The floor slabs in the aeration basin are poured at the Treatment Plant. The mayor now suggests that this is the time to establish guide lines about drain lines and down spouts

not being hooked up to the sewer system.

Glen then brought up the Environmental Impact statement on Well #3. A public hearing will be held on March 11 at 8 p.m.

ORDINANCE #180 - GAMBLINE:

This was the second reading. Councilman Stainbrook moved that it be accepted. Councilman Hansen seconded. Carried.

MORRIS DOCK: The Morris hearing, where the Shoreline Management Hearing Board reversed the decision of the Town Council, was discussed because Attorney Ray Graves had written saying that his client, the Puget Sound Herring Sales was not apprised of the appeal. A re-hearing was requested. They appeal as intervening party.

BIDS:

There were no bids received on the 1970 Plymouth.

Newspaper Advertising: The Peninsula Gateway submitted a bid the same as the current rate. Councilman Hanson moved that it be accepted. Councilman Stainbrook seconded. Carried.

Administrative Car: There were five bids received, all excluding tax and license. There was a great deal of discussion. Councilwoman Melton was all for postponing action. She moved that all bids be turned down as submitted. Councilman Hanson seconded. Carried by 4 to 1 with Councilman Stainbrook voting no. All mileage will be recorded and paid for <sup>at 15¢ a mile.</sup> Councilman Hanson asked that it be reviewed in June/

REINVESTMENT OF FUNDS:

Councilman Stainbrook moved that the Clerk be instructed to reinvest the interest. Councilman Hanson seconded. Carried.

ADOPTION OF OFFICIAL ZONING MAP #2:

Councilman Stainbrook moved and Councilman Hanson seconded that the map be adopted. Carried.

Councilman Ekberg made suggestions about the agenda as previously discussed by Councilwoman Melton. He suggested a deadline of the Thursday preceding the meeting on old business.

He went on to suggest that the attorney contact the Shoreline Hearing Board requesting a rehearing on the Morris case. He then so moved. Councilman Hanson seconded. Carried 4 to 1 with Councilman Stainbrook voting no.

George Bujacich asked about a Fisherman's loading dock. Has there been any action. Mayor Bujacich said there is no soap at Stanich's dock, the Rosedale Street end is now a park and the one next to the Tides is not developable for lack of funds.

This was the end of the tape.

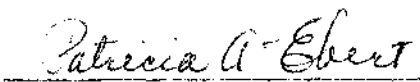
Since the next council meeting falls on a holiday the meeting will be held on February 12.

SIGN ORDINANCE: Tabled to next meeting.

Meeting adjourned at 11:15 p.m.

Tape 27 Side 1, 0 to End

  
Mayor

  
Assistant Clerk

SPECIAL COUNCIL MEETING - February 4, 1974

The meeting was called to order at 8:04 p.m. by Mayor Bujacich. Present were Councilwomen Bogue and Melton, Councilmen Ekberg, Hansen and Stainbrook, Attorney Johnson and Clerk Avery.

NEGATIVE STATEMENT OF ENVIRONMENTAL IMPACT:

This regards the Huber-Antilla apartment complex and the hearing was delayed from the meeting of January 28.

Mr. Robson, attorney for Huber and Antilla, was present as well as his clients. Mayor Bujacich asked for comments:

Councilwoman Bogue, who attended a meeting regarding this subject, said that the council had to decide one of two ways:

1. Whether it is a major development or not. It is discretionary since there was a choice that existed and it is non-duplicative because this is the first time we will have acted on an R-3 application. It then requires an impact statement.
2. If we decide it is not a major development then we can accept a negative declaration with supportive evidence and documentation.

Mayor Bujacich said he felt that the necessary research was taken care of at the time of the public hearings on both the Planning Commission and Council levels at the time of rezoning and also at the time of site plan approval.

Councilman Stainbrook said he felt that it had less impact since they planned to keep the more dense population at the top of the hill, not down near the water.

Attorney Hester had told them previously that the council could fulfill the requirements after the two published notices in case anyone objects.

Councilwoman Bogue was for more investigation because the council could not attest that they had fulfilled the five main categories as follows:

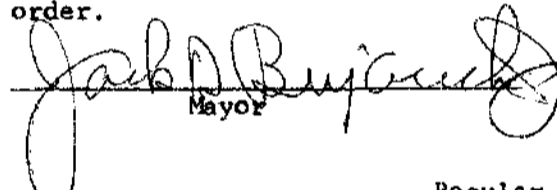
1. Proposed action - a historical outline.
2. Existing conditions:
  - Natural setting, and
  - Human use development or value.
3. Environmental impact of proposed action.
4. Any unavoidable adverse effect.
5. Alternatives to proposed action.

Councilwoman Melton said that a summary statement should be provided. A threshold statement would protect the council's decision.

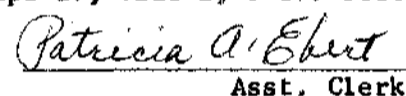
There was a discussion of the financial aspects of the delay.

Councilman Hansen moved that the negative declaration of significant impact on the environment by Huber and Antilla Apartments, Gig Harbor, Washington, be approved and signed tonight and that an official statement be made up by the Town Attorney and submitted to the City Council at the next meeting of the City Council. Councilwoman Melton seconded. Carried. Vote was three to two with Councilwoman Bogue and Councilman Ekberg voting no.

Councilman Stainbrook wished to make it clear that he had voted for it tonight because of the special circumstances, but in the future the statement should be studied in the logical order.

  
Mayor

Tape 27, Side 2, 0-179 Feet

  
Asst. Clerk

Regular Meeting, February 12, 1974

The meeting was called to order at 8:17 by Mayor Bujacich. Present were Councilwomen Bogue and Melton, Councilmen Hanson and Ekberg, Attorney Johnson and Clerk Avery.

The bills were approved upon motion of Councilman Ekberg, seconded by Councilman Hanson. Carried.

CLAIMS: D.Avery \$19.35 and \$39.58; R.Bogue \$18.25; Borgen & Johnson \$66.84; J.Bujacich \$10.95; Commonwealth \$15.75; Coast to Coast \$23.80; Conan's Fuel \$5.15; County Trsr.\$1831.00; D.Boyles Chevrolet \$16.75; P.Ebert \$21.96; Entenmanne-Robin \$30.30; G.H.Union \$3.47; E.H. Hardware \$16.94; A.W.Goodno \$12.30; J.Hibbs \$4.65; L.Herbert \$509.25; Isl.Emp. \$146.01; Kendall \$27.30; Lundberg Concrete \$42.00; Overall Laundry \$30.47; D.Oswalt \$3.15; NW Rental and Lease \$40.95; Pac.Water Works \$509.74; Peninsula Auto Parts \$218.92; Peninsula Gateway \$232.70; Peninsula Light \$306.72; P.C.Auditor \$3.00; PC. Trsr. \$54.08; Pioneer Bus. \$54.08 Purdy Realty \$50.00; Puyallup Tractors \$248.29; State Utility Tax \$272.25; Stutz Fuel \$31.61; Stationers \$11.54; United Supply \$11.54; Water & Sewage Works \$7.50; West Pacific \$17.96; Woodworth \$418.96.

PAYROLL: Mid-Month Withdrawals.

The minutes were questioned by Councilman Hanson who asked if a decision was made concerning mileage to be paid by the town. It was agreed that it was the intent of the council that 15¢ per mile be paid. Otherwise the minutes were approved as posted.

#### CORRESPONDENCE:

1. Planning Commission recommendation on the First Cardinal Group. Their public hearing was then set for March 11 at 7:30 p.m. A question was raised on their application for a Shoreline Management permit.
2. Planning Commission recommendation on the Allen variance request.
3. R.B.Allen letter requesting postponement of his council hearing.

#### SPECIAL GUESTS:

Dick Allen spoke on his behalf regarding his construction in the Pescadero Addition. He asked about the deeded road. He showed the Babich deed of 10 feet to the town. The mayor explained that only a portion of Chinook has been accepted. The balance has not been accepted because it was not brought up to specifications. The town cannot afford to surface the street. Mr. Allen then offered to grade the street to 40 feet at least as far as his lot. He did not feel that the right of way is in the correct location. Mr. Allen will have it surveyed. The town should have a finished plan to okay and the attorney will check on it and provide guidelines.

## REPORTS:

Glen Sherwood said that they have about 11,000 lineal feet of main line in now, out of a total of about 60,000 feet. They have started the asphalt treated base on Rosedale Street. At the treatment plant the slabs are poured and the wall will be started tomorrow on the chlorine contact chamber and on the 21st at the aeration basin. Side sewers are being installed by a sub-contractor and there are some problems.

The method of surfacing was discussed. Councilwoman Bogue told about the hazardous condition that exists at the top of Stinson and asked if grading could be done there and the hump reduced before the asphaltting is begun.

Mayor Bujacich reported that the chance for Urban Arterial funding is not too great. The local sales tax will be considered at the legislature's reconvention in April. He went on to say that he had a report on a bill in Olympia that concerned water and sewer rates. It would have allowed the county to set rates, but the bill appears killed now. He added that he had talked with Allen Bucholz on the square footage of the prospective town hall.

Mayor Bujacich then reported that on Bayridge Avenue the front setback on the east side caves away. The town should initiate a variance to allow people to build there without a front setback. Perhaps it could be researched by the Planning Commission.

SIGN ORDINANCE: There was a great deal of discussion. Councilman Ekberg had submitted his version along with the Planning Commission's proposed ordinance, and he also submitted a rough draft of a moratorium; this was accepted as the first reading tonight. Councilman Hanson moved that the proposed ordinance providing for a moratorium on new sign construction and sign remodeling in the Town of Gig Harbor be considered a first reading at this meeting of February 12. Councilwoman Bogue seconded. Carried. Councilwoman Bogue suggested a study session on the sign ordinance itself as well as a study session on codification. This was set for February 25 at 7 p.m.

ZONING MAP DUPLICATION: They agreed to have a photographic copy made for \$30.00 and can then have positives made for sale.

UNION ARBITRATION CONTRACT: There was discussion and recommendations for change but it was decided to submit it as it is by the negotiator, David Gravrock. The mayor had appointed a civil service commission of George Janovich, Rudolph Nikolac and Nick Markovich, Jr., The clerk was instructed to call Mr. Gravrock and tell him to submit it.

LIQUOR LICENSE APPLICATION BY HARBOR INN:

Application was received for an A & C class license for the new lower floor at the Harbor Inn. There were no objections.

PLANNING COMMISSION APPOINTMENT: None was made.

Councilman Ekberg had questions on the following:

About the negative statement of environmental impact. Attorney Robson is making it up. Councilwoman Bogue stressed that the council has to decide yet if it is a major project with major or minor implications or if it is a minor project. Councilman Ekberg would like to see the City of Renton Environmental Impact work sheet discussed at the next meeting. He asked about the Buck & Company signs.

He said that the insurance appraisal on the library building has been run at \$33,000. The town needs \$27,000 on the building. The town owns tables, chairs and some books and the historical society owns a showcase, all of which are not covered. The board will make an evaluation.

It was reported that the Cessna Tax Service has been served with a summons and set for trial.

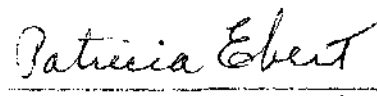
SEWER WARRANTS: Councilman Ekberg moved and Councilwoman Melton seconded that the warrants be approved. Carried.

Nelson Construction Co. \$84,773.87; \$7,546.77; Harold Ryan \$250.00; and Pease and Sons \$40,379.08 and \$4,250.43.

Meeting adjourned at 9:48 p.m.

Tape 27, Side 2, 179 to 759 feet.

  
Mayor

  
Asst. Clerk

Regular Meeting, February 25, 1974

The meeting was called to order by Mayor Bujacich at 8:08 p.m. Present were Councilwomen Bogue and Melton, Councilmen Hanson and Ekberg, Attorney Johnson and Clerk Avery. Councilman Stainbrook was not present because of other commitments.

Councilman Hanson moved that the bills be approved. Seconded by Councilman Ekberg. Carried.  
 CLAIMS: Badger Meter \$1165.75; County Treasurer \$76.22; Harbor Janitor \$40.00; Lundberg Concrete Pipe \$263.18; Vernon Lunde \$50.00; Nancy Melton \$4.00; NW Pipe \$84.84; Pacific Water Works \$530.42; Peninsula Gateway \$83.03; Perry's Auto Parts \$13.59; PCFD#5 \$1862.15; Pierce County Trsr \$9.19; Pioneer Business Forms \$43.87; Pitney Bowes \$28.35; Stationers \$19.64; U.S.P.O. \$80.00.

PAYROLL: Regular payroll plus Peninsula State Bank \$1548.40; City Credit Union \$236.00; Wash. Physicians \$110.80; Public Empl. Ret. \$390.37; Pub.Empl.Ret. \$826.76; Employment Security \$1,270.00; Dept of Labor and Industries \$65.15; EBP Trust \$74.19.

MINUTES: Councilman Hanson had two questions. He asked what the reference to the First Cardinal Group permit meant. The clerk will check with the Department of Ecology to determine the status of the Shoreline permit and applicability of usage. Also he questioned a reference to Buck and Co. signs. Did this mean the legality of the signs. No, said Councilman Ekberg. Other wise the minutes stood approved as posted.

#### CORRESPONDENCE:

1. Planning Commission recommendation on determination of zone prior to annexation.
2. Planning Commission recommendation on application of RB-1 zone to the triangle at top of the hill.
3. Airport Subcommittee meeting of the CAC.
4. Puget Sound Governmental Conference letter on flood and midslide protection. Another letter was recieved from them but the meeting referred to had already been held.

#### SPECIAL GUESTS:

Dick Allen again appeared and requested permission to grade part of Chinook to its full width of 40 feet. Mayor Bujacich felt that this portion had already been accepted by the town. The Town Attorney said that the town would have to conditionally accept the portion that Allen grades. The council should obtain public feeling on the matter and then give permission subject to the meeting of town specifications. The area should be surveyed and the improver should put up a bond.

There was a great deal of discussion. Dick Allen wished it made clear that he would improve only a portion of Chinook, not Tyee or Spring Streets. <sup>A COUNCIL MEMBER</sup> The council suggested a public hearing to get the adjacent property owners' ideas. Councilwoman Bogue wanted the council to make a personal appraisal of the situation. Councilman Ekberg wanted to see improvement of the entire road not just a portion. Glen Sherwood suggested a delay as the sewer contractor will be working there within two weeks and survey work will be accomplished soon.

Elmer Ackerman felt the road definitely needs widening and he is in favor of Mr. Allen's plan. Ralph Sulich feels it is time to widen the road.

The council suggested postponing a decision to the next meeting. The attorney will write a letter spelling out Mr. Allen's responsibilities and will furnish copies for the council.

#### REPORTS:

Glen Sherwood gave the engineering report. He said there is now 13,000 lineal feet of main line now laid. The side sewers are in on Stinson, the upper part of Rosedale and started on Peacock Hill Avenue. There are problems with the side sewer installation and the contractor must change sub-contractors. The walls are poured in the aeration basin and the chlorine contact tanks. The tanks are now being tested for leaks

Regarding the recent fatal accident, the town may be named as well as the Engineers and the contractor. The town's insurance agent should be notified.

Mayor Bujacich reported that the advisory committee for the master program met on Wednesday night. They are going over the zoning ordinance and waterfront usage.

#### ANNEXATION:

Clerk Avery reported that cards have been sent to residents of Shore Acres, Rushmore and Olympic Village advising them of an information meeting on March 13 at Harbor Heights School. Walter N. Hogan has signed an intent to petition to the town for annexation. So have the Ed McBride's of Shore Acres. Ryan, of Ryan's EXXON, is in favor also. The problem is to draw a contiguous boundary. The clerk assured John Gilich in the audience that service of sewers to these areas is in the offing because the town will be forced to provide eventual service to the county on a contract basis anyway.

A meeting regarding Mr. Hogan's <sup>†</sup>petition was set for March 25/

No hearing was set for the Determination of Zone Prior to Annexation.

COMMUNICATIONS FOR ROAD AND WATER CREWS:

Mayor Bujacich had obtained prices on 4 CB radios in trucks and one in the town hall. Walkie-talkies are also included in the price of \$1300.95 plus tax and installation from C & G Electronics. Councilman Ekberg, who had spent a day on the job with Jim Hibbs, said he agreed there is a need for communications. The council, however, would like to get more estimates.

Councilman Ekberg asked that discussion of a plan similar to the Renton plan for impact statement preparation be put on the agenda for next meeting.

GENERAL PENALTY ORDINANCE - FIRST READING.

SIGN MORATORIUM:

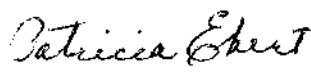
This is not yet re-written by the attorney through an oversight. Councilwoman Bogue moved that the second reading of this proposed ordinance amendment be tabled until March 11. Councilman Hanson seconded. Carried.

Councilwoman Bogue said that she and Councilwoman Melton had attended a meeting of the League of Women Voters who are collating information on the Port of Tacoma. Councilwoman Bogue asked permission to investigate the function of the Port so far as the local dock goes.

Meeting adjourned at 9:20 p.m.

Tape 27, Side 2, 760 feet to End.

  
Mayor Bujacich

  
Assistant Clerk

Regular Council Meeting, March 11, 1974

The public hearing was called to order by Mayor Bujacich at 7:30 p.m. Present were Councilwomen Bogue and Melton, Councilmen Hanson and Ekberg, Attorney Johnson and Clerk Avery. Councilman Stainbrook arrived at 8 p.m.

PUBLIC HEARING FIRST CARDINAL GROUPE CONDITIONAL USE PERMIT:

The mayor read the notice of public hearing and the recommendation of the Planning Commission. There were no comments in opposition. In favor was attorney Albert Malanca, one of the three owners, who explained that the previous proposal for the remodeling of the building failed because they could not borrow on the building without first obtaining firm commitments, meaning signed leases. These leases were impossible to obtain. Now they have a tenant for the building, compatible with the town, who would like to lease the building for up to four years until he can expand his own place of business. They have tried very hard, the First Cardinal Group, to provide community service and have tried to make use of the building to the benefit of the town.

The entire building will be used as a body and fender repair shop. The tenant has agreed to keep all vehicles in need of repair and all parts within the confines of the building and to keep the doors closed. Councilwoman Melton moved that we grant the application for the conditional use permit for the First Cardinal Group, including the restrictions as cited by the Planning Commission. Councilwoman Bogue seconded. Carried. Public hearing closed.

The regular meeting was then called to order with Glen Sherwood presenting the following:

ENVIRONMENTAL IMPACT STATEMENT ON THE PUMP HOUSE:

Glen Sherwood said it will be located behind the new treatment plant. The goal is to acquire a well site, construct a pump station and storage area. He gave the environmental aspects on the construction. There will be very little disturbing of the site.

Glen went on to correct Item F in the report. Tacoma did make a study for Pierce County in 1969, and it encompasses a 40-year period.

Steve Phipps, in the audience, asked if this conflicts with the McKenzie property. The answer was in no way.

Councilman Stainbrook moved that we adopt the Environmental Assessment for the construction of a well and pump house. Councilman Hansen seconded. Carried. The regular meeting was resumed.

Bills: Councilman Stainbrook moved and Councilman Ekberg seconded that the bills be approved. Carried.

CLAIMS: Arrow Signs \$198.45; D.Avery \$9.30; D.Boyles \$16.89; J.Bujacich \$71.75; Conan's \$59.46; M.Davis \$18.00; P.Ebert \$9.15; G.H.Ins. \$45.00; G.H.Union \$5.25; C.Glaza \$4.20; Isl. Emp. Tele. \$184.71; J.Kenman \$25.00; Lundberg Concrete \$23.67; Overall Laundry \$54.08; Pacific Water Works \$2222.60; Pen.Auto Parts \$48.78; Pen.Light \$346.83; Pioneer \$27.45; Posie Patch \$27.85; Print NW \$175.72; PS Air Poll.\$198.00; Sumner Med.Lab. \$35.40; Stationers \$11.23; Newton Ford \$129.92; Borgen & Johnson \$611.28; Econolite \$280.35; Spadoni Bros \$580.77; Timco \$135.66.



PAYROLL FUND: Regular Mid-Month Withdrawals.

MINUTES:

Councilwoman Melton questioned that portion of the minutes under Special Guests. It should read "A council member suggested. . ." instead of "The Council suggested. . ." Add to the minutes: This is the first reading of the general penalty ordinance. Otherwise the minutes stood approved as posted.

REPORTS:

Jim Hibbs said we need a penalty or fine imposed on damage caused by contractors. This is to be established by the council. By law it is set at \$300. An itemized bill will be sent to the attorney who will mail it on with a cover letter.

CORRESPONDENCE:

1. Planning Commission recommendation on airport expansion. Referred to new business.

SPECIAL GUESTS:

George Bujacich, at Councilwoman Bogue's request, reported on the fisherman's dock. They would like just a loading dock with the following criteria:

1. Adequate water on most tides.
2. Wide enough to drive a truck on it, and
3. Perhaps a crane.

Most fishermen now use nylon nets and no longer need net sheds. They would like facilities whereby they could load their gear. The council felt it should be at least two lanes wide/

Other Meetings: Mayor Bujacich mentioned a map on comprehensive study. The county will not have one until May.

On Wednesday a meeting will be held at Harbor Heights School on the possible annexation of Shore Acres, Rushmore and Olympic Village.

OLD BUSINESS:

Mr. Allen was again present regarding the grading of a portion of Chinook. The mayor said that the portion of the road in worst need of repair is at the end of the dedicated portion. He felt the town might run into trouble allowing a road that runs in sections such as a narrow section, then a graded section, then an unimproved section. It then developed that Mr. Allen intends to grade only to just past the beginning of the Squires property, not to include his own property as originally reported.

Attorney Johnson cited the town's power regarding streets. A street can be improved either under a LID or by the town itself. He suggested following the same framework as though they were contracting to have the job completed. Stipulations are a performance bond and insurance. He said there should be consistency--there should be a uniform plan of construction. He is concerned about a liability suit for hazard or entrapment since the street would go from wide to narrow and from shoulder to no shoulder. The mayor called for comments from the audience.

JACK SQUIRES said he could not comment because there is no plan on paper.

The council was to determine tonight whether Mr. Allen should go ahead and start the plan thus entailing a survey. Then the council would approve an engineered plan.

At this point it was determined that there was a misunderstanding. The road would be only 24 feet in the width of the blacktop and the balance would be cuts and ditches, not the full width of 40 feet as envisioned by Mr. Allen.

Glen said a portion of the street would be power poles, fire hydrants, etc. The power company has the right to set their poles in the right of way--they cannot string their lines over private property. Then Allen suggested that the light poles be incorporated in the parking area. This suggestion was not found to be feasible.

ELMER ACKERMAN, owner of two developed properties on the street, said he is thinking about widening the balance all the way up. One council member then suggested that he and Mr. Allen get together and plan the whole thing. Councilman Ekberg was all for a LID to improve the entire street in one package.

DAVID SKRIVANICH feels that Mr. Allen is only asking for approval to work on the town-accepted portion.

Councilwoman Melton moved that Mr. Allen's request be okayed if he meets the town specifications and the council okays the plans. The motion died for lack of a second.

Councilman Hanson moved that Mr. Allen's request to bring the road up to standard be approved providing it be surveyed, that he comply with town specifications, post a bond to cover the cost of the project and a certificate of insurance furnished. Councilwoman Melton seconded.

*from Rosedale to Chinook*

Councilman Ekberg moved that the project be amended to include all of the entire street. Councilman Stainbrook seconded the amendment. Motion to amend carried with Councilwoman Melton voting no. The original motion was then voted and carried with Councilwoman Melton voting no. The approval of the project is subject to approval of the plans.

At this point a short recess was called and then the meeting was resumed with a second reading on the SIGN MORATORIUM. This has been assigned Ordinance #181. This was moved for adoption by Councilman Ekberg, seconded by Councilman Stainbrook. Carried unanimously.

RB-1 PROPOSAL: A public hearing was set for April 8 at 7:30 p.m.

DETERMINATION OF ZONE PRIOR TO ANNEXATION: This discussion was tabled until after the meeting on Wednesday because this informal meeting will yield a lot of input regarding this subject.

PENALTY ORDINANCE #182: Second reading. This was approved upon motion by Councilwoman Bogue and seconded by Councilman Stainbrook. Carried.

CODIFICATION PROJECT: Questions were asked of the attorney. He will bring the answers to the next meeting

MEETING DATE FOR COUNCIL AND PLANNING COMMISSION: Monday night, March 18, 7 p.m. at the Town Hall. They will publish it as a study session with codification and radio equipment to be discussed as well.

RADIO COMMUNICATIONS: Motorola had been contacted but proved to be much too expensive. It was suggested by Councilman Hanson that C & G Electronics be contacted to give a final estimate including installation.

SEWER WARRANTS: These were approved upon motion of Councilman Hanson, seconded by Councilwoman Melton seconded. Carried:

A. Wayne Goodno, \$579.50; Nelson Construction \$126,690.37; Bellingham Nat'l Bank \$6667.92; Delta \$8,257.00; Pease and Sons \$53,272.70; and Bank of California \$5218.92.

ORDINANCE #149 concerning reimbursement was found to be incorrect. It will be amended to 15¢ per mile and changed to read appointed officials and employees of the town.

Councilwoman Melton had attended a session on legislative changes and made suggestions, among them that the Clerk keep a daily record - a log of citizen's inquiries.

Councilman Hanson pointed out the drainage problems that ensue after large land clearings are made. He went on to say that he felt the airport problems have a larger impact on the town than any other one thing.

Councilman Ekberg spoke on the flood and mudslide protection insurance. He will fill out the form but needs some help. He wants to work some more on the impact statement. He suggested certificates of insurance from contractors working in the town. He added that he objects to Sections 3, 5 and 6 of the Negative Impact Statement of Huber/Antilla.

Meeting adjourned at 10:48 p.m.

Tape 28, Side 1, 0 to End.

*John Bujacich*  
Mayor Bujacich

*Patricia Ebert*  
Asst. Clerk

Regular Council Meeting, March 25, 1974

The meeting was called to order by Mayor Bujacich. Present were Councilwoman Bogue and Melton, Councilmen Ekberg and Hanson, Attorney Johnson and Clerk Avery. Councilman Stainbrook was not present.

Councilman Hanson moved that the bills be allowed. Seconded by Councilwoman Bogue and carried.  
CLAIMS: Petty Cash \$33.90; Book Publishing \$42.12; Harbor Janitor \$40.00; Marvin's Serv. \$36.49; NW Petroleum \$7.90; NW Rental \$67.55; Pac. Water Works \$3451.34; Pen. Gateway \$23.56; Peninsula Public School \$12.50; PCFD #5 \$1862.15; Pioneer \$228.11; Steven Mtrs \$22.59; State of Wash \$78.73; Stationers \$7.96; Woodworth \$255.15; P. Ebert \$60.00; C.H. Insurance \$1343.00; Kendall \$85.05; Spadoni \$343.35; Stutz Fuel \$164.56; PG Library \$2686.17.  
PAYROLL: M. Calloway \$244.78; D. Opdyke \$309.24; D. Karlson \$299.05; A. Tomlin \$253.24; D. Fuller \$298.54; F. Ruff \$95.24; F. Ruff \$95.24; D. Oswald \$84.29; D. Johnson \$254.84; J. Bujacich \$35.21; A.W. Goodno \$215.87; D. Avery \$390.96; P. Ebert \$233.95; M. Michaelson \$321.98; B. McMillan \$71.67; J. Hibbs \$294.17; J. Anderson \$295.09; K. Snyder \$368.11; G. Tannahill \$358.07; G. Clark \$395.62; W. McIntyre \$142.29; R. Bogue \$15.86; G. Stainbrook \$16.94; N. Melton \$16.94; J. Hanson \$16.94; S. Ekberg \$16.94; Pen. St. Bank \$1422.90; Credit Union \$236.00; Wash. Phy. Serv. \$110.80; Pub. Empl. Ret. System \$392.27 and \$699.18; Empl. Sec. \$1260.49; Dept. of Labor \$90.14; EBP Trust \$178.05.

MINUTES: Councilman Ekberg wished it clarified that his statement in the last minutes which read, "All of the entire street," be changed to read "All of the entire street from Rosedale to Chinook". He meant his statement to include Rosedale, Tyee and Spring Streets. Otherwise

the minutes stood approved as posted

CORRESPONDENCE: None

LETTER OF INTENT TO ANNEX - WALTER HOGAN:

Mr. Hogan and his attorney were present. It was required of the council that they show their intent to either accept or deny. If they accept the next step required is that Mr. Hogan file a petition for annexation. Mr. Hogan wishes to leave it zoned as it is in ;the county, or C-2.

Councilwoman Bogue asked about acreage. Mr. Hogan said it is a little over 13 acres, about 50% of which is occupied now. Mr. Hogan owns all the area on this side of the highway within the circle of the overpass. It generates at least \$12,000 a year and with the anticipated building the tax base should double. It must be allowed to stay the equivalent of County C-2, he reiterated. He plans to develop the entire property. He would like police protection but he has his own water system.

There was a question at this point if the council can state their position in advance.

RUDY NIKOLAC asked a question from the audience. He wondered what kind of impact the annexation might have upon the town's own facilities. The police department is more than adequate to cover it. The sewer system can handle the area easily. The roads are good so there is very little maintenance required. The council decided they had no opposition to the letter of intent. Mr. Hogan will be in to file the petition for annexation.

REPORTS:

Jim Hibbs asked if he could have telephone cables installed to pumping station No. 1. The automatic shutoff control failed on this pump and it was traced to a broken wire, about 5000 feet of which are buried underground and impossible to find. He has spoken with a control expert who said new controls could be bought for \$238.50, floats about \$100 and telephone cable for \$600. This is a total of just under \$1,000. The telephone company collects a monthly charge but they maintain the line. It is a necessity and Jim was given the go-ahead.

Glen Sherwood said that now there is about 17,000 lineal feet of main line laid, or 28% of the total. They made good progress on Judson and Stanich Streets but Franklin and Prentice are slower mainly because of the depth of cuts. At the treatment plant 3 structures are poured and so are footings for the control building. Today the base to the grid chamber was laid. The engineers would like to discuss street restoration and cannot proceed to lay further line on Soundview or Pioneer until Stinson, Peacock and Rosedale Streets are restored.

ADVISORY STAFF ON SEACOAST MANAGEMENT: Mr. Allan Rowe was present and a contract for \$1500 has been prepared. It was discussed whether the \$1000 in the budget under Planning, Professional Assistance, could be used. Councilwoman Melton thought the price was fair but would like to know more about the qualifications of the young men doing the consulting. She was assured that they are professional planners. Councilwoman Bogue moved that the proposal for developing the Shoreline Management plan be approved. Councilman Ekberg seconded. Carried. Mr. Rowe's committee will meet with the local group.

RADIO COMMUNICATIONS:

Mr. Dennis Reanier of C & G Electronics was present to explain their proposal for CB radio equipment. He explained that the Messenger 120 with AC adapter, antenna on the roof, 4 radios in the vehicles and 2 hand-held units with external chargers are about 20% of the cost of other deluxe systems. The company will furnish the above for \$1273.29 and installation of \$299 for the whole system. They can guarantee the radio but not the way it may operate, at least so far as CB equipment is concerned. He went on to offer completion of the system within 30 days. It must be licensed and licensing is fairly slow. Repair service was discussed. Councilwoman Bogue then moved that the C&G proposal as described above be accepted. Councilman Hanson seconded. Carried.

DETERMINATION OF ZONE:

The Council's main opposition was limiting the public's right to be heard. There was a question of whether you can determine the proper use of property before it is annexed to the town, then hold another meeting and annex at that time. The attorney will make a recommendation on the proper legal facets. Perhaps it is better to title this subject: "Determination of Zone to Property Being Annexed."

Councilman Hanson moved that the discussion on CODIFICATION be tabled to a study session to be held on April 1 at 8 p.m.

ORDINANCE No. 149 - REIMBURSEMENT: The attorney was instructed as to the exact wording to which to amend this ordinance. This is considered the first reading of this amendment.

RECOMMENDATION ON AIRPORT EXPANSION:

Councilman Ekberg moved that the council send a letter at the Planning Commission's request. The letter should state that the Council goes on record as opposing any further expansion of the Tacoma Industrial Airport or of making it a headquarters for any firm or organization engaging in the flying of helicopters from this airport and the letter is to be sent to the Pierce County Planning Commission, the County Commissioners, the Port of Tacoma and the City Council of Tacoma, Councilman Hanson seconded. Carried.

TOWN HALL PLANS:

Until the adjacent property owners are contacted any action will be postponed.

DEPARTMENTAL LOG:

At the previous meeting Councilwoman Melton had requested that the clerk keep a log of citizen input so that the council members could get an idea of what went on at the Town Hall. She felt it was logical since the clerk is the town government from 9 to 5. Councilman Ekberg would have liked to have the clerk included in the agenda under reports of department heads and he would have liked a report from the building inspector with the number of permits issued and a report from the street and water crews. Mayor Bujacich felt that it created too much paper work and said that no such reports will be made.

SIGN ORDINANCE:

Councilwoman Bogue passed out copies of another sign ordinance to consider.

OUTDOOR MUSIC AT THE FOXY LADY:

Councilman Hanson moved that we grant it for the two proposed days on the water side of the building from noon to 6 p.m. Councilman Ekberg seconded. Carried.

PURCHASE OF PROPERTY BEHIND THE PUMP HOUSE:

Mr. Colin Condit will sell 1½ acres for \$5950 if we provide him with an access and provide a screening of trees. The property was recently appraised by Tom Morris at \$1875 an acre. Councilwoman Bogue asked Attorney Johnson to find out if the 10% above applies to anything besides condemnation.

STINSON HILL:

Mayor Bujacich had an estimate from Spadoni's for the overall cost of widening, cutting and filling a portion of Stinson from Ancich's property to below Crum's driveway. It would knock about 2 feet off the crown of the hill and fill in two low places.

INSURANCE:

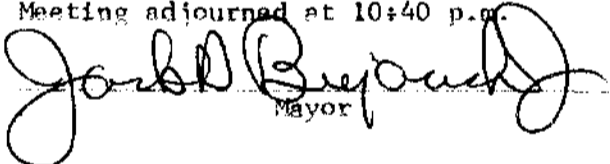
Councilman Ekberg said the town is underinsured so far as liability goes. He proposes a policy that provides the town with a million dollars above the \$300,000 per person now in effect at a cost of \$325 a year. He recommends it highly and the remainder of the council agreed. He will notify Mr. Gilbert.

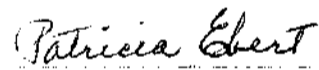
Regarding the flood and mudslide protection for the town, it must be applied for within 6 months. If the town does apply amendments must be made designating certain areas of the town hazardous where special building codes must be enforced.

He had prepared work sheets on the possible form to follow on Environmental Impact Statements. He asked that this be put on the agenda for next meeting.

Meeting adjourned at 10:40 p.m.

Tape 28, Side 2, 0- to End.

  
Mayor

  
Asst. Clerk

Regular Council Meeting - April 8, 1974

The meeting was called to order by Mayor Bujacich. Present were Councilwoman Bogue, Councilmen Hanson, Ekberg and Stainbrook, Attorney Johnson and Clerk Avery. Councilwoman Melton was unable to attend because she was ill.

PUBLIC HEARING: RB-1 ZONE APPLICATION TO TRIANGLE AT TOP OF PIONEER

The hearing was opened to comments both for and against. There were no comments from the audience.

Councilman Ekberg wondered if an Environmental Assessment is necessary on a rezone. It was not determined but it was felt that it might be better to provide one. Councilwoman Bogue moved that the hearing be postponed until an Environmental Assessment statement and/or a Negative Declaration can be prepared by the town. Councilman Stainbrook seconded. Carried. Public hearing closed and regular meeting opened.

Councilman Hanson questioned the bill from Marvin's Service. He felt there should be more of a breakdown on mufflers and brake service. He asked if a log is kept by a department for work done on each vehicle. He suggested that Chief Galloway be asked to keep such a log. Councilman Hanson then moved that the bills be approved as submitted. Councilman Stainbrook seconded. Carried.

CLAIMS: Bee's Barn \$31.50; D. Avery \$20.25; Borgen & Johnson \$152.67; J. Bujacich \$43.54; Coast to Coast \$1.67; Commonwealth Title \$105.00; Conrad & Johnson \$180.98; County Treasurer \$23.00; P. Ebert \$21.96; G.H. Machine \$33.60; Isl. Emp. \$159.06; Marvin's Service \$306.65; N. Melton \$12.15; Overall Laundry \$74.35; Oxygen Sales \$3.89; Pac. Water Works \$143.16; Peninsula Auto Parts \$113.71; Pen. Gateway \$27.05; Pen. Light \$298.66; Pioneer Bus. Forms \$11.88; Strohs \$5.99; Stationers \$29.83; Fed. Comm. Comm \$20.00.

PAYROLL: Regular Mid-month withdrawals.

The minutes stood approved as posted.

CORRESPONDENCE:

- 1. City of Tacoma letter regarding the airport use.
- 2. Delta Engineering letter regarding the Sewage Treatment Plant. It is now required that additional laboratory equipment be installed to test for bacterial count. This necessitates an expenditure of \$950.50, not budgeted in the sewer bid.

SPECIAL GUESTS:

Peter Stanley of the Tides Tavern asked if he could use lots across the street from his tavern for additional parking. He was told to get together with Wayne Goodno to work something out.

REPORTS:

Glen Sherwood reported that 24,000 lineal feet of main line sewers are installed to date, or about 30% of the total. March's progress was good. They are presently in some problem areas on Foster Street and between Hill and Pioneer.

They intend to pave Peacock and Rosedale as soon as weather permits. As soon as the lines are in on Stinson they will pave it too.

At the treatment plant the grid chamber is poured. They will pour the pumping station floor slab in the morning.

Rudy Nikolac, in the audience, had given the town an easement to go through his property but would like to know what they plan to do to restore it. All the natural growth to his east side is now gone and that was all the privacy he had. He was told that he could plant the smaller things, but not trees.

They talked about the easements held by Chris Palzer. It was agreed that the town will condemn.

Charles Lane will be heard in public hearing before the Shoreline Management people at the South Sound Boards office at 9:30 a.m. on May 10. The attorney will attend. All adjacent property owners will be notified by the town.

DETERMINATION OF ZONE: The meaning was unclear to the attorney the way the proposed ordinance was written. He will get some ordinances from other towns and the council can choose or combine.

REIMBURSEMENT ORDINANCE #149 - Second reading of Amendment, Now Ordinance No. 183: Councilman Stainbrook moved and Councilman Hanson seconded that it be approved. It was read in its entirety by Mayor Bujacich for the benefit of those in the audience who were not here the last time. Motion carried.

SIGN ORDINANCE: This was construed as the first reading:  
 Councilman Ekberg brought up the following:  
 Announcement Signs: Size quoted was very small. He suggests increasing the size from the one square foot size quoted to 2 square feet.  
 Neighborhood Identification Signs: No size limitation was given. He suggested a 12 square foot size and a height of six feet or to comply with state regulations.  
 Political Signs: He suggested that all such signs shall be removed not later than five days afterward.  
 Councilman Ekberg suggested that signs of letters (or cut-out letter signs) be included here as they were left out of the body of the ordinance. These are not be larger than building signs. Section 3.1(b) Permit Fees: He suggested increasing the fee. Perhaps \$5.00 plus 10% of the value of the sign.  
 He also suggested a height limitation. Signs shall in no case extend over the roof of the building to which it is attached. A sign or cut-out letters attached to the side of a building shall not exceed the height of the building. The same applies under building signs. Under moratorium add at the end ". . .or to comply with this ordinance."  
 Under city entrance signs there are no size regulations. These should be no larger than 12 square feet and no higher than six feet or to comply with state regulations.

ORDINANCE UPDATING THE GENERAL PENALTY PROVISIONS OF EXISTING ORDINANCES: First reading.  
REPEAL ORDINANCE FOR CODIFICATION PROJECT: First reading. The council was instructed to list all the sections of the ordinances they wish repealed.

WALTER HOGAN ANNEXATION HEARING: June 10 at 7:30 p.m. was set.

ENVIRONMENTAL IMPACT WORK SHEETS:

Councilman Hanson moved that we adopt this as a procedure to be followed in applying for anything other than single family and pertinent structures and that it be put into a fill-out form. Councilwoman Bogue seconded. Carried. Councilman Hanson will help to prepare the forms.

ORDINANCE PROVIDING FOR DEFINITIONS APPLICABLE GENERALLY TO ORDINANCES OF THE TOWN: This is the first reading tonight.

PROPERTY FOR NEW WELL AND PUMP HOUSE: The attorney answered the questions from the last meeting. There is no restriction of a certain percentage over assessed valuation. The town can pay what the town feels is appropriate. The council agreed that they will measure for usable area before making a decision.

STOP SIGN AT TOP OF STINSON: Councilman Hanson wondered if it could now be made a two-way stop at the top of Stinson instead of 4-way. He was told that it was done for the safety of the school children.

STINSON HILL CUT: Councilman Hanson questioned the decision on the cut. He was told that the contractor feels that 50% of the resurfacing is his responsibility. Glen Sherwood told the council that in most places the resurfacing of roads will use a 2 $\frac{1}{2}$ " treated base-1 $\frac{1}{2}$  inches of ATB over the cuts and then a 1" surface over all. It may require more on some surfaces.

SEWER CONSTRUCTION FUND WARRANTS: Councilman Stainbrook moved that the warrants be approved and it was seconded by Councilman Hanson. Carried.

Delta Engineering \$7131.00; A. Wayne Goodno \$634.95; Nelson Construction \$157,579.38 and \$8293.65; Pease and Sons \$36,133.70, \$219.00 and \$1587.68.

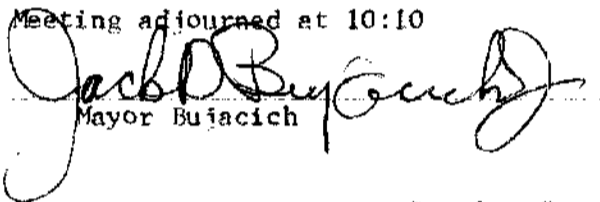
FLOOD AND MUDSLIDE INSURANCE: Certain areas of the building permit form must be changed, said Councilman Ekberg. He passed out two ordinances that deal with the proposed insurance. This is considered the first reading of both.

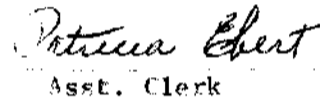
TOWN HALL SITE: Regarding questions asked at the last meeting, Mayor Bujacich reported that the Olson's have no objection to the parking. The council agreed that Allan Bucholz will be instructed to proceed with the plans after they have discussed footages with him.

ALVESTAD WATER: Councilwoman Bogue reported that Mr. Alvestad would like to connect to town water and she wondered what to tell him especially in view of the fact that a main passes the corner of his property;

Meeting adjourned at 10:10

Tape 29, Side 1, 0-819

  
Mayor Bujacich

  
Asst. Clerk

Regular Council Meeting - April 22, 1974

The meeting was called to order by Mayor Bujacich at 8 p.m. Present were Councilwomen Bogue and Melton, Councilmen Hanson, Ekberg and Stainbrook, Attorney Johnson and Clerk Avery.

The bills were approved upon motion of Councilman Hanson, seconded by Councilman Ekberg. Carried.

CLAIMS: Atlas Foundry \$358.58; Connell's Office Equip \$89.25; P. Ebert \$8.01; A. Goodno \$19.50; Harbor Janitor \$40.00; NW Petroleum \$7.11; D. Oswalt \$3.30; Pac. Water Works \$1229.21; PCFD #5 \$1862.15; Dept of Revenue \$110.58; Stationers \$4.70; Conan's Fuel \$20.95; USPO \$80.00; Woodworth & Co. \$198.45; Petty Cash \$27.41.

PAYROLL: Regular Payroll and Pen. State Bank \$1520.00; City Credit Union \$236.00; Wash. Physicians Service \$110.08; LEOFF \$411.15 and \$746.83; Empl Sec. \$1291.52; Dept of Labor \$95.93; EBP Trust \$104.98.

The minutes stood approved as posted.

CORRESPONDENCE:

1. Cable TV of Puget Sound letter requesting a meeting with the council regarding a franchise. Councilman Hanson requested a proposal from them. They will submit it next meeting.
2. Planning Commission letter requesting a study session with the council. It was set for Monday night, April 29 at 8 p.m.

SPECIAL GUESTS:

Larry Blum of Affiliated Yacht Marine requested permission to keep their sign despite the moratorium since he said they got it up before the moratorium went into effect. The sign itself is legal in size but if it does not meet the new regulations soon to go into effect they will gladly change it. They were told they could leave it until the new ordinance is adopted.

Frank Corazin of 6714 Cascade Avenue spoke regarding his sewer hookup. Since his house had not been built at the time the assessment roll was begun, the line was not run to unoccupied property. Now he said he would have to put in 260 feet of line and perhaps an additional manhole and it would cost him \$2000 more than any of his neighbors. He feels that it is not fair and he cannot afford it even though he would stand to receive a pro-rated share when the remainder of the property is developed under future reimbursement. Glen Sherwood said the roll cannot be altered. He went on to say that he had looked the problem over also. They probably would not need a manhole since they could extend the existing manholes to 400 feet apart. The mayor wondered why the town could not put the entire line in now and collect only his share. Councilman Hanson suggested that they find out about this so-called "extension of credit." Under this plan the town would then collect the pro-rated shares themselves when other property owners hooked on. The attorney will check into it. It would be a matter of new bid calls with the same contractor.



Roy McDonald of 4024 Burnham Drive would like to have a fluorescent light shaded so that it does not continuously shine on his house. He has little traffic past his house and feels that the maximum amount of light should be directed toward the intersection below. Councilman Hanson suggested that it be done but that Mr. McDonald pay the cost of the reflector. He was given the go-ahead from the council.

Jean Fancher, American Red Cross, spoke on the Supplementary Income Alert. She asked for the help and cooperation of the town in spreading the word that their van will be here in town on Friday.

Richard Johnson, surveyor, had an application on behalf of the Stanich Brothers to install a 170 foot float out from their existing dock. He was advised that it must be advertised twice and then a public hearing held. June 10 at 8 p.m. was set for the public hearing.

DETERMINATION OF ZONE: Attorney Johnson introduced attorney Sam Allotta who is representing Mr. Walter Hogan. Attorney Allotta had been consulted about means of streamlining the annexing of property and reported that there are two methods:

1. The proposal of the Planning Commission might be all right but it is copied from a Maryland ordinance and is completely untried in this state.
2. It is possible to amend Section 24 of Ordinance 109A by including one sentence to comply with Sections 35.13.177 and 35.13.178 of the RCW. Under this procedure the Planning Commission would study the area under question and prepare a comprehensive land use plan. The legislative body of the town would then hold two public hearings upon the proposed plan. The annexation could be further expedited if the first annexation hearing could be held at the same time as the second hearing on the comprehensive plan. The annexation could, therefore, take place in a more orderly and less costly fashion. It would benefit all because under these provisions the annexee would know the zoning before he applied and it would take only three public hearings against the five now required. This is considered the first reading tonight and the council can study the proposal in the meantime.

SEWER REPORT:

Glen Sherwood said that they had good conditions on McDonald and Grandview but are running into a bit of a problem on Shyleen. The other crew working near the Shoreline are making good time even though they are now approaching some of the deepest cuts of the entire project--to 26 feet deep.

The paving crews have completed three-quarters of the remainder of Rosedale. The paving machine is now broken down and it is not known when paving will resume.

There are now 27,000 lineal feet of main line laid. At the treatment plant they are ready to pour the second clarifier. They will then smooth the area out in good shape.

Pumping Station #2 is now completed and is being tested by the supplier. Station #3's shell is built but the entire station is not yet completed.

SHORELINE MANAGEMENT PROGRESS: Dennis Clarke said the Shorelines committee will held their first public session on May 1st at the Town Hall at 7:30 p.m. and they will discuss pleasure boating and facilities.

SIGN ORDINANCE - 2nd Reading:

There was a great deal of discussion concerning this ordinance. Mayor Bujacich felt that a portion of Section 3.1 (b) was questionable in meaning. Councilman Stainbrook moved that everything in Section 3.1(b) after the words "\$5.00 plus 10% of the value of the sign..." be stricken from that paragraph. Councilman Hanson seconded. Motion carried with 3 ayes and 2 nays. Councilman Ekberg moved that Ordinance 109D be approved as amended and corrected. Seconded and carried.

ORDINANCE UPDATING THE GENERAL PENALTY ORDINANCE - 2nd Reading - Ordinance #184:

Motion by Councilman Stainbrook, seconded by Councilwoman Melton, that their ordinance be adopted. Carried.

REPEAL ORDINANCE FOR CODIFICATION PROJECT: - 2nd Reading - Ordinance #185 Councilman Stainbrook moved for adoption, and Councilman Hanson seconded. Carried.

DEFINITIONS APPLICABLE TO ORDINANCES OF THE TOWN - 2nd Reading - Ordinance #186:

This is the sample ordinance that was required to be adopted. Councilwoman Bogue moved and Councilman Stainbrook seconded that this be adopted. Carried.

FLOOD AND MUDSLIDE INSURANCE ORDINANCES:

Flood Ordinance - Ordinance #187 - 2nd Reading: Approved upon motion by Councilman Hanson and seconded by Councilman Ekberg. Carried.

Mudslide Ordinance - Ordinance #188 - 2nd Reading: Approved upon motion of Councilman Stainbrook, seconded by Councilman Ekberg. Carried. One correction was made to each, that they read "Ordained," instead of "Resolved."

Also brought up for further study were:

Criminal Code

Three new ordinances pertaining to water system.

Authority to condemn form - First reading.

Ordinance Pertaining to Elections - First reading. This is an important ordinance which must be completed before codification is turned in. The next reading will be advertised to take place on April 29.

Councilman Hanson said he will be working on the rough draft of the FIS form.

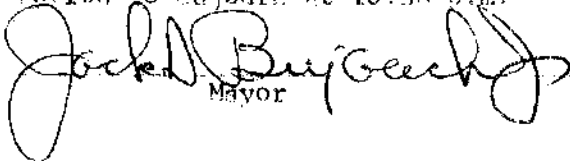
Councilman Ekberg said that the town must be mapped as to slide areas. Glen Sherwood did some work on it.

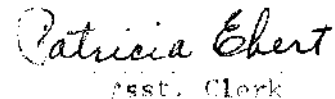
Councilman Stainbrook asked about the bad problem with loose gravel and rock on the corner of Peacock and Vernhardson.

Mayor Bujacich said he went out and looked at the Condit property. He said it is really not a usable area and recommends that we do not buy it.

Motion to adjourn at 10:38 p.m.

Tape 29, Side 1, 819 to End and Side 2 to 424

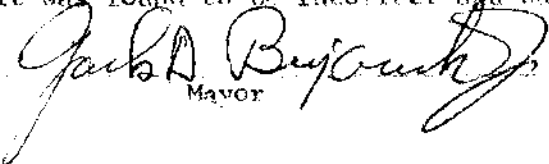
  
Mayor

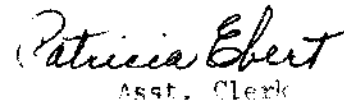
  
Asst. Clerk

Special Session - April 29, 1974

The council met to consider the adoption of an ordinance pertaining to elections. It had been read for the first time at the last meeting on April 22. It is needed to complete the codification project so the council was considering it at this special session.

It was found to be incorrect and was tabled upon motion and second.

  
Mayor

  
Asst. Clerk

Regular Council Meeting - May 13, 1974

The meeting was called to order by Mayor Bujacich. Present were Councilwoman Bogue, Councilmen Stainbrook, Ekberg and Hanson, Attorney Johnson and Clerk Avery. The bills were approved upon motion and second. Carried. Listed at end of minutes.

The minutes were corrected as follows: April 22, page 289, Determination of Zone, change the "five now required." to "four now required." Otherwise the minutes stood approved as posted.

CORRESPONDENCE:

1. Planning Commission letter on Hina/Euster/Boby request for rezone. The clerk was directed to write to the Planning Commission. They were to be asked to write to the principals regarding their findings. Then a public hearing will be set by the council if the principals wish to continue.

SPECIAL GUESTS:

Glen Stenbak, Assistant Chief of Fire District #5, spoke on the updated fire code. He said they have been able to offer only fire protection until now and fire prevention could be offered if each resident of Pierce County were covered by an arbitrary figure of 100 per head. He said he wished to advise the town now pending their approval.

Glen then asked if he could request that Nelson Construction Company advise the fire department day by day which roads will be closed to traffic.

REPORTS:

The earliest that Stinson Avenue can be paved is the 21st of this month.

Regarding the Shoreline Management appeal board hearing on Charles Lane, the decision will be rendered in about 6 weeks.

Allan Bucholz would like to get together with the council regarding sketches for the new town hall.

MUNICIPAL ELECTIONS ORDINANCE - #189 - second reading: This was moved for approval by Councilwoman Bogue, seconded by Councilman Ekberg. Carried.

CRIMINAL CODE: This is tabled to the next meeting but tonight is the first reading.

CABLE TV - Their proposal will be presented on the 27th.



DETERMINATION OF ZONE: The attorney said now that, working with Mr. Don Thompson, Mr. Sam Allotta, and the Chief Civil Deputy, it would be possible to combine the two ordinances. They would add to Section 1 that Section 24 of the zoning ordinance be amended, including the RCW before mentioned. It has the concurrence of Chief Civil Deputy Backstein. It will be tabled to the next meeting because copies of the new proposal were not furnished to the council in time.

AUTHORITY TO CONDEMN ORDINANCE - #190 - Second Reading: This was approved upon motion of Councilman Hanson, seconded by Councilman Stainbrook. Carried.

WATER SYSTEM ORDINANCES - First Reading:

Paul Flint was present and he said that the first two ordinances are similar but only one carries a penalty clause. Should the second one also carry a penalty? The increase in revenue will be between 20 and 25%.

Councilman Hanson was concerned with developing a more realistic projection concerning raising the rates. There will be more clarification of rate structure and minimum cubic footage by the next meeting.

HEALTH CLINIC: Mrs. Brodsack said they wished a letter of support from the town. The council agreed. The clerk will write a letter.

COUNTY COMMISSIONERS ACCEPTANCE OF FRANCHISE FOR SEWER LINES: This regards the portion on Soundview Drive which is still under county ownership. Councilmen Stainbrook and Hanson moved and seconded that the franchise be accepted. Carried.

STATE OF WASHINGTON INTENTION TO ANNEX: Councilman Hanson asked that a map be included in all annexation petitions.

ALTERNATIVE FOR WASHINGTON from the Governor: A conference is planned for July 12 at TCC Mayor Bujacich asked for a volunteer.

SEWER PROGRESS REPORT:

Glen Sherwood said that progress has been slow in North Harborview Drive. There have been the deepest cuts of the entire project and the ground has caved in badly. Rainier Avenue is finished and the private street off Stinson to the Harbormaster Apartments.

4000 lineal feet were laid last month and the main line is nearly 50% laid now.

The control building at the treatment plant is framed and sheeted. Nearly all the concrete work is done.

Pumping stations 1, 2 and 4 are done and waiting for installation.

The paver is scheduled back on May 21 and will do Stinson Avenue and as much of the other paving as possible. Labor stoppages are possible around June 1 because most contracts are up for renegotiation on that date. North Harborview Drive should be completed to Vernhardson by that date.

REFERENDUM 27 - GRANT APPROVAL OF WATER WELL: Put the acceptance of this grant on the agenda for the next meeting.

SEWER WARRANTS:

These were approved upon motion of Councilman Hanson, seconded by Councilman Stainbrook. Carried.

A. Wayne Goodno \$856.35; Delta \$8697.00; Nelson Constr. \$137,067.46; Nelson/Bellingham Bank \$7214.08; Pease & Sons \$34,179.00; Pease/Bank of Calif. \$1708.95

MORATORIUM ON ISSUANCE OF R-2 ZONE BUILDING PERMITS: This is the first reading.

UNION NEGOTIATIONS: It was decided by the council that the Chief of Police should not be a member of the union. There were no questions as to the suggested pay.

Councilman Hanson asked if the police have been keeping auto log reports as requested. The mayor will check on it.

Councilwoman Bogue asked if the red neon sign in the window of the Little Showcase is legal. The other tenants in the building are very opposed to it. Councilman Ekberg felt that the new sign ordinance did not permit it.

Mayor Bujacich brought up Peter Darrab's new sign and the new building that has been done there such as floats. The council discussed other signs. Attorney Johnson suggested taking a picture of Darrab's sign.

The meeting was adjourned at 10:35 p.m.

Page 7, Side 2, 0-829

Re-recorded from Nov 12, 1972

Mayor Richard

Christie Ebert  
Asst. Clerk

## MILLS:

CLAIMS: D. Avery \$25.65; Beale Fire Equip \$6.09; Brown and Johnson \$18.66; C. Burtisich \$29.70; Calif. State Univ. \$74.00; CFC Electronics \$356.64; Coast to Coast \$27.08; County Trees. \$38.04; C. C. Donworth \$15.00; D. Royles Chev. \$79.04; D. Young \$21.96; First Baptist Church \$13.39; G. H. Hardware \$9.81; G. H. Union \$7.99; G. L. Jeter Sand; Gravel \$5.46; Health Buff \$106.51; Island Empire Telephone \$172.76; Luthers \$1718.17; Overall Laundry \$66.40; MW Pat \$17.38; MW Pipe & Steel \$122.31; MW Rental and Lease \$40.95; Pac. Water Works \$631.56; Pac. Auto Parts \$130.56; Pan. Gateway \$280.90; Pan. Light \$274.39; Pacific Machine \$15.22; Powellton Tractor \$45.09; Rich's Auto \$26.25; South Coast Builders \$250.42; Sordons \$4304.00; Stutz Wheel \$110.29; G. Tannahill \$51.00; Stationers \$2.88; Union \$1 \$26.25; United Office \$173.25; Wallace & Therman \$78.74; Woodworth \$12.50; D. Avery Batter Cash \$12.30  
PAYROLL: Regular mid month withdrawals and Washington Physicians \$110.80

Regular Council Meeting, May 27, 1974

The meeting was called to order by Mayor Richard. Present were Councilmen Nelson, Councilman Ekberg and Hanson. Approver Sam Trencher and Clerk Garry. Councilman Horne is out of town and Councilman Steinbrooke father was ill.

The bills were approved upon motion by Councilman Hanson and seconded by Councilman Ekberg. Carried.

CLAIMS: Assn of Wash. Cities \$18.30; Betty Cash \$99.00; County Tree. \$28.59; Fr. B. Janitor \$60.00; Pac. Water Works \$2744.11; Paula's Towels \$15.75; Pumps \$1862.15; Pitney Bowes \$28.36; Schwab \$52.95; Shell Oil \$426.30; State of Wash. \$127.61; G. Tannahill \$82.65; G. Tannahill \$22.75. The Stationers \$38.86; U. S. P. O \$70.00.

PAYROLL: Regular Payroll plus Springfield State Bank \$1524.90; City Credit Union \$234.00; Pub. Emp. Ret. \$419.19 and \$757.46; Emp. Sec. \$491.51; \$1297.46; Part of Labor & Ind. \$99.69. Emp Trust \$43.89.

As there were no objections to the minutes of the last meeting they stood approved as posted.

CORRESPONDENCE: None

## SPECIAL GUESTS:

Bob Lunnch, architect, was present and showed the council plans for a proposed 129-unit apartment complex on an R-2-zoned site next to the Old Harbor Villa. He presented a negative impact study on the land and wished to go over it with the council. Councilman Ekberg wished to postpone it for study and recommendation, not only by the building inspector but by the council. The engineer also will go over it for a study of availability of water in that area.

Mr. Fisher of the State Highway Dept. was present with his intent to seek approval on a 10-acre site adjoining the town boundary, Lot 4 and the freeway. The property will be de-cleared surplus and the state would like to be able to furnish water and sewers. He was told to proceed with his formal annexation petition.

REPORTS: Gary Tannahill, reporting for Tim Hicks, said that they need \$400 to finish the baseball backstop at the park. There is sufficient money in the park fund, the clerk said. Councilman Hanson moved and Councilman Ekberg seconded to spend the \$400 as necessary. Carried.

Chief of Police Galloway gave a report on repairs needed by the town police vehicles. Councilman Hanson asked if logs are being kept on the cars as requested some time ago. Vas, said Chief Galloway. Councilman Hanson asked how much money had been spent on vehicles this year. The clerk can get that information. They asked for vehicle logs with miles drive, repairs made, etc. They then authorized the repairs.

Planning Commission: The Planning Commission had written to the principals in the Fina/Roster/Roby rezoning request as per the council's recommendation. The council then set the public hearing for June 24 at 7:30 a.m.

Building Inspector: Illegal signs were brought to his attention. The Tank Towish sign was also discussed. Wayne Gooden had stopped him from erecting a sign that would be too high and needed a variance. The work at the Ford garage was also discussed.

STREET REPORT: Glen Sherwood said that the progress has been better the west side than the two previous weeks. The sewer lines are completed as far as Verwardson, and they have turned the corner in Verwardson and are now proceeding on Ridgeway Drive. Before the amendment leaves the area well points will be put in on Verwardson where extreme ground water was found. This area will then go to open and on to Geraldine Place. The other area has finished open and

and Rainer and is now on Harborview Drive.

The paving crews have done Franklin and Fuller and the upper end of Dorotich and 1/2 block of Ross Street. They hope that Stinson Avenue will be ready to pave by tomorrow.

Altogether 2000 feet of line were laid last week.

Specs for individual sewer lines were discussed and Glen promised he would furnish them by next council meeting.

Councilman Hanson went on to discuss the S&S Addition and the work being accomplished on the street. It was agreed that the bond may be nearly expired and the clerk will check.

CABLE-TV PROPOSAL: Only one book was furnished and the council would like a copy for each of them. Mr. Erwin gave an explanation of their operation.

CRIMINAL CODE ORDINANCE: Second Reading.

Councilman Ekberg asked questions concerning several sections of the proposed ordinances but only one section was changed. Section 14 was stricken upon motion by Councilman Ekberg, seconded by Councilwoman Melton. Carried. Ordinance #191 was then adopted upon motion of Councilman Hanson who added that Section 14 be deleted. Councilman Ekberg seconded. Carried.

AMENDMENT TO SECTION 24 - DETERMINATION OF ZONE: Second Reading. Regarding the portion of the ordinance that specifies that the Planning Commission will meet to draw up a comprehensive plan on the proposed annexation, it was determined that this will not be necessary if the Planning Commission has already drawn up a comprehensive plan which will be acceptable. Ordinance #192 was adopted upon motion of Councilman Ekberg, with Councilwoman Melton seconding. Carried.

REFERENDUM 27. GRANT APPROVAL OF WATER WELL:

The referendum was discussed and it was decided that it was more important at this time to direct our engineering consultants to study and update our water system facilities and the clerk will write a letter withdrawing our application at this time.

ORDINANCE #176A - Second reading:

This concerns a legal description change to Exhibit A. Councilman Hanson moved that the Ordinance be adopted. Councilman Ekberg seconded. Motion carried.

Clerk Avery, David Johnson and Glen Sherwood attended a Boundary Review Board hearing. Four annexations had not been passed on by the BRB. The board took jurisdiction over the Foster/Myers annexation, saying it was not a good boundary. They will hear it on June 27 and will propose annexation of a larger portion of land to make the boundary better. This can be determined by the election method.

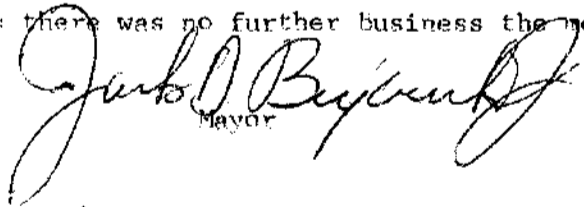
MORATORIUM ON BUILDING PERMITS FOR R-2 ZONED LAND: Second reading.

Mr. Robert Lynch made an exception on the particular parcel of land presented to the council earlier this evening. He wished it exempted from the moratorium. He said that only 32% of the property is impervious soil and the remainder is all pervious. They hope to catch most of the run-off with dry wells.

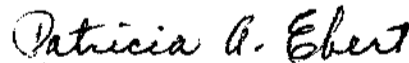
The mayor would like to get a report from the engineers on the impact of so many apartments on the pumping station. Councilman Ekberg moved that we adopt Ordinance #193 as is. Councilwoman Melton seconded. Carried.

Mr. Lynch again pleaded for the exemption asked for above. Councilwoman Melton then moved that the exemption be denied. Councilman Hanson seconded. Carried.

As there was no further business the meeting was adjourned at 10:45.

  
Mayor

Tape 29, Side 2, 527 to End and  
Tape 15, Side 1, 0 : to 170

  
Asst. Clerk

Regular Council Meeting, June 10, 1974

The meeting was called to order by Mayor Rujacich at 7:30 p.m. Present were Councilwoman Melton, Councilmen Stainbrook, Ekberg and Hanson, Attorney Johnson and Clerk Avery.

The Public Hearing was then opened for WALTER HOGAN ANNEXATION PETITION:

The mayor called for comments in opposition and Gladys Knutsen asked what would happen to her acreage below Olympic Village if it is accepted for annexation. The mayor answered her that nothing would happen to it since it would remain in the county.

In favor of the petition, no one answered. Since Walter Hogan was not present the mayor suggested that the hearing be postponed until after 8 p.m.

The regular meeting was recalled to order and then recessed for the second public hearing: STANICH BROTHERS/SHORELINE MANAGEMENT:

The dock they request would extend 170 into the water and be ten feet wide. It would be a

moored float secured by pilings. They would lease the tidelands from the state.

Attorney Nick Markovich spoke for the Stanich Brothers. He said the master plan for shoreline management is being worked on now and that the outer harbor line will be established at 178 feet, or 8 feet less than the plan before the council. The present barge moored there is 152 feet in length, only 18 feet less than the float they request.

There were no voices in opposition.

The council asked questions. How wide is the present barge? A. 42 feet. How many boats are moored there now and how many could be moored there later? A. 25. The attorney went on to tell the council that the previous application had been turned down in 1971.

The Shoreline Hearing Board projects the end of July for the completion of the master plan. The mayor said the harbor lines will be officially established at the end of this month. The Stanich's agreed to postpone the decision until the master plan is adopted and the harbor lines are accepted. Councilman Steinbock moved that the hearing be postponed for the adoption of the harbor lines and the master plan agreement. Councilman Hanson seconded. Carried. Hearing closed.

The regular meeting was called to order again and recessed for the Mayor's application petition. Mr. Hogan was asked by Councilman Hanson if he understood that his property would be annexed as P-1. A. No, he understood the ordinance had been changed. The ordinance has indeed been changed but Mr. Hogan applied under the old ordinance. Q. What provision was there for drainage? A. The county provides drainage to the bay.

Mr. Hogan was told to apply for the zone he wishes or undergo a comprehensive study by the Planning Commission. Mr. Hogan decided to withdraw and make application for a comprehensive study at the Planning Commission level. The hearing was closed and the regular meeting reopened.

BILLS: Councilman Ekberg had a question about where the tires went. Chief Galloway was again asked for a daily log. Councilman Hanson then moved that the bill be allowed as submitted. Councilman Ekberg seconded. Carried.

CLAIMS: Coast to Coast \$36.21; Conen's Fuel \$33.06; C.H. Henderson \$6.75; C.H. Insurance \$115.00; C.M. Union \$7.30; Island Emp. \$202.88; Overall Laundry \$83.58; Pac. Mater Works \$2278.07; Pen. Gateway \$282.88; Pen. Light Co. \$289.44; Betty Cash \$28.10; The Stationers \$115.45; Woodworth & Co. \$28.35; Asphalt Paving \$623.40; D. Avery \$24.00; Berger Motor \$183.31; Berger & Johnson \$398.20; I. Bujacich \$43.03; Lundberg \$132.71; Siemans \$321.24; Spadoni \$1216.29; Union \$32.93; Zen \$74.64.

PAYROLL: Regular mid-month withdrawals and Washington Physicians Service \$110.80

As there were no corrections or additions the minutes stood approved as read.

**SPECIAL GUESTS:**

Ian Felt had a short report on the master program. There have been five published meetings held so far. The first draft of the Shoreline goals have been written. They would like a study session and a public meeting on the 24th with the council. Monday the 17th was set for the study session at 8 p.m.

**REPORTS:**

Chief Galloway said they had a federal grant of \$1672 to spend before it expires at the end of June. They will have to provide \$577 to set in on the county contract on CE radios and must order by the end of the month. This will be put on the agenda for the next meeting. Building Inspector: Paying Peter Parrish's illegal signs the attorney will write to him.

**SEWER REPORT:**

8000 linear feet of line have been laid to date. It has been good progress for the last two weeks. Paving has been accomplished on Stinson, Rosedale, Brookok, Broadway (between Pioneer and Stinson), Fuller, Prentice and Franklin. Next are Lewis, Shuleon, Hill and Stanich. Verchardson and M. Herbovicia must wait until the side sewers are in and completed. They are sprinkling in these areas now to help alleviate the dust.

The treatment plant is coming right along. Pumping stations 1, 2 and 4 are started but no date is set for installation.

They will repair Stinson Avenue where it has a soft spot near the Council's driveway.

A preliminary report of the water system indicates that the system is not adequate to provide fire protection or water to the 130 units planned. This said that the system is about loaded now (peak demand flows) and it would take a bigger pipe to carry away the 50 units now being built let alone the 130 units planned. The tank is big enough.

**CABLE TV FRANCHISE:** There were some questions altho the principals would not be present until the next meeting. Some changes were suggested. Tabled to next meeting.

**WATER RATES:** Councilman Hanson and Ekberg had met with Paul Flint and determined that an increase of \$10,000 in revenue is necessary in order to comply with the bond. There were

other proposals for a lesser increase at present and the possibility of another increase in the near future.

Councilwoman Melton moved that proposal #2 be adopted as the new town rate with the exception of the Shore Acres charge. Councilman Ekberg seconded. Motion carried with Councilman Stainbrook voting no. There was some discussion and Councilwoman Melton remotioned that Ordinance #194 be adopted and the proposed rate #2 be accepted with the exception of the Shore Acres rates which depend on what the contract will allow. This was seconded and carried unanimously.

STATE HIGHWAY DEPARTMENT public hearing on annexation set for July 22 at 8 p.m.

INVESTMENT SYNDICATES:

Dick Pierson, representing Investment Syndicates, spoke regarding the easement on the sewer outfall line. The trouble lies in the establishment of the boundary between the First Cardinal Group and themselves. They (ISI) are prepared to give a permanent 10 foot easement as well as a 40 foot construction easement based on the following stipulations:

1. Agreement on compensation at a later time.
2. Street vacation (deleted by ISI).
3. Street use permit to permit ISI to improve their property.
4. Agree to extend the town limits to the inner harbor line.
5. Extend zoning of uplands to the tidelands.
6. That the town consider a +16 datum (USCS) as a basis for computing building heights.
7. Maintain the outfall to the lowest level to permit a boat basin.

The First Cardinal Group could cause trouble by suit or injunction. In this case the ISI would provide counsel.

The council decided to take this discussion up further at the study session next Monday night.

REMAINING WATER SYSTEM ORDINANCES:

1. Ordinance #195 was adopted upon motion by Councilman Hanson, seconded by Councilman Ekberg. Carried.
2. Ordinance #196 was adopted upon motion by Councilman Ekberg, seconded by Councilwoman Melton. Carried.

TOWN RADIOS: Delivery of the radios for the Street and Water Departments has been postponed to the end of July or first of August because they have not been manufactured yet. The council discussed cancelling the purchase order. It is possible to buy the radios in stock in Wisconsin at a cost of \$200 extra. It will be discussed at the study session and by then the mayor and clerk may have more information.

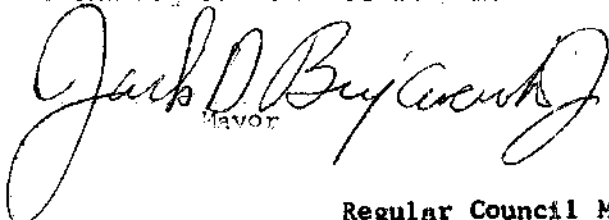
REPEAL ORDINANCE #1 - First reading:

SEWER WARRANTS: These warrants were approved upon motion by Councilman Hanson, seconded by Councilman Ekberg/ Carried. They are as follows:  
Pease and Sons \$36,665.25; Pease and Sons/Bank of California \$3859.50; Nelson Construction Company \$292,690.24; Nelson Construction Company/Bellingham Nat'l Bank \$10,668.06; A. Wayne Goodno \$912.35; Delta \$6522.00; Pease and Sons \$87,200.00; Pease and Sons/Bank of Calif. \$4364.00; Parametrix \$8540.00.

ENVIRONMENTAL IMPACT WORKSHEETS: Councilman Ekberg had copies to distribute and this will be taken up at the study session.

Meeting adjourned at 11:15 p.m.

Tape 15, Side 1 170 to End and  
Tape 16, Side 1 0 to 182

  
MAYOR

  
Asst. Clerk

Regular Council Meeting, June 24, 1974

The public hearing was called to order by Mayor Bujacich at 7:30 p.m. Present were Councilwoman Melton, Councilmen Stainbrook, Ekberg and Hanson, Attorney Johnson and Clerk Avery.

PUBLIC HEARING - FINA/FOSTER/ROBY REZONE REQUEST:

The mayor read letters of recommendation from the Planning Commission wherein they recommended denial of the request. The mayor then opened the discussion to those in opposition. There were none.

In favor were L. D. MYERS who spoke on behalf of Mrs. Foster and Mr. Fina. He said the plans they have given to the commission should never have been presented. They were too quickly drawn and not good enough. His principals wish the rezone because costs connected with the properties have become excessive and he feels that it is reasonable to ask for

R-2 zoning in that area. He felt that if the owners meet the codes it should be acceptable without attaching strings.

MAYNARD CARLSON, representing the same owners, said that R-1 zoning makes it very difficult to meet the assessments and the things they are forced to pay on the land.

MYERS said the land is underlaid with hardpan and it costs a lot to put a street in. Several springs above on the Huber and Antilla development had to be re-routed. The drainage problem would not be bad if it were handled properly and the surface water diverted to culverts.

They, MYERS and CARLSON, agreed that the owners would do whatever the town requests regarding streets, development of the water system, etc. The council was told that the water supply there would not be badly affected because the water is not coming directly off pumping stations as it is at higher levels.

Attorney Johnson said that perhaps an Environmental Impact Statement may be required before rezoning. The mayor said the attorney should look into the possible requirements of the EPA and Councilman Ekberg moved that the request be tabled until the attorney can advise the principals and the council. Councilman Stainbrook seconded. Carried. Public hearing closed.

The regular meeting was called to order at 8:25 with a motion by Councilman Stainbrook that the bills be accepted. Seconded by Councilwoman Melton and carried. See end of minutes for list.

The minutes stood approved as posted.

The regular meeting was then recessed for the public hearing on shoreline land use.

#### PUBLIC HEARING - SHORELINE HEARING BOARD:

The board presented a map and copies of their goals. They wished approval of the council to support these goals so that they can go ahead with implementation of the plan. Councilman Hanson moved that we approve the goal statements. Councilman Ekberg seconded. Carried. The public hearing was closed and the regular meeting reopened.

The Shoreline Hearing Board was complimented on their work. Councilman Ekberg moved that the committee be authorized to go on to the second stage of planning. Seconded by Councilman Stainbrook. Carried.

#### CORRESPONDENCE:

1. Planning Commission recommendation on Thaden variance request. Public hearing set for July 22 at 7:30 p.m.
2. Planning Commission letter on comprehensive plan recommendation/ It is assumed that an environmental impact statement will have to be provided by the annexee by the time the annexation is completed.
3. Planning Commission letter on GILICH/GILICH/DOEL rezone request. Public hearing set for August 12 at 7:30 p.m.
4. Letter concerning paving of Chinook. Attorney Johnson will answer this.
5. HUD letter regarding flood insurance coverage available.
6. City of Ocean Shores letter on Initiative 297 on gambling. No action taken.

#### SPECIAL GUESTS:

Stan Blackwood spoke in regard to his sewer stubs. He said his home on Pioneer Way straddles two 50-foot lots and he has been furnished two stubs. He was told that the only way it could be rectified was to bring it before the council. The council can change the ordinance but it would mean reopening the assessment rolls, said the mayor, and the cost would be prohibitive. It was decided that he can sell his extra side sewer to another property owner. Mr. Blackwood will write a letter of explanation and this will be kept with the assessment roll.

Larry Grevstad had plans for a 4-plex or small condominium on property below the old Perkins Funeral Home. He needs a letter saying that the building permit will be issued to him upon the lifting of the moratorium. He has earnest money, expiring July 1, and he does not want to buy the property without knowing if he will be permitted to develop it. He was told that some of the specifics of the zone will change; although the zone will not change it may change the density or other aspects. He then asked if he could have a letter to the effect that he had made the request of the council.

#### REPORTS:

Signs: The building inspector was asked if letter have been written about the illegal signs.

The council set 7:30 on 7-1-74 as a study session on the R-2 building permit moratorium.

CABLE-TV FRANCHISE: Richard Irwin, the manager, said they need time to obtain the approval of the FCC and need the franchise before the approval. They were asked to make quarterly instead

of yearly to the town. There were questions about the liability coverage, Councilmen Hanson and Ekberg will work with the attorney on the redrafting of a franchise.

WATER SYSTEM STUDY:

Glen Sherwood had made a semi-completed study of the water system in regard to the development of a 130-unit apartment complex. The area in question is served by a pump at Harbor Heights with a 350 g.p.m. capacity which has no fire protection capability. The pounds per square inch would be inadequate and indicate that there is a need to revamp the system with a larger pump and a 300,000 to 500,000 gallon standpipe at the upper service level. He will have cost estimates for the study session.

TOWN RADIOS: The town police radios are now ordered. As for the street and water department radios there is no possibility of other purchase. It is not verified that the radios are available in stock back east as the company would not commit themselves.

ORDINANCE #1 REPEAL:

This was read for the second time and Councilman Ekberg moved that Ordinance #197 be adopted. Councilman Stainbrook seconded. Carried.

ISI OUTFALL LINE DECISION:

Their attorney was present. Councilman Hanson felt that item #7 in their requests would be impossible to comply with. Items 2 through 6 are not clear, he said. He did not feel these points should be considered in conjunction with the easement. Glen Sherwood said that he was not sure of the added cost of burying the line three feet lower than originally planned, but this is not a major problem.

Attorney Pierson agreed that they will delete Item 2. Item 4 no longer applies since the Harbor lines are now established.

The council maintained that the easement itself should be completely separated from the other conditions they wish to impose. They would like to accept the easement and consider the other conditions at another time.

Councilman Hanson suggested that a standard easement be drawn up with compensation of one dollar and the other aspects taken up separately at another time.

ENVIRONMENTAL IMPACT WORKSHEETS:

Two applications were submitted by Cascade Development and from Larry Grevstad. The council criticised the answering of the questions on the part of Cascade. Further work will be done to the worksheets.

VEHICLE LOGS: Other types of logs were discussed. The council felt it was advisable to keep the logs on all the equipment. They would like a daily milage sheet.

FLOOD ORDINANCE: This is to be considered the first reading. It will be determined the next meeting whether it should be an ordinance or a resolution.

JOHN HAWKINS BIKE TRAILS: There are some monies available toward bike trails and the mayor would like volunteer members to work with John Hawkins of the Pierce County Planning Dept. Jim Hanson volunteered.

PRIVATE SEWER LINE SPECS: These have now been submitted by Parametrix. This is the first reading tonight. Councilman Ekberg said it states that no person may dig his own sewer line. It was felt that this should be changed because inspection would be sufficient.

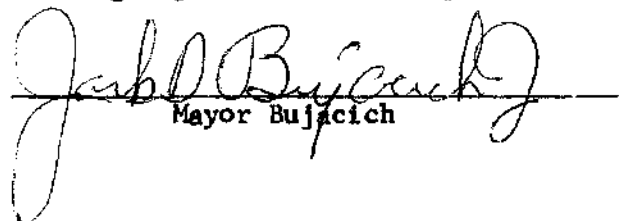
The council discussed the development of duplexes in Shore Acrew. They wondered if the county has insisted on Environmental Impact Statements.

Regarding the pumping out of septic tanks and filling with sand after the sewer system is in operation, Councilman Stainbrook wondered if it might not be possible to run the storm sewers into the tanks. This will be checked into.

Councilman Ekberg brought up the dog situation and wondered if it might not be possible to have a contract with the county before a child is seriously hurt.

Meeting adjourned at 11:05 p.m.

Tape 17, Side 2, 186 to End and Tape 22,  
Side 2, 1 - to 111

  
Mayor Bujacich

  
Asst. Clerk



## TOWN COUNCIL MEETING - JULY 8, 1974

The meeting was called to order by Mayor Bujacich. Present were Councilwomen Bogue and Melton, Councilmen Ekberg and Hanson, Attorney Johnson and Clerk Avery. Councilman Stainbrook was not present.

The bills were approved upon motion by Councilman Hanson, seconded by Councilman Ekberg. Carried.

CLAIMS: J. Bujacich \$164.01; Wayne Goodno \$240.00; Island Emp. Telephone \$164.44; Overall Laundry \$69.00; Pen. Gateway \$565.67; Peninsula Light \$42.33; Petty Cash \$32.45; Petney Bowes \$501.92; Shell Oil \$28.12; Stationers \$12.08; Stutz Fuel \$94.99; Conan's Fuel \$73.41; Postage \$60.00; Woodworth \$29.93; Asphalt Paving \$440.18; Borgen & Johnson \$105.25; Conan's Fuel \$3.56; G.H. Machine Works \$42.00; G.H. Union \$70.28; Howell Sporting Goods \$154.31; NW Rental and Lease \$49.35; Oxygen Sales \$35.99; Pen. Auto Parts \$282.81; Spadoni Bros. \$3650.00; Tarry Williams \$33.00; Pacific Water Works \$3170.77; Pen. Light Co. \$278.89.  
PAYROLL: Mid-month Withdrawals.

The minutes stood approved as posted.

## CORRESPONDENCE:

1. Jeanne Brodsack presented a letter from Dept. of HEW stating that an Emergency Medical Services Feasibility Grant has been awarded to the Peninsula. They need a representative from the town to attend a meeting next Monday at the Fire Hall.
2. Pierce County Community Action Agency requests funds for the Senior Mobile Services Center. Councilwoman Melton moved that we authorize the expenditure of \$195 for the Oct-Nov-Dec period. Seconded by Councilman Hanson and carried.

## REPORTS:

Glen Sherwood said there is no indication of the end of the strike. The treatment plant and pump station contractor continues to work. Pump Station #2 has been completely installed and #1 wet well is installed. There was then a discussion on whether Nelson Construction is covering the breakage bills.

Jim Hibbs was asked a question about the Pacific Water Works bill. The water department has now installed an additional 8 or 9 valves, he said, to alleviate the problems that result from line breaks.

Jim went on to report that the old dump truck engine is about to go. He suggested looking around for another used truck.

Clerk Avery checked into the Skrivanich bond. It is good for two years, he said.

The <sup>negotiator</sup> negotiator, David Gravrock, had submitted a contract for the Police Department and they refused to accept all the conditions. The attorney will contact Mr. Gravrock and set up a meeting.

## R-2 ZONE:

Councilman Ekberg had a rough draft of an ordinance concerning the moratorium on building permits in R-2 zones. This is the first reading tonight and a public hearing was set for August 12 at 8 p.m. The EPS is at issue right now since no decision has been rendered on the two cases under consideration, said Attorney Johnson.

## FLOOD ORDINANCE - #198 - Second Reading:

Councilman Hanson moved and Councilman Ekberg seconded that it be adopted. Carried.

HOGAN ANNEXATION PETITION hearing scheduled for August 26 at 7:30 p.m.

## PRIVATE SEWER LINE SPECS - Ordinance #199 - second reading:

A new paragraph has been added that will allow the property owner to connect under the supervision of the sewer superintendent.

The council discussed the addition of a paragraph on the pumping and filling of old septic tanks. They agreed that this would be included in another ordinance.

Councilman Hanson moved that we adopt Ordinance #199 as corrected. Councilman Ekberg seconded. Carried. The permit fee was discussed but not established.

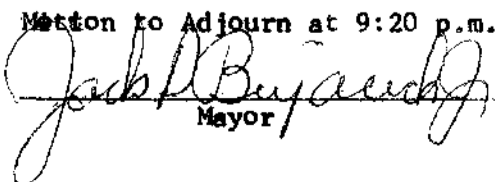
## SEWER CONSTRUCTION FUND WARRANTS:

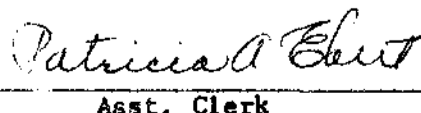
Councilman Hanson moved that the Sewer Construction Fund warrants be approved as submitted. Councilman Ekberg seconded/carried.

Pease and Sons \$52,630.50; Pease and Sons \$29,930.75; Bank of California \$2631.52; Bank of California \$3150/60; Parametrix \$9276.00; Nelson Constr. \$103,734.29; Ballingham Bank \$5459.54; A.W. Goodno \$789.95.

Meeting to Adjourn at 9:20 p.m.

Tape 17, Side 2, 111 to 433

  
Mayor

  
Asst. Clerk



July 22, 1974

Prior to the meeting Councilwoman Bogue was elected mayor pro tempore while Mayor Bujacich is out of town.

The first public hearing was called to order at 7:30 p.m. by Mayor pro-tem Bogue. Present also were Councilwoman Melton, Councilmen Ekberg, Hanson and Stainbrook, Attorney Johnson and Clerk Avery.

PUBLIC HEARING - JOHN THADEN VARIANCE REQUEST:

The notice of public hearing and the letter of recommendation from the Planning Commission were read. The area was pointed out on the map. Mr. Thaden explained why he wanted the variance. He wishes to raise the building height by five feet in order to construct two upstairs bedrooms. He said this would be the style of house that he wants--country style with gambrel roof and economical to remodel. It is surrounded by tall trees with no near neighbors. On one side is the transmission line, on another a swampy lower level, and a steep hillside on the third. It would block no one's view and there were no voices in opposition. Councilwoman Melton moved that the variance be granted. Seconded by Councilman Ekberg and carried. Public hearing closed.

The regular meeting was called to order at 8 p.m. and recessed for the second public hearing. STATE HIGHWAY ANNEXATION PETITION:

Mr. Fisher of the State Highway Department said they had no immediate plans for development or selling. They are asking for annexation in order to have the utilities. They feel the area will probably be considered commercial and it should have sewer and water. No one was opposed. Councilman Stainbrook moved that the annexation of this parcel of property be approved. Councilman Hanson seconded. John Gilich reminded Mr. Fisher that annexation does not guarantee the zone he desires--it must come in as R-1. Mr. Fisher said they probably would eventually ask for further zoning. Motion carried unanimously. Public hearing closed and regular meeting reopened.

BILLS: Councilman Hanson said he understood that logs would be submitted with the vehicle bills. Councilman Hanson then moved that the bills be approved as submitted with the exception of the vehicle bills until the logs are submitted. Councilman Ekberg seconded. Carried.

CLAIMS Coast to Coast \$19.08; Donworth \$201.25; P.Ebert \$26.54; G.H. Insurance \$325.00; Marvin's Service \$51.97; Perry's Auto Parts \$13.85; Pierce County Community Action Agency \$195.00; Pitney Bowes \$136.87; Paramatrix \$120.00; Puyallup Tractors \$9.71; Spadoni Bros. \$1486.00; Timco \$27.80; St. Joseph Hosp. \$46.00; Stroh's Feed \$5.04; State Dept. of Revenue \$94.94; D.Avery \$30.45; PCFD #5 \$1862.15; Harbor Janitor \$40.00.

MINUTES stood approved upon motion by Councilman Hanson, seconded by Councilman Ekberg. Carried.

CORRESPONDENCE:

1. Planning Commission letter on comprehensive plan application to Hildebrand/Glaisyer property
2. Planning Commission letter on medium density residential district changes.
3. Michael Doel protest on R-2 zoning restrictions. Copies will be made of his letter for distribution to the council. He will be written a letter advising him that the changes were only a worksheet and he will be invited to the coming meeting in, case he wishes to sit in.
4. Milton and Dora Roby objection to paying for assessment on the private sewer line next door.

REPORTS:

Kae Paterson, vice-chairman of the Planning Commission, reported on their progress toward hiring a professional planner to help with the comprehensive plan. She brought the council up to date on what they are now accomplishing. They are doing a current land use study and will take a field trip on the 30th.

Jim Hibbs brought up the dump trucks. The newest truck needs repair--about \$500 worth, and they need a replacement on the old truck. Councilman Stainbrook moved that the repair be authorized. Councilman Hanson seconded. Carried.

Wayne Goodno said the latest editions of the codes need to be adopted. Referred to new business.

CLARIFICATION OF ENVIRONMENTAL ASSESSMENT FOR REZONE:

The attorney said there has been no decision yet rendered by the courts. It was decided that the Fina/Foster/Roby rezone petition will require an environmental impact statement and the clerk will inform them by letter.

SEWER PERMIT FEES:

Glen Sherwood said this is not yet ready. He went on to present his report. The strike is still not settled, he said, but Pease and Sons are still working on the treatment plant and the pumping stations. Pumping station #3 was set today and he told of the difficulty there with caving in. They should pour the additional concrete and fill the hole some time this week.

The treatment plant is nearly completed.

ENVIRONMENTAL IMPACT STATEMENT ON TRIANGLE AT TOP OF PIONEER:

Glen Sherwood presented this. The area is 1.9 acres and has minimal impact so far as loss of vegetation, increase in run-off and drainage, and traffic generation goes. The zoning is consistent and would have a negative impact. The property procedure now is that the building inspector makes his recommendation and then the council makes a decision on whether it has a major impact or whether a negative declaration can be filed. Kae Paterson felt the area requires a traffic light because of school children crossing a busy street.

INTENT TO ANNEX - HILDEBRAND/GLAISYER

The council felt that the petitioner should be advised of the recommendation of the Planning Commission and that he should come to meet with the council. The council requests that the Planning Commission further clarify their recommendation as far as specific land use goes.

FIRE-BUILDING-PLUMBING CODES: First reading to adopt the current codes.

ROBY REQUEST:

Councilman Ekberg asked about the letter received from the Roby's. Glen Sherwood explained that the Roby's have sanitary sewer service available through an easement. It was decided to provide their sewer service in this manner because it would have cost as much to put in their own lines from the rear of their property to Stinson Avenue as being served by the sewer laid in the Cooper driveway. They had already had a full hearing at the time of final assessment roll adoption.

Councilman Ekberg moved that Ordinance 193 be extended for another 60 days. This is the first reading.

Councilwoman Melton asked that the unused police car be sold. The clerk will look into donating it to the school as previously done with an unsalable police vehicle.

Other matters mentioned were:

Park at foot of Rosedale.

Union negotiations. The attorney will contact David Gravrock.

Sani-cans at the park.

Stan Johnson, in the audience, asked a question about the X-2 worksheet. At the next meeting on August 12 it will be discussed. The clerk was asked to notify the Planning Commission.

Meeting adjourned at 9:20 p.m.

Tape #30, Side 1, 0-487

*Kim M. Bogue*  
Mayor pro-tem Bogue

*Patricia A. Ebert*  
Asst. Clerk

Town Council Meeting - August 12, 1974

The public hearing was called to order by Mayor pro tem Bogue at 7:30 p.m. Present were Councilmen Hanson and Ekberg, Attorney Johnson and Clerk Avery. Mayor Bujacich is out of town and Councilwoman Melton and Councilman Stainbrook were not present.

GILICH/GILICH/DOEL REZONE REQUEST:

The public notice was read and the clerk read the recommendation of the Planning Commission. Dr. Doel was present and said he retracts his request for "B-1" in view of the amount of public opposition. Councilman Ekberg moved to accept the request to retract. Councilman Hanson seconded. Carried/ Councilman Hanson then asked if the Giliches wished to retract also. Was this one single parcel or three separate owners? There are three separate parcels and requests and the council wished to hear from the other two. No one was present.

Agnes Novak, neighbor, said that if they had specific types of business--rather than business general--they may have not objected. That was the basis of their complaint--that they did not know what type of business might go in there.

Councilman Hanson moved that the petition of Dennis and Tony Gilich be denied. Councilman Ekberg wondered if postponing action would not be in order since it was separate petitions. Councilman Hanson felt they should express their opinion tonight. Councilman Ekberg seconded. Motion carried. Public hearing adjourned.

The regular meeting was called to order and then recessed for the second public hearing.

R-2 ZONING REQUIREMENTS:

Mayor pro tem Bogue asked for opinions from the Planning Commission and other interested parties.

So far as the intent of the zone goes Councilman Ekberg described it as a medium density residential district, and a sort of buffer zone between R-3 and R-1, or B-2 and R-1. Cecil Root felt it was totally out of place to consider it a buffer zone.

Other items considered were:  
Permitted uses: Same as 109A.

**Land Use Regulations:** Councilman Ekberg said it should include site plan requirements with final approval at a council meeting. There was a suggestion by Cecil Root that meet with the approval of all, as follows:

"Before a permit may be issued for the construction of any multi-family unit, or units, in an R-2 district an area plan shall be submitted to the Gig Harbor Planning Commission by the developer.

This plan must show existing streets and their relation to the proposed development. It must also show streets which will be provided and dedicated by the developer, to provide suitable and sufficient access to and from the planned units.

Upon approval by the Planning Commission a recommendation will be made to the Town Council who will then hold an open hearing pertaining to the proposed plan. When and if it has assured itself that all needful street facilities are either available or will be met it will instruct the Town Engineer that the requested permit may be granted."

**Lot Usage and Area:** Councilman Ekberg suggested eliminating the minimum unit size (previously suggested) and proposed a minimum lot size translated to a square footage basis instead of acreage.

RON KJELLESVIK felt the density proposed was too low. The developers in the audience felt that the council was cutting the units way down and restricting the square footage and the units.

MICHAEL DOEL asked if the height restriction is not too low.

FRANK HRUZA asked if there was a reason why they would increase the density as the acreage gets larger. He suggested use of a sliding scale instead of the variance route.

Cecil Root said he felt there could be a much better method worked out such as the "cluster development."

YARDS; 30 feet rear, 20 feet each side and 25 feet front yard.

BUILDING HEIGHT: Same

OFF STREET PARKING: Same

LANDSCAPING: Same as 6 b (6).

CURBS & SIDEWALKS: Same

UTILITIES: Underground.

RON KJELLESVIK said he felt the town is misusing density. The town has halved the density allowed comparable to any other town this size. The land use is not right in view of the high cost of property.

The council will consider the R-2 requirements at a study session on August 14 at 7:30 p.m. The clerk was instructed to advertise it. Public hearing closed. Regular meeting resumed.

**BILLS:** The bills were approved upon motion of Councilman Hanson, seconded by Councilman Ekberg. Carried. A motion was then made by Councilman Hanson, seconded by Councilman Ekberg to approve the two warrants remaining from the last meeting. Carried.

**CLAIMS:** Asphalt Paving \$55.28; D.Avery \$20.25; Book Publishing \$1408.10; Busk & Sons \$51.44; Borgen & Johnson \$406.09; Cost to Coast \$1.35; C.Root, Eldy Lerum, Mrs. Borgert, M.Ekberg, M. Ancich, N.Brous, \$4.20 each; Conan;s \$24.89; G.H.Hardware \$30.06; Isl.Emp.Telephone \$151.26; Lundberg Pipe \$1378.14; NW Petroleum \$22.21; Overall Laundry \$65.12; Pac.Water Works \$1603.52; Peninsula Auto Parts \$26.78; Pen.Gateway \$497.80; D.Avery \$38.65; Pen.Light \$383.90; Pen.Mower \$90.83; Pioneer \$12.80; Chas.Prewett \$35.00; Spadoni Bros. \$31.50; Lab.Procedures \$29.45; Shell Oil \$990.14; Stationers \$39.81; G.Tannahill \$60.90; G.H.Union \$90.64; Woodroth \$28.35.

**MINUTES:** As there were no corrections or additions the minutes stood approved as posted.

**CORRESPONDENCE:** Parametix letter on substitution of a diesel power unit for a propane unit at the Treatment Plant. It is a grant-eligible item--the agencies pick up 90% of the cost. They will consider it at the next meeting. The clerk will make copies for all members.

**SPECIAL GUESTS:** Allan Bucholz asked about the plans for the Town Hall. They did discuss them but since several council members are absent it was only discussed. Allan will make some adjustments and come up with other plans.

#### REPORTS:

The council members agreed that the heads of departments should either be present at the meetings or they should send substitutes.

The building inspector was asked about his progress on abolition of illegal signs. The attorney will write letters concerning these signs.

#### ENGINEERING REPORT:

The sewer contractor is back on the job and working on Pioneer. They ran into bad soil conditions on Butler Street but will finish tomorrow or Wednesday and go to Clay Hill. Glen Sherwood really did not think they could keep the street open since the cuts will be so deep, but the street will remain open at least until next Monday. Mayor pro tem Bogue asked if it might be wise to warn people by means of signs that the street will be closed after a certain date. No one will be out of water since the water department installed two gate valves with which to isolate each end of town.

There remains about 20,000 lineal feet of line to lay. It may be that three crews will be put on.

The Treatment Plant is nearly finished with some equipment yet to be received and installed. Ground bark and washed gravel are now being installed and the paving is yet to be done. Very little landscaping will be done so far as trees and shrubs go.

Regarding the pump stations, three are installed and three to go.

Street restoration will start tomorrow with N. Harborview, Vernhardson, Goodman, Chinook, Rainier, Ryan and Stanich scheduled.

Mayor pro tem Bogue asked about the traffic problem at Grandview and Pioneer. She felt that there should be a light or traffic policeman on duty there when school starts.

FINA/FOSTER/ROBY ENVIRONMENTAL IMPACT WORKSHEET:

The council must decide if it is of major or minor impact. The building inspector gave his report, saying that water supply, some sort of utilities and access were most important. Roy Myers said that the property owners would give a 60 foot road. Further word will be done on the impact statement, with Myers furnishing a legal and a map, and there was some question of whether the old R-2 or the proposed will apply.

ENVIRONMENTAL IMPACT WORKSHEET: Councilman Hanson proposed another revision. Attorney Johnson will check into whether an ordinance is needed.

BOUNDARY REVIEW BOARD ANNEXATION APPROVALS:

The clerk told the council that the BRB had approved the annexations of Bampton, Willock and Myers, but the Myers area was increased in size by the BRB in order to make a better boundary. Because of the increase the town has now taken in several mobile homes.

ADOPTION OF UNIFORM BUILDING CODE - ORDINANCE #200 - 2nd Reading:

Motion by Councilman Ekberg and second by Councilman Hanson. Carried.

ADOPTION OF UNIFORM FIRE CODE - ORDINANCE #201 - 2nd Reading:

Motion by Councilman Hanson and second by Councilman Ekberg. Carried.

The adoption of the Uniform Plumbing Code will be taken up next time.

MORATORIUM EXTENSION ON ISSUANCE OF BUILDING PERMITS IN R-2 ZONES - ORDINANCE #202 -

2nd Reading:

Motion by Councilman Ekberg, with second by Councilman Hanson. Motion carried.

ENVIRONMENTAL IMPACT WORKSHEET ON TRIANGLE: Councilman Ekberg felt that the impact was not major and would have no significant effect. The Building Inspector was asked to report.

PERMIT AND INSPECTION FEE FOR SEWER CONNECTION:

Councilman Hanson moved that the fee be set at \$15.00. This is the first reading tonight. Motion died for lack of a second. Councilman Ekberg then moved that the permit fee be set at \$10.00. Councilman Hanson seconded. Carried.

SEATTLE YACHT CLUB application for boating park. This was tabled by the Pierce County Planning Commission to December. Copies will be made for the council.

GIG HARBOR MUNICIPAL CODE ADOPTION - First reading.

GAMBLING TAX - Amendment to Ordinance - First reading.

CAR WASHES: Councilman Ekberg saw no reason for the police department to drive so frequently to Tacoma. They could wash between times at the firehouse. The Chief of Police will be instructed to attend the council meetings and to bring his new officers for introduction to the council.

Councilman Ekberg would like to authorize the purchase of two swings at the park for very small children.

Fencing material behind the backstop needs to be moved.

A progress report was made on the park at the foot of Rosedale.

TRIANGLE: The building inspector said there is very little impact. There are streets on three sides. The only thing against it is that the intersection is very busy. Perhaps take a corner off to even up the intersection.

Councilman Ekberg moved that it has no major impact and a negative declaration. Councilman Hanson seconded. Carried. Hearing set for September 9 at 7:30 p.m.

SEWER CONSTRUCTION FUND WARRANTS: Councilman Hanson moved that the following warrants be

approved. Seconded by Councilman Ekberg and carried.

Commonwealth Title Co. \$283.50; John Cox \$4.50; B. Trasner \$1,500.00, Jens Lockert \$1,500.00; A.W. Goodno \$377.55; Pease and Sons \$63,730.70; Pease and Sons, Bank of Calif. \$3,186.50; Pease and Sons \$27,892.55; Pease and Sons/ Bank of Calif. \$2849.35; Parametrix \$7621.00.

Meeting adjourned at 11:37 p.m.

Tape #30, Side 1, 487 to End and Side 2,  
0 to 598

*Steve M. Bogue*

Mayor pro tem

*Patricia A. Ebert*

Asst. Clerk

REGULAR COUNCIL MEETING - August 26, 1974

The public hearing was called to order by Mayor pro tem Bogue at 7:30 p.m. Present were Councilwoman Melton, Councilmen Ekberg, Hanson and Stainbrook, Attorney Johnson and Clerk Avery. Mayor Bujacich was out of town.

HOGAN ANNEXATION HEARING -

The recommendation of the Planning Commission was read and Attorney Johnson advised the Council that this is the first hearing on the proposed comprehensive plan. There will be a second hearing, which can be a joint meeting concerning the comprehensive plan and the annexation, within 30 days. Councilman Ekberg asked about the environmental worksheet. Attorney Johnson said it was up to the town to decide whether one is needed but "you could certainly argue that you do not need one."

Mayor Bogue asked for comments for or against. There were none.

Fred Hildebrand presented his intent to annex and showed his map showing State access road which is proposed and which will tie in with the road at Strohs.

Sam Allotta, Mr. Hogan's attorney, felt that no environmental impact statement was necessary as they are not applicable to this situation. He did feel that application of B-2 to the area was sound since it was already developed in that manner.

Councilman Hanson asked Mr. Hogan how much tax money is generated by the Olympic Village Shopping Center. Mr. Hogan answered \$5,000 property tax and about \$1500 a month retail sales tax. Councilman Hanson then went on and asked Glen Sherwood how our water and sewage facilities would be affected. The water system, as now constructed, would give very mediocre coverage--while the sewage system would require perhaps one lift.

Councilman Ekberg felt it would protect the town if the petitioners prepared an environmental worksheet. The motion was then made that an environmental impact worksheet be prepared on all annexation requests. Councilman Hanson seconded. Carried. The second hearing date was then set for October 14 at 7:30 p.m. Public hearing closed.

The regular meeting was then called to order and the bills were approved upon motion of Councilman Hanson, seconded by Councilman Stainbrook. Carried.

CLAIMS: D.C. Donworth \$47.49; Newton Ford \$31.24; Boyles Chev. \$47.44; P. Ebert 11.90; G.H. Union \$350.60; County Treasurer \$62.14; Parametrix \$316.00; Pitney Bowes \$31.50; Peninsula Mower \$135.00; Puyallup Tractors \$28.29; Pacific WW \$1117.37; Royal of Washington \$57.12; Siegners Chevron \$12.57; Stutz Fuel \$659.76; Stutz Fuel \$103.40; Stationers \$2.62; Reeves Supply \$51.39; Jim Hibbs \$31.50; State of Wash. \$270.28; PCFD #5 \$1862.15; Harbor Janitor \$40.00; U.S. Post Office \$70.00

PAYROLL: Regular monthly payroll and Peninsula State Bank \$1,468.50; City Credit Union \$419.; Wash. Physicians Serv. \$110.80; Public Employees Retirement \$382.01 and \$699.93; Employment Security \$1278.54; Industrial Ins. \$101.86; EBP Trusts \$106.75.

The minutes of the last meeting stood approved as posted.

SPECIAL GUESTS: Wm. J. Murphy, Jr., a consulting engineer from Seattle, was present regarding municipal development of the waterfront.

REPORTS:

Glen Sherwood said that one sewer crew is working on Harborview Drive and another on Soundview. A third crew is putting in side sewers. He told how the paving will be accomplished and he said the street crew will work on the soft spots on Pioneer prior to the paving which is about two weeks away. There have been many problems on getting through town. It is an unavoidable situation that must be lived with only another week or two at most. Signs were a real problem but there is only so much you can say on a sign. Pump Station #4 is finished and they are working on #5 this week. The Treatment Plant is being finished and the price of emergency power generation has been reduced \$250 because a smaller size tank will suffice. The change has been approved upon motion of Councilman Ekberg, seconded by Councilman Hanson. A further change was read that #1 pump station required larger motors. Councilman Hanson moved that the change order be approved. Carried.

Regarding the possibility of a stop sign at Grandview and Pioneer, he said they originally anticipated a four-way flasher, two red and two caution. Acquiring the right of way is important to align the four legs on that corner but cannot be done before school starts. They will install the blacktop for crosswalks and put up signs before school begins.

Other questions were: What is the status of the outfall easement? We have the easement now but are still waiting for the Army Engineers permit. Mayor Bogue asked for a draft on the time required to connect to the sewer as well as the maximum distance for hookup.

Chief Galloway said they have a new employee, Marv Thompson, replacing David Opdyke, who resigned. He went on to recommend the placing of a 20 mph sign near the school. Councilman Ekberg suggested that they have the cars washed only once a month with in-between hoseings.

Councilman Hanson cited the police for their alert handling of a problem in his area.

Valve Job: A valve job of about \$450 is needed on police car #5. Councilwoman Melton moved that it be approved. Councilman Stainbrook seconded. Carried.

On the pump stations now going in Jim Hibbs suggested that the meters be eliminated. It would save the town considerable money in the cost of meters and meter setters, etc. A flat rate could be charged each station for water used since they will use only about 100 gallons a month. Councilman Stainbrook moved that the meters be eliminated. Councilwoman Melton seconded. Carried.

Jim went on to reported that he was involved in a rear end collision with town equipment when he slid in loose dirt. He is having the pickup truck repaired.

Building Inspector Goodno showed the council a proposal from Walter Williamson to bring the 40-foot section of the Skansie Marina nearest Harborview Drive up to code. He asked if a Shoreline Management permit is needed. He will present his recommendation and the environmental worksheet at the next meeting.

#### COMMITTEES OR SPECIAL ASSIGNMENTS:

Allan Bucholz passed out revised Town Hall plans for consideration. He changed some areas and quoted in the range of \$30 a foot. It is approximately 2500 square feet on the main floor and 1900 square feet on the lower level.

ADOPTION OF UNIFORM PLUMBING CODE - ORDINANCE #203 - Second Reading: Motion for acceptance by Councilman Stainbrook, seconded by Councilman Hanson. Carried.

GIG HARBOR MUNICIPAL CODE - Postponed until Sept. 9 meeting.

GAMBLING TAX - ORDINANCE #204 - Second reading: Motion to adopt by Councilman Hanson, with second by Councilman Stainbrook. Carried.

SIDE SEWER PERMIT FEE ORDINANCE - postponed until Sept. 9 meeting.

CABLE TV FRANCHISE - Tabled indefinitely.

#### R-2 RESTRICTIONS - First reading:

Mayor Bogue asked if the use of the lot area can be reduced to a simple formula. The attorney will work on it. She also questioned the PUD or cluster housing plan. The Planning Commission has been working on a definition of these.

RON KJELLESVIK asked if higher density might go along with Cluster housing or a PUD. It was agreed that a PUD will be considered an insertion in this ordinance if the Planning Commission can get it ready soon.

Sidewalks: 5 feet instead of 6.

Site Plans: it should read ". . .if the site plan is approved." Attorney Johnson will make the change.

Councilman Hanson said that a portion should read "four living units per building." not "four living units per unit."

Councilman Hanson questioned the one parking space per dwelling unit. He felt it should be 1½ off-street parking spaces per unit.

Mayor Bogue requested that a letter be written to the Planning Commission thanking them for the work already done and the request that they draft a PUD or cluster housing section for inclusion in this ordinance. The council would also appreciate it if they would draft a more limited business zone.

The attorney for Kjellesvik and Johnson asked questions about whether the Planning Commission had a public hearing or a written recommendation. He asked for a copy of the Planning Commission report.

Allan Bucholz was appointed the seventh member of the Planning Commission upon motion by Councilman Ekberg with second by Councilman Stainbrook. Motion carried.

FOSTER/MYERS ANNEXATION AMENDED ORDINANCE - First reading.

CLAIM FOR DAMAGES - False arrest claim by Piggott: Can be turned over to the insurance carrier.



MERCHANT PATROL APPLICATION: Tabled to next meeting.

LIQUOR LICENSE APPLICATION: Class A application for the Fish and Brew was approved upon motion by Councilwoman Melton with second by Councilman Stainbrook. Carried with 2 ayes and one nay.

PROPOSED CHANGE TO R-3 ORDINANCE: Councilman Hanson asked that the 1200 square foot limitation on the size of living units be deleted since it is unreal for normal apartments. Public hearing will be held on September 9 at 8 p.m.

ENVIRONMENTAL IMPACT WORKSHEET ADOPTION: Councilman Hanson moved that the draft be approved with the addition of a section to be completed by the building inspector and that the flow chart be adopted with it.. Seconded by Councilman Ekberg. Councilman Hanson moved that the above motion be amended to apply to all construction projects, except for single family, and all rezones and projects as required by the council. Seconded and carried.

Meeting adjourned at 10:25 p.m.

Tape 31, Side 1, 0-863

Jack M. Doque  
Mayor pro tem

Patricia Ebert  
Asst. Clerk

Regular Council Meeting, September 9, 1974

The first public hearing was called to order at 7:30 p.m. and then recessed for lack of a quorum. The hearing was then reconvened because a quorum was present. Present were mayor pro tem Bogue, Councilwoman Melton, Councilman Hanson and Councilman Stainbrook, Attorney Johnson and Clerk Avery.

RB ZONE APPLICATION TO TRIANGLE:

The property was pointed out on the map by Clerk Avery and the Planning Commission recommendation was read. In favor were:

CHUCK LINDNER, Sky Realty, who would like to see the rezone approved, and  
VERNON LUNDE, owner of the property on the corner of Pioneer and Grandview, asked what the RB-1 allows. The permitted uses were read and Mr. Lunde said he felt that perhaps the zone was too restrictive. It is a step in the right direction but not large enough.

No voices were heard in opposition. Councilman Hanson moved that the change be approved from R-1 to RB-1. Seconded by Councilman Stainbrook. Carried. Public hearing closed.

PUBLIC HEARING - R-3 ZONE CHANGE:

Since the final report had not been prepared (as called for in Ordinance #163), motion was made by Councilman Stainbrook that the hearing be tabled and referred to the Planning Commission for preparation of the report. Councilman Hanson seconded. Motion carried. Hearing closed.

The regular meeting was called to order with a motion by Councilman Hanson, seconded by Councilman Stainbrook, that the bills be approved. Motion carried.

CLAIMS: Adrographics \$328.29; Bo-Mac Gravel \$105.00; Boyles Chev. \$2.46; Brodsky \$119.33; Borgens \$180.34; J. Bujacich \$89.35; Conans Fuel \$24.26; Conrad and Johnson \$913.82; F & E Checkwriter \$65.81; J. Furstass \$27.00; G.H. Union \$4.73; Island Empire \$155.10; J. Kaufman \$26.25; Monroe \$28.35; Parametrix \$150.00; Pen. Auto Parts \$120.36; Pen. Light Co. \$339.00; Pen. Gateway \$132.46; Petty Cash \$37.67; Stationers \$8.45; Timco \$18.84.

PAYROLL: Mid-month withdrawals.

The minutes of the last meeting stood approved as posted.

CORRESPONDENCE:

1. Planning Commission recommendation on the R-2 specifications. Copies will be made for the council.
2. Shore Acres request for a meeting. Sept. 23 at 7 p.m. was set for this meeting. The clerk will notify them by letter.
3. John Paglia, attorney for Joe and John Ancich, calling the town's attention to an infringement on his clients' properties.
4. Washington Association for Children with Learning Language Disabilities. They wish a proclamation for the week of Sept. 15-22. Councilman Stainbrook moved that the proclamation be approved. Councilman Hanson seconded. Carried.
5. S. K. Blackwood objection to additional stub. This is referred to the next council meeting. Glen Sherwood will look into it in the meantime.
6. Pierce County Community Action Agency request for funds for the Senior Center. They are asking for a portion of the Federal Revenue Sharing monies. This will be disseminated to the council and the Agency will be advised of the preliminary budget hearing.
7. Announcement of the opening of the Giant T Drug Store in the Olympic Mall. They asked that members of the council be present. Councilwoman Melton will attend as a representative of the town.

MERCHANTS ASSOCIATION/NELSON CONSTRUCTION: The Merchants Association was well represented. They asked what can be expected as far as road closures are concerned. At the mayor pro

tem's suggestion the interested parties adjourned to the Library to work out their problems.

SEWER REPORT:

One crew is working on Harborview from Stinson Avenue to the Coast Guard Station. The other crew is on Soundview and now above Ryan Street. There is only one more deep manhole and then they go to a much shallower cut and Soundview should be finished in about two weeks. One crew is working on side sewers and they are on Soundview also.

Correction - See below

All the pump stations are now installed. Paving is continuing with patching to be finished on Pioneer and a later overlay planned. Glen was asked about the crossing near the school. This is to be done in two days.

SPECIAL GUESTS:

Kae Paterson told about the progress on county land-use plans. She asked if the council cares to plan a study meeting between them and the CAC. September 16 at 7:30 p.m. is planned and the Gig Harbor Planning Commission will be invited to attend.

MERLE CRUM, planning to build behind his home, asked if the variance procedure can be altered if his proposed increase in height affects no one. The council agreed that the public hearing could possibly be held by the council only, but with the Planning Commission advised and asked for a recommendation. A motion to this effect was made by Councilman Hanson, seconded and carried.

REPORTS:

Police: None

Street & Water: None

Building Inspector: None

Councilman Hanson said he was concerned about the fill across from the telephone company.

The building inspector could not come up with anything in the ordinances to force them to install the drain tile and thus force them to level the lot. The attorney will work with Inspector Goodno to stop the fill.

MERCHANT PATROL APPLICATION:

A merchant patrolman from Federal Way would like permission to work in the Town of Gig Harbor/ He gave the council copies of his brochure.

CABLE/TV:

The amended franchise will be ready soon. The spokesman said that they have received authorization to add Channel 2 but have been denied Channel 8. They are appealing. He would like permission to use the town streets to install transmission lines to reach the east side until the franchise is signed. He was asked to wait until the sewer crews are out. He went on to say that they are looking at a rate increase. This will perhaps be accomplished along with the franchise.

R-2 Specs - This is the first reading. The moratorium was determined to expire on Sept. 23. Motion was made by Councilwoman Melton to extend the moratorium another 60 days. Councilman Hanson seconded. Carried.

GIG HARBOR MUNICIPAL CODE - 2nd Reading - ORDINANCE #205: Motion to adopt by Councilman Hanson, seconded by Councilwoman Melton. Carried.

SIDE SEWER PERMIT FEE - Tabled to next meeting.

FOSTER MYERS ANNEXATION ORDINANCE AMENDMENT - ORDINANCE #206; Motion by Councilman Stainbrook to adopt. Seconded by Councilman Hanson. Carried.

TELEPHONE SYSTEM: Clerk Avery brought up the proposed changes to the Town Hall's telephone system. It would require an expenditure of \$103.50 to install and an additional charge of from \$30 to \$35 a month. It would provide two additional lines, hold buttons, and a separate telephone for the pump house. Motion by Councilman Stainbrook to accept. Seconded by Councilwoman Melton. Carried..

The following sewer construction fund warrants were approved upon motion of Councilman Hanson, seconded by Councilwoman Melton. Carried.

A.W. Goodno, \$736.90; Pease & Sons \$31,042.00 and \$1552.10; Pease \$10,573.80 and \$528.69; Parametrix \$9967.32; Nelson Constr. \$149,192.87 and \$7852.26.

Meeting adjourned at 10:15 p.m.

Tape 31, Side 1 863 to End, & Side 2, 0 to 357

Michael M. Dogan  
Mayor pro tem

Patricia A. Ebert  
Asst. Clk.

CORRECTION BY Councilman Hanson: He wished his questions delineated: He asked when will intersection at Pioneer & Grandview be paved? Glen said they are going to start getting it ready. He did not know how soon. Hanson again asked about side streets, Shyleen for instance. No specific schedule set. Due to be fixed but no time set, said Glen. Hanson then asked if gravel cannot be spread along the shoulders to enable people to get out of their driveways.



Regular Meeting, September 23, 1974

The Shore Acres Water Company had requested a meeting with the council. Their agent was present at 7 p.m. and proposed the following points:

1. Extend contract to five years.
2. Prior notification of lines being flushed.
3. Optional renewal clause favoring Shore Acres.
4. System appraisal by third party in event of annexation.

The Shore Acres Water Company would like to meet again with the council after they have had time to consider the proposal. October 14 was set as the meeting date.

The regular meeting of the Town Council was called to order at 8 p.m. by Mayor pro tem Bogue. Present were Councilwoman Melton, Councilman Ekberg and Hanson, Attorney Johnson and Clerk Avery. Councilman Stainbrook was not present as he was ill.

Councilman Hanson had a question concerning the bills. He questioned bills concerning the physical examination for the police department and also questioned the Pacific Water Works bill in the amount of \$4709. He feels that the repairs are a good thing but perhaps it is the wrong thing to do if we do not have the money to cover them at this time. He then moved that the bills be approved with the exception of the Pacific Water Works bill. Councilman Ekberg seconded. Carried.

CLAIMS: D. Avery \$23.85; Asphalt Paving \$306.92; Harbor Furnace \$12.08; Coast to Coast \$23.05; P. Ebert \$30.20; G.H. Hardware \$18.84; Gig Harbor Insurance \$3567.00; Island Emp. \$16.23; Lab Prdurs \$18.55; Lake Villa Stero \$41.45; NCR \$31.92; Pen. St Bank \$5.00; Overall Laundry \$81.69; Pen. Mower \$6.14; Shell Oil \$259.41; Dr. Symonds \$71.25; Stationers \$1.68; G. Tannahill \$46.64; Union Oil \$46.41; U.S.P.O. \$70.00; Dept. of Revenue \$127.02; Harbor Janitor Serv. \$40.00; P.C.F.D. #5 \$1862.15; PC Public Library \$2686.17; Jim Hibbs \$7.80. PAYROLL: Regular payroll and City Credit Union \$567.00; Wash. Physicians Serv \$110.80; Pub. Empl. \$374.40 and 868.49; Empl Sec. \$1336.24; Labor & Ind. \$107.38; EBP Trusts \$189.80; Pen. St. Bank \$1574.00.

MINUTES: Councilman Hanson would like clarification of the minutes of the last meeting regarding mention of the improvement of Shyleen Street and the crossing on Grandview. The assistant clerk was instructed to amend the minutes to reflect the changes. Otherwise the minutes stood approved as posted.

SPECIAL GUESTS: Mrs. Paul Miller stated that she is unhappy about the water bill. She feels that they were not warned in advance of the new rates.

#### REPORTS:

SEWER: Glen Sherwood said that main lines are now completed on Harborview near the Coast guard station and on Soundview to the end near the Veterinary Clinic. Side sewers are being constructed on North Harborview Drive and on Grandview. The paving crews have completed the first lift on Pioneer Way.

The Treatment Plant is nearly complete. A few trees need to be planted but they prefer to wait for cooler weather.

The hearing has been set for October 4 in Superior Court on the condemnation of easement on 10-12 parcels of land.

Regarding Mr. Blackwood's two sewer stubs, Glen explained that Mr. Blackwood owns two 50-foot lots altho his house occupies both lots. The original assessment roll and the final roll, with two stubs charged, went out with this duplication. Mr. Blackwood said that no one contacted him at the time of the placement of the stubs but the inspector tried--Mr. Blackwood was on vacation and no one was at home. Two stubs were put in, one in the middle of the property, and the other in the street right of way giving access to three other lots. Perhaps Mr. Blackwood could use the first stub for his house and the other stub could be held for another property owner on the little street. Councilwoman Melton moved that the problem be tabled until the engineer has had a chance to talk with Mr. Blackwood. Councilman Ekberg seconded. Motion carried. Glen was asked to type up the.

Gary Tannahill said he is spending more and more of his time at the treatment plant and would like to know how his time can be property charged. Soon he will need a vehicle. He is presently using his own pickup truck--and he would, if it were feasible--sell his own pickup to the town for \$3200. He needs a dump truck also. The Clerk was asked to collate information on sewer funding.

Regarding the Pacific Water Works bill, Jim Hibbs explained what material was included in the billing, but Councilman Hanson felt that priorities must be established because you cannot spend dollars you don't have. Councilman Ekberg suggested that Nelson Construction Company be urged to pay as promptly as possible.

Jim Hibbs mentioned that the Water Department is also going to need a newer pickup truck.

Glen Sherwood said that, regarding the discussion on the intersection of Grandview and Pioneer they had discussed acquiring property from Lunde to straighten out the intersection. Lunde said he would like the town to make a fair offer. This is a triangle of land, 480 feet square of property, and the only real value lies in the value of the business zone development so far as total square footage goes. It was suggested that Glen get together with Mayor

Bujacich.

Councilman Hanson questioned the attorney about the fill at Rosedale and Stinson. Attorney Johnson said that if you add fill it is the same position as taking it away--the only person who can legally object, though, is the injured party. The adjoining property owner has the right to ask that the property be maintained as it was in its original state. The engineer had looked at this property. He said that the main objections are regrading and installation of a closed conduit system--otherwise the fill can slide on down the hill and obstruct the town's drainage system. In that event, the town would indeed be the injured party. The attorney and the engineer will discuss it and report back at the next meeting. Councilman Ekberg wondered if the town should not require an environmental worksheet.

Councilman Ekberg reported that the Harbor Heights Assembly of God Church is in violation of the sign ordinance and he wanted to know what had been done about it. Wayne Goodno said he had contacted the church, the pastor had come in and gotten the application but had failed to apply for the permit as yet. Also, Pegasus Cyclery will be asked to apply for their sign permit.

CABLE TV: a new franchise had been written up. The attorney went over the points that had been changed. A public hearing must be held and October 28 was set for this hearing at 7:30.

RB-1 ZONE APPLICATION: Second Reading - Ordinance #207:

Councilman Ekberg moved that the ordinance be adopted that awards the use of RB-1 zoning to the Triangle at the top of Pioneer Avenue. Councilman Hanson seconded. Carried.

MORATORIUM EXTENTION FOR ADDITIONAL 90 DAYS - Second Reading - Ordinance #208:

Councilman Ekberg moved that the ordinance be adopted. Councilman Hanson seconded. Carried.

COMMENTS FROM THE COUNCIL:

Councilwoman Melton asked about the side sewer cuts across the streets. She said that some of the gravel is coming out.

Councilman Ekberg asked about the multiple use rates on the water bills. He wondered if they are being charged correctly. The assistant clerk explained that she charges according to the total number of units. He thanked Mrs. Miller for coming down and expressing her concern.

Councilman Hanson asked what is the plan on the R-2 zone. The copies are ready now and can be studied before the next meeting. This will be the second reading.

Councilwoman Bogue asked for clarification of the paving of Cascade. Glen Sherwood said it will not be paved since it was an unimproved street at the time the sewer construction was undertaken. Clerk Avery said there are plans for an LID there.

Mayor Bogue said that the CAC is studying road plans in the county and she appointed Councilman Ekberg to plan roads in the town.

The Emergency Medical Service study asked for appointees from the town. Mayor Bogue then appointed Mr. and Mrs. Jon Paterson to the committee.

Mayor Bogue asked the attorney to clarify the ordinance regarding the determination of zone at the time of annexation. She would like the council to be advised of the exact procedure before the Hogan hearing on October 14.

Councilman Hanson moved that the payment of the Pacific Water Works warrant be approved.

Councilman Ekberg seconded.

Allan Bucholz will be put on the agenda next time for the Town Hall plans.

Clerk Avery told of the State of Washington Department of Social and Health Services negative declaration of environmental assessment regarding mandatory fluoridation of the town's water supply and that the mayor felt that it should be decided by its citizens. Councilman Hanson moved that the Town Council objects to the mandatory fluoridation of the town's water.

Councilwoman Melton seconded. Carried

CRASE STREET VACATION: Clerk Avery explained that the Crases cannot get title insurance because the corner of the house is on town property. Mayor Bujacich had offered a 7-foot strip of land to them to allow them to sell their house. This is in preference to being sued and losing the entire 72 foot dedicated right of way. The council asked that a written proposal be submitted with a map of the area and the proposal will be placed on the agenda for the next meeting.

Regarding the annexation of Olympic Village, Councilman Hanson would like to see reports from the department heads regarding what this annexation will do to the town--what it will cost--what is in it for us. These reports will be submitted before the hearing.

Meeting adjourned at 9:40 p.m.

Tape #31, Side 2, 359 feet to End.

John M. Bogue  
Mayor pro tem

Patricia A. Ebert  
Asst. Clerk

TOWN COUNCIL MEETING -- October 14, 1974

The special hearing on the comprehensive plan and annexation proceedings was set for October 14. The attorney noted for the record that all adjoining property owners were notified and that is the reasons they were not present. The meeting was then tabled to October 15 and the 14th was a holiday.

October 15 - COMPREHENSIVE PLAN AND ANNEXATION HEARING - HOGAN:

Mayor Bujacich called the special meeting to order at 7:30 p.m. Present were Councilwoman Bogue and Melton, Councilmen Hanson and Ekberg, Attorney Johnson and Clerk Avery. The mayor pointed out the area in question and read the recommendation of the planning commission. He asked for comments in opposition to the proposed comprehensive plan. None.

In behalf: None

Councilwoman Bogue asked if, although the area in question has their own water supply, could they not ask for water from the town's system. The answer was yes.

There was no report from the police or the sewer department.

Councilwoman Bogue read a portion of the RCW on comprehensive land use plans. It was determined that in addition to straight zoning the council could also make other requirements.

Councilman Hanson questioned the Planning Commission. He asked what made the commission recommend B-2 in the area as opposed to B-1. He contends that most of the business areas in town were B-1, not B-2. John Gilich said that the planning commission felt that the concentration of business; in that area lent itself to B-2 use. Mayor Bujacich pointed out that service stations are not allowed in B-1 areas and there is a service station currently operating in the area. Councilman Ekberg asked if it was not an inappropriate time to recommend zoning to business use since the commission will be taking up business zone revision. The answer was that the area in question is already developed and ideal for more concentrated business use since it was so close to the freeway.

Councilman Hanson asked if site plans can be required or are they an unreasonable restriction? The attorney said he did not know but felt they would be considered unreasonable in this case. Councilwoman Bogue asked if a green belt could be restored. She suggested that the east, south and west of the undeveloped area be planted to a green belt, 40 feet wide. The attorney said this was the sort of restriction that could be imposed.

Councilman Ekberg moved that the decision regarding the comprehensive plan be tabled. Mayor Bujacich felt this would be extremely unfair. The motion died for lack of a second.

Councilwoman Melton moved that the comprehensive plan be permitted under the B-2 zone with the addition of a 40 foot green belt provided on the east, south and west of the undeveloped area and the green belt is to consist of restoration of second growth mixed forest vegetation including hemlock, fir, cedar, dogwood, pine, huckleberry, salal, Oregon grape, and other typical Pacific forest flora, with the exception of entries and exits. Motion seconded. Carried with 3 ayes and 1 nay.

In regard to the annexation itself, Mr. Hogan was given the choice of either withdrawing or proceeding depending on whether he accepted the zone provided. He accepted. The attorney said their impact statement had already provided green belting.

Mr. Hogan was again asked if he would request town water. No, he has an ample supply and he pumps back and forth across the highway.

Other questions asked by the council were:

Councilman Ekberg asked how it affects the town's fire rating. The rating goes by the nearness to the hydrants and whether the fire rating there would affect the entire town is a difficult question to answer.

Can the town be forced to put in another tank because an area requires more water? No, the town cannot go beyond its bonding capacity.

What action might the Boundary Review Board take? This was unknown.

Councilwoman Melton moved that the annexation as submitted be accepted by the Town of Gig Harbor. No second to the motion. Mayor Bujacich waited for word from other council members. When none was forthcoming he ruled that because of lack of a second the annexation hearing cannot be approved. The public hearing was closed.

The regular meeting was called to order and then recessed for the second public hearing.

MERLE CRUM VARIANCE REQUEST:

The planning Commission recommendation was read. There were no voices in opposition or in favor. Questions asked were:

Councilman Hanson asked what is the variance requested.

Answer: Because the building is taller.

Is it a two story building?

Answer: It has a sleeping balcony.

Regarding the road Mr. Crum said that none of the property was ever deeded so the request was discontinued.

The council agreed that the extra height would affect no one.

Councilman Ekberg moved that the request be approved. Councilwoman Bogue seconded. Carried. The public hearing was closed and the regular meeting resumed.

SPECIAL GUESTS:

Lyle Sievertson and Phyllis Veitenhans appeared on behalf of the Eagles, requesting backing from the town for a convention the last week of June, 1975.

Councilman Hanson moved that we authorize the letter for the Youth Convention sponsored by

The Eagles the last week in June. Motion seconded and carried. A letter is to be drafted to the Eagles before November 3.

Protesting the high water rates were:

R. B. HENINGTON, BILL COOPER and ED FINHOLM

Mr. Henington said the bill at the Nautic Apts has increased 128% while the rest of the town was raised only 3%.

Bill Cooper also protested the apartment rate.

Ed Finholm said the water rates are getting out of hand.

Mayor Bujacich said, too, that the rates had gone too high. He welcomed the forming of a committee of volunteers to go into the rates. Councilmen Ekberg and Hanson will serve.

Mr. Salzbury of the Hi-Way Prevention Patrol appeared regarding a license for merchant patrol services. They wish a business license to operate in the town and will provide a bond. Now they need council permission.

Councilman Hanson requested that the Patrol give us a written report as to the number of cars they will be using in the area, the type of services they anticipate providing, and the hours they intend to operate. The representative said they operate in Fife, Des Moines, Kent and have county licenses in both King and Pierce Counties. They have offices in Federal Way and have been operating there 17 years. The clerk will collate information from these other towns. The attorney will write to the Patrol and tell them what information the town needs.

BILLS: Motion to accept by Councilman Hanson. Seconded and carried.

MINUTES: Councilwoman Bogue wished a portion corrected concerning the appointment of Councilman Ekberg to plan roads. The minutes should be corrected to read that Councilman Ekberg was appointed to meet with the CAC road committee as the town's representative. The minutes then stood approved as corrected.

CORRESPONDENCE:

1. Planning Commission letter on deletion of minimum unit size. Mayor Bujacich felt that the ordinance book and the municipal code are in conflict with one another. He asked the attorney which one to follow. The attorney said the ordinances should be exactly the same in each one. Book Publishing Co. should be contacted if they differ. One instance the mayor quoted was located differently and bore a different connotation as a result. Public hearing set for 12 November at 7:30 p.m.

2. Planning Commission letter regarding changes to R-2 specs. It was suggested that the consideration of the zone change be postponed as the commission is meeting tonight with their planner and they will undoubtedly have more suggestions.

3. Planning Commission letter of recommendation on the rezone of State Highway Department property. Tabled pending the Boundary Review Board action on annexation.

4. John Holmaas letter requesting addition of a side sewer. They feel they were being over-charged. The engineer said that a T had been put in for the Holmaas's. The request for the side sewer had been made in May--about two months after the cut-off date. The contractor is not morally obligated since he bid the contract as planned and anything over that he has the right to charge. The engineer will check into it.

5. Dental Fluoridation. No one appeared in behalf of the letter.

Reports:

Sewer: Glenn Sherwood said the contractor had a good month with 7500 feet of line laid. He has approximately 4500 feet yet to go plus pressure lines and the outfall. The pavers are due back tomorrow and plan to pave Butler, North Harborview, Grandview and perhaps part of Clay Hill but there is still a crossing to make for Bayridge. Soundview will be paved to 20 feet wide all the way.

The treatment plant and pump stations are basically complete. The testing remains to be done. Street remaining to be paved are: Vernhardson, Wheeler, Rust, Peabody Eastment, Bayridge and Palzer Easement.

Any indication of when the outfall will be completed? No. Discussions are still underway with the contractor about the price change since the location was changed. The subcontractor said the offshore part costs about \$11,000 and the shore portion about 30,000 more, nearly doubling the bid price. There will have to be a change order written. They did write to the contractor detailing a reasonable change in price but have had no answer. Councilwoman Bogue asked why the outfall had to be changed. Because the property owner would not permit the line to pass thru his property. Then why not condemn? It was deemed inadvisable because the entire parcel of property would have had to be condemned, not just the strip needed for the outfall.

Glenn went on to speak about the corner of Pioneer and Grandview. The price agreed upon for the Lunde property was \$500. The attorney will draw up the documents and the light company will come and move the poles. Mayor Bujacich brought up the Ancich lawsuit. He asked the attorney about the outcome of the legal action. The attorney will come back with an answer on it.

Councilman Hanson asked what is the status of the easements that went to court. Glenn said that at least one can be completed without more court action. The court determined the use necessity and now the damages must be established. The attorney is working on it.

Councilman Hanson asked if there is an estimated completion date. Within a month unless we have trouble with the easements. Paving cannot be accomplished immediately after construction. Councilwoman Bogue asked if Stinson is on the agenda for paving. She was answered that as soon as one more sewer crossing is made the street will be paved with two more coats.

How is sewer funding? The report is supposed to be updated.

POLICE REPORT:

Chief Galloway drew up spec sheets for a new patrol car. The mayor felt that the town should get the economy package in the future--no more high horsepower. The council decided they would like to have an overall review of vehicles needed by the various departments. The council would like an inventory of vehicles owned by each department by the next meeting.

STREET & WATER:

Jim Hibbs said the Case backhoe tractor is wearing out and the bucket needs to be replaced. Repair cost is \$3000. Cost of replacement is between 16,000 and 19,000 new or \$10,000 used. The entire machine cost \$3500 three years ago and could be used for trade in, perhaps 1500. The mayor suggested using the \$8100 revenue sharing funds in the water fund. The money has to be used by December, 1974 or it is returned to the Federal Government.

Changing of Signs: Councilman Ekberg asked about the free left turn at the top of Stinson. Mayor Bujacich had ordered the stop sign restored until the street is wide enough to accomodate a left turn holding lane.

BUILDING INSPECTOR: Wayne Goodno had one building permit for a house in North Shore Hills.

TOWN HALL PLANS:

Allan Bucholz asked what the council's position is on the plans for the Town Hall. Material is dropping a bit now and contractor's are looking for work. Estimated cost was discussed but would be based on types of interior finished required. Councilman Hanson moved that Mayor Bujacich and Clerk Avery be authorized to go over the plans in detail to refine the plans. Seconded by Councilwoman Bogue and carried.

CRASE EASEMENT:

The two attorneys have met and agreed on 11 feet to be deeded to the Crase property, leaving a street end of 50 feet for the town.

SEWER OPERATION FUNDING: Clerk Avery said that Paul Flint is going to put together a system for financing it. In reading through the sewer ordinance the Clerk found provision for establishing a sewer operating fund.

SHORE ACRES CONTRACT:

In regard to the points put forward by the Shore Acres Water Company Mayor Bujacich felt that:

1. Extend contract to five years, no.
2. Prior notification of lines being flushed. He agreed.
3. Optional renewal clause favoring Shore Acres. No.
4. System appraisal by third party in event of annexation. Not needed as it is spelled out in the contract. The legal description of the property will be translated to a map so that the council can see the area occupied by Shore Acres.

ADDITIONAL LAB EQUIPMENT:

Gary Tannahill said that several items needed at the treatment plant were not included in the specifications. Wade Reynolds had agreed that they were needed but had failed to be included. Mostly it was small equipment but Gary asked that a still to make distilled water be included. The entire cost is \$588.00 and a change order is needed. When Parametrix gets this change order they will attempt to get it included in the grant. Councilwoman Bogue moved that we approve the change order. Councilman Ekberg seconded. Carried. Gary again asked for bids on a vehicle. Or, if the water department gets a new dump truck then the present flat bed could be converted with a metal box and would handle the job nicely at the treatment plant. They went on to discuss the number of men needed to operate the treatment plant.

BID SUBMITTED FOR THE POLICE VEHICLE:

Harry Anker had submitted a bid of \$35,00. They tabled the action pending an answer from the school.

SEWER BILLS: Motion made and seconded that the bills for the sanitary sewer and the engineer be approved. Carried.

AMUSEMENT DEVICES: Tape ended here.

Mayor Bujacich spoke on the need for expenses in the water department.

TREES BEHIND HEMLEY HOUSE:

They discussed the trees on the public right of way. They are in a dangerous condition and Mrs. Hemley asks that they be removed before another tree falls on her house. Her son will take the dead ones down and the council agreed that it should be done.

R-2 REVISIONS:

Mayor Bujacich criticized the involved system that has been set up. Before even a duplex can be constructed it is necessary to go through three public hearings. It is a waste of time.

PERMIT ORDINANCE:

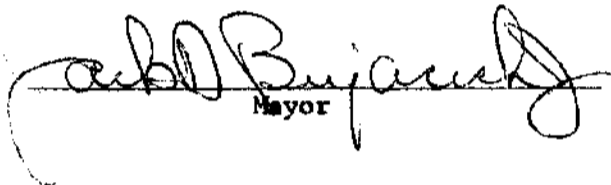
Councilman Ekberg asked if there is going to be any action taken. He felt that the ninety day time limit specified for connection is too short a time. The Clerk explained that the budget is composed of revenues anticipated in the water fund and with the water improvement fund the water fund is not in debt. The water improvement fund is not a part of the bonded indebtedness.

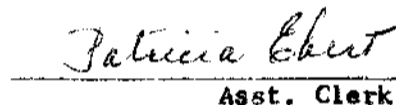
Mayor Bujacich spoke, telling the Council that Mr. Hogan was treated unfairly. The council defended themselves, saying that Mr. Hogan had made wrong applications. Mayor Bujacich said it was evident that the council had already made up their minds in advance. Councilwoman Melton asked the council why they even bothered to vote on the comprehensive plan when they did not vote at all on the annexation.

Meeting adjourned at 11:35 p.m.

Tape #32, Side 1, 0 to End

Tape #33, Side 1, 0 to 106

  
Mayor

  
Asst. Clerk



CABLE TV

The Public hearing was called to order at 7:30 p.m. by Mayor Bujacich. Present were Councilwomen Bogue and Melton, Councilmen Hanson and Ekberg, Attorney Johnson and Clerk Avery. The hearing had been advertised in the local paper and each councilman had a copy of the contractual agreement. There were no comments in opposition nor in behalf except for those of the representative. Questions were asked by the council:

Councilman Hanson asked how much the rate will increase. Answer: From \$5 to \$6. It is a standard increase throughout the franchise.

Councilman Ekberg asked if they would object to a provision that they would erect no new utility poles. The answer was that they may need a pole from time to time but only with council permission.

Councilman Ekberg asked if they plan to trim or cut any vegetation. Answer: No, only if the telephone company does because the utility company will maintain the poles and the right of way. Councilwoman Bogue asked when other town councils will give their permission.

Answer: This week. Her main concern was that perhaps this council would give its permission and others would hold out; then this area would be left holding the bag with higher rates. The representative said their company must still obtain FCC permission. Construction would take from 60 days to 6 months. The area along Wollochet Bay is already being served by Microwave signal.

They discussed franchise tax rates. The average franchise tax rate is 4%.

Councilman Hanson moved that the application for the franchise as submitted by the Tribune Publishing Company be approved. Councilman Ekberg seconded. Carried. Public hearing closed.

The regular meeting was called to order at 8 p.m. with a motion for approval of the bills. The motion was seconded and carried.

The minutes stood approved as posted as there were no corrections or additions.

CORRESPONDENCE: None

SPECIAL GUESTS:

The Town of Gig Harbor dental profession was represented by Dr. Hampl who spoke on fluoridation. He said it is one of the few public health measures that works. If the town can afford it he urged the addition of fluorine to the town's water supply. It would cost about 10 to 15 cents per person per year and the machinery from \$1500 to \$5000 per pumping station.

REPORTS:

Sewer: Glen Sherwood said that the gravity lines are nearly completed with only short runs to go on N. Harborview and two easements. The pressure lines and sewer outfall are still to go. Paving is completed on Stinson, Rosedale, the N. end of Harborview and Grandview Place. A change order has been submitted to the contractor on the outfall. It should be back at the next meeting. It must be submitted to the EPA for their approval.

Pertaining to private lines, Glen said that they can be laid where the gravity lines have been tested. Final hookup cannot be made until the treatment plant is in operation. Completion is still estimated for the middle of November unless it doesn't quit raining.

STREET & WATER:

Jim Hibbs submitted an equipment report.

SEWER REPORT:

Gary Tannahill is still concerned about equipment bids.

BUILDING INSPECTOR:

One permit was issued.

Councilwoman Melton asked about the intersection of Pioneer and Grandview. The mayor said the lawsuit is still unsettled and they are waiting to hear from the insurance company.

CAC ROAD AND TRANSPORTATION COMMITTEE:

Councilman Ekberg has been working with their committee. They would like to have a letter of support from the town to plan a by-pass road for the east side and Crescent Valley traffic. The council was in favor and the clerk was instructed to write the letter.

TOWN HALL PLANS: No news.

R-2 Zone Revision: The final council copy and the final Planning Commission revision of 10/15 were compared. The first reading of the ordinance had been held on September 9.

Councilman Hanson asked why the Planning Commission had recommended a change to 10 feet on side yards. Kae Paterson, in the audience, answered that the commission felt the 10 feet were adequate.

Mayor Bujacich felt that the entire procedure as outlined is too complicated for a single duplex. It is asking too much of a builder to expect him to put out a lot of money and go through all those public hearings.

Councilmen Hanson and Ekberg would like to see a final draft made combining both of these revisions. There were some final suggestions made concerning plantings, minimum lot size, draft number and date, which should appear on the next copy. They spoke of

the possibility of excluding a single duplex so the prospective builder would not have to go through site planning and all.

Changes that were approved were:

17.20.010 Intent

As "or will be available within an acceptably defined future...."

17.20.030 Land Use Regulation:

Two changes, "district involving more than one single family residence or one duplex," and

"and when suitable performance bonds have been provided to the Town Clerk."

Include boarding schools and golf courses since they were already included in the R-1 section of the ordinance. The Planning Commission had recommended including them under conditional use. Add swimming pools, tennis courts and badminton courts to be left as open space to the minimum of 50% of the total lot area to recreational uses. Add "all natural shrubs and trees to be retained where possible; such other open space and/or yards shall be planted, landscaped and maintained."

The final revision is to be typed and disseminated as soon as possible.

SIDE SEWER PERMIT ORDINANCE - #209 - Second reading:

Councilman Ekberg asked what is standard period of time to be allowed before mandatory hookup. He said what about allowing up to one year. Glen said some time limit must be set in order to start charging monthly sewerage charges. Also you need some sewage to start operating the system. A question was asked if this ordinance constitutes official notice that the time period has started. Answer: Probably official notice will be given through the mail. It was agreed that this will be a bad time of year so far as weather goes to force people to hook up. The attorney said the ordinance is not official notice. The Council agreed to extend the hookup period from 90 to 120 days. Councilman Ekberg moved that it be adopted with the substitution of 120 days on page 5. Councilman Hanson seconded. Carried.

BLACKWOOD STUB - No report.

WATER BILL REPORT:

Councilman Hanson said there was evidently a misunderstanding in billing. The question is in regard to multiple unit dwelling rates. He asked the attorney if Section 5 stood on its own as opposed to metered use. The attorney said it could be clarified by the council according to what they have in mind. Mr. Henington was present and picked out items in the ordinance that he disagreed with. He said that it should state "first thousand cubic feet." He had called numerous water districts and gotten their rates. Our bills are too high in comparison with other water districts, he said. He proposed voiding Section 5 of Ordinance #194. Without that section all citizens would pay equally. BETTY GROUNDS, a tenant at the Nautic Apts., felt that it is unfair to increase the billing. Most of the tenants at the Nautic are on social security and can ill afford the increase that would naturally be passed on to the tenants.

A study session was set for November 4 at 7:30 p.m.

HI WAY PREVENTION PATROL:

The clerk had obtained references from Fife and Des Moines. They were excellent. The attorney had failed to send the letter to the Patrol telling them what information the town requires so the matter will be taken up at Monday's study session if the attorney can get the letter to them in time. The representative explained that their policy, in an arrest, is to detain the suspect and call the local law enforcement for the actual arrest.

Councilwoman Bogue passed out information on a CAC project. This will also be taken up at the study session.

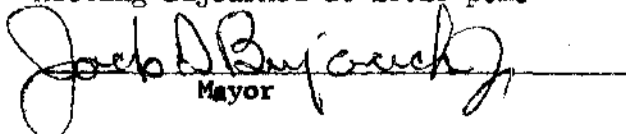
SEWER FUNDING: Glen Sherwood will have a report ready at this study session.

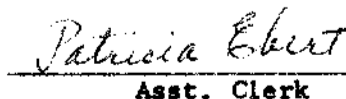
STATUS OF SHORE ACRES WATER PROPOSAL: No one has appeared in response to the original proposal. The contract is not up for re-negotiation until July. This will be put on the agenda at the next regular meeting.

Nancy Melton asked about the method of future stubbing of vacant lots. She wondered if it might not be possible to group these possible side sewer customers and put them in under a separate contract all at once. Glen advised against it. He said people usually expect to put in their own stubs in the future irregardless of the cost.

Meeting adjourned at 10:10 p.m.

Tape 32, Side 2, 0-884

  
Mayor

  
Asst. Clerk



Council Meeting - November 12, 1974

The meeting was cancelled as no quorum was present.

REGULAR COUNCIL MEETING - November 25, 1974

The meeting was called to order at 8:20 p.m. by Mayor Bujacich. Present were Councilwoman Bogue, Councilmen Ekberg and Hanson, Attorney Johnson and Clerk Avery.

The following bills were approved upon motion of Councilwoman Bogue, seconded by Councilman Hanson and carried unanimously:

CLAIMS: B.Archer \$145.00; C.Bogue \$52.20; P.Brodsky \$57.26; C&G Electronics \$12.81; M.Galloway \$6.90; Dr. Gross \$35.50; J.Kramer \$96.40; F.Hruza \$190.20; PWV \$407.01; Pen.Gateway \$197.00; Royal of Wash.\$86.79; Iith & M Lab \$7.50; Stationers \$15.89; Tacoma Dodge \$32.60; Shell Oil \$342.63; Stutz Fuel Oil \$109.12; State Revenue \$207.77; USPO \$80.00.  
PAYROLL: Regular monthly payroll plus Wash.Physicians Serv. \$110.80; LEOFF \$\$490.00 and \$936.89; Emp Sec \$1411.46; Dept of Labor \$108.98; EBP Trusts \$74.15; Pen.St.Bank \$1752.30; City Credit Union \$699.86.

As there were no corrections or additions to the minutes they stood approved as posted.

CORRESPONDENCE:

1. Planning Commission letter on R-2 specs. Referred to old business.
2. Planning Commission letter on Hogan annexation. Referred to old business.
3. Nelson Construction Company request for interest due on late payment.
4. Teamster negotiations for police pay from C.C.Donworthy. Referred to old business.

SPECIAL GUESTS:

Mrs. Roy Jones appeared before the council for permission to remodel her single-family home to three separate apartments. Only single family uses are exempt from the moratorium and she was told that she could start the remodeling on her own apartment at present.

REPORTS:

Sewer Construction: Glen Sherwood said that all gravity main lines are completed. Some side sewers are still being installed. All pressure lines but station #4 are in. There is no word from the outfall contractor as yet. The street restoration is continuing. Some settlement has occurred and this will be repaired at the contractor's expense. He was asked what is the schedule for paving on Harborview Drive. The contractor will be back tomorrow. He will pave Burnham First and probably down toward Borgen and Johnson will be next. Councilman Stainbrook asked how much sewage is necessary to get the plant going. The answer is that the plant is uneconomical with just a little but operable. Councilwoman Bogue wondered if Glen knew that the storm drains on Stinson are by passed. The answer is yes they are aware of the problem.

Street and Water: The backhoe bid was opened. The only bid was from Coast Contract with a bid of \$10,500. on a 1972 model. It is used but in very good condition. Jim Hibbs advocated keeping the old tractor and perhaps selling the bucket and shovel. Councilman Stainbrook moved that we accept the bid as submitted by Coast Contract. Councilwoman Bogue seconded. Councilman Hanson moved to amend the motion and made the purchase subject to selling the entire old piece of equipment. Councilman Ekberg seconded. When it was pointed out that it was unfair to approve such a contingency deal the second and the motion amendment were withdrawn. The original motion carried. Councilman Hanson then moved that we sell the present piece of equipment on a bid basis subject to council approval and advertised in the local paper and the TNT. Councilman Ekberg seconded. Carried.

Police: Sgt Tomlin asked about the patrol vehicle spec sheets. Councilman Hanson said he felt that two police vehicles are sufficient. Mayor Bujacich said that both present vehicles are in bad shape right now--one blew a rod and the other is in desperate need of repair. All the council agreed that no other car is needed now. Councilman Ekberg asked who keeps the clothing bought for the patrolmen who quit. The clothing is kept by the department.

Regarding the plans for the town hall they are being up dated and the levels sighted.

R-2 REVISIONS:

The latest revision is to be re-typed and labeled final revision with the date on it. The attorney said it would be best to go over the proposed ordinance and write a final revision. They decided that changes to be made are as follows:

- 17.20.020
- 3. Golf courses. Place under conditional use.
- 12. Schools - boarding. Delete.
- 17.20-040 Add
- D. On tracts of land over 110,000 square feet there shall be planned unit development. Renumber D,E, and F.
- F. now G. After landscaped as follows, delete the last three lines.

The proposed revision will be retyped and submitted for approval before duplication.

HI WAY PREVENTION PATROL:

Councilman Hanson moved that the license be approved with the stipulation that the town is to be notified of the names of individuals patrolling the area. Councilman Stainbrook seconded. Councilwoman Bogue made a statement against arming with guns in the town. Further discussion disclosed that this is to be an annual license up for renewal in June. Officer Tomlin asked about commissioning. The answer is that only the company is commissioned. Councilman Ekberg made the following amendments to the original motion:

1. That any action on the license be subject to review and full and adequate insurance, including false arrest, and a named insured on their policy. Councilman Hanson seconded. Carried.
2. That the license, granted until June, be reviewed by the council on a mandatory basis. Councilman Hanson seconded. Carried.
3. That none of the officers of the organization be allowed to carry firearms within the town. This motion was withdrawn when the Prevention Patrol said they withdraw their application. The original motion was carried by vote of three to one.

WATER RATE ORDINANCE - First Reading:

There was a change on the table to read "first thousand cubic feet" instead of "per thousand cubic feet." A copy will be sent to Roy Henington who claims discrimination against apartment house dwellers.

R-3 PUBLIC HEARING DATE - Reset to December 9 at 7:30 p.m.

FIRE DEPARTMENT HOSE BILL:

Councilman Ekberg moved that we pay the Fire Department \$700 for the hose that they claimed is no longer in good condition. Councilman Hanson seconded. It was determined that we can certainly use the hose and some of the cost may be refunded through the grant program as it was used for an extensive water shut off during sewer construction. Motion carried.

HOGAN ANNEXATION - Planning Commission letter:

The Planning Commission had written asking that the council reconsider their decision. The attorney felt that the issue is still open for either reconsideration or motion to deny. Councilman Stainbrook moved that the application for annexation be reopened. Councilman Hanson seconded. Both Councilmen Ekberg and Hanson felt that there was no documented information offered any any time that would affect the decision-making process and show what the town might gain from the annexation. Councilman Ekberg was for a joint meeting with the Planning Commission, especially with the professional planner to look at the area in question.

Councilwoman Bogue said she was mainly concerned with:

1. The green belt. She felt there was no assurance that the green belt would be put in on three sides and 40 feet wide as specified.
2. The tax revenue versus the added services. A good job of patrolling by our police force could require considerable extra time on the part of the force.
3. Possible action by the Boundary Review Board.

Mayor Bujacich advocated a more extensive annexation yet to increase the tax dollars because revenue is being taken away from the town by legislative action.

Councilman Hanson moved to amend the above motion that, prior to reconsideration of the application for annexation, a study session be set up with the Planning Commission. The amendment was carried and the original motion carried. They will try for a meeting on 12/3/74.

"POLICE UNION NEGOTIATIONS"

The council felt that the previous offer was fair but the police had completely refused the offer. The council will resubmit the same offer.

BLACKWOOD SEWER STUB:

Glen Sherwood went through the background again. He said the two stubs are in. The upper stub is not in the position Mr. Blackwood wanted but he was not available when it was installed. The lower stub is in the middle of a side street right-of-way. Mr. Bussanich could be served by the lower stub and evidently Mr. Blackwood and Mr. Bussanich plan to hook up to this stub together. Mr. Blackwood did not prefer the upper stub since he would have to tear up his lawn and driveway. The question is whether the town should charge Mr. Bussanich for the second stub. The upper stub is really Mr. Blackwood's stub and the lower could be used by neighbors. If the town allowed Mr. Bussanich and Mr. Blackwood to hook to the lower stub together should Paramatrix absorb the cost of the upper stub? Or should Mr. Bussanich pay Mr. Blackwood for the connection?

The council felt that Mr. Blackwood should pay for both stubs and salvage the cost of #2 from Mr. Bussanich. Part of the reason behind the decision is that Mr. Blackwood failed to notify the engineers before the final assessment roll closed.

CHANGE ORDER OUTFALL LINE:

The change order has been negotiated for an approximate price of \$25,000. Councilman Hanson moved that the change order be approved. Councilman Ekberg seconded. Carried.

PIERCE COUNTY FIRE MARSHAL:

The county wants 20¢ per capita for fire protection in the town. This will be taken up with the budget hearing.

SHORT PLAT ORDINANCE - First reading.

1975 TAX LEVY - First reading.

TRANSFER OF FUNDS FROM REVENUE SHARING TO WATER FUND - RESOLUTION No. 123:

Councilman Stainbrook moved that the resolution be adopted. Councilwoman Bogue seconded. Carried.

ULID CHINOOK AVENUE:

This was turned over to the attorney for checking. Referred to next meeting.

HARBOR HOLIDAYS QUESTIONNAIRE:

Councilman Hanson suggested writing a letter asking their goals.

G.O. BOND AUTHORIZATION:

The bond counselor had suggested the sale of the full amount or \$400,000. Motion was made by Councilman Stainbrook and seconded by Councilman Hanson to authorize the sale of the bonds, but it was felt that the priorities were mixed. They would like a written proposal. Motion carried.

SEWER CONSTRUCTION FUND WARRANTS: The Clerk explained that a portion of the estimate for Nelson Construction would have to be approved subject to interim financing by McLean and Company. This was approved subject to interim financing and the following warrants were approved upon motion by Councilman Stainbrook. Motion seconded and carried. Parametrix \$11,376.00; A.Wayne Goodno \$705.45; Nelson Construction Co. \$247,381.62 and \$13,020.09; Pierce County Auditor \$21.00.

ORDINANCE 210 - AMUSEMENT DEVICES AMENDMENT - 2nd Reading:

Section 5 is amended to read "18 years of age" instead of "21 years of age." Approved upon motion by Councilman Hanson, seconded by Councilman Stainbrook. Carried.

Councilman Stainbrook said he has a problem below him. Mrs. Britton has been getting drainage from above and the only way it could be alleviated would be to slope the downhill side of Woodworth Avenue higher to channel the drainage elsewhere but Stainbrook's drive, way. Jim Hibbs will look at the problem.

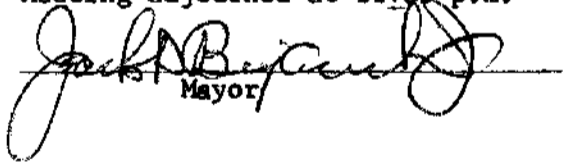
COUNCILMAN EKBERG ASKED ABOUT:

1. Shore Acres Water Company Contract - Put on agenda.
2. Drainage down Stinson Avenue.
3. Huber and Antilla impact statement. He said their statement said that only a minimal number of trees would be cut. He said that it is no longer "minimal" since they are cutting more trees. He wondered how to protect the town in such an event and moved that the attorney get an injunction to keep them from cutting more trees on the present construction site. The mayor said they were forced to cut more trees on the site as they were undermined by springs. Councilman Hanson seconded. Carried two to one with Stainbrook voting no.

Councilman Hanson asked about a B&O Tax to increase revenue. The mayor proposed a \$1 a month fee on all boats in the marinas. They will work on this at the budget hearing.

Meeting adjourned at 11:35 p.m.

Tape 34, Side 1 - 0 to End

  
Mayor

  
Asst. Clerk

REGULAR COUNCIL MEETING, December 9, 1974

The public hearing was called to order by Mayor Bujacich at 7:30 p.m. Present were Councilwoman Bogue and Melton, Councilmen Ekberg, Hanson and Stainbrook, Attorney Johnson and Clerk Avery.

PUBLIC HEARING - ADJUSTMENT OF R-3 ZONE UNIT SIZE:

The Planning Commission letter of recommendation was read that suggested elimination of the minimum unit size.

Councilman Hanson moved that we adopt the change to delete the square footage requirement. Councilman Ekberg seconded. Carried. Public hearing closed.

The regular meeting was called to order with a motion that the bills be approved. Seconded and carried.

CLAIMS: American Disposal Co. \$13.20; Asphalt Paving \$1566.84; D.Avery \$24.90; Borgen and Johnson \$338.22; P.Brodsky \$169.58; Coast Contr. \$11,025.00; Conrad & Johnson \$1815.00; G.H.Insurance \$50.00; G.H.Texaco \$3.41; Harbor Furn. \$27.91; J.Hibbs \$21.00; Isl.Empire \$346.98; J&R Loggers \$21.89; Lundberg Concrete Pipe \$515.66; Motorola \$218.10; Newton Ford \$820.28; NW Petroleum \$3.16; Overall Laundry \$82.65; Pac.Water Works \$1185.66; Pen.Auto Parts \$91.17; Pen.Light \$428.46; Pennwalt Corp \$31.79; Petty Cash \$31.79; P.C.Auditor \$75.00

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PCFD#5 \$700.00; Pioneer \$259.46; Print NW \$53.56; Reeves Supply \$39.57; Shell Oil \$285.76; Shoreline Management Professional Help \$1550.00; Spadoni Bros \$353.85; Dept. Mtr. Vehicles \$12.80; Stationers \$16.30; Union Oil \$24.89; Sep Mfg. \$30.45.

PAYROLL: Regular med-monthly withdrawals.

As there were no corrections or additions the minutes stood approved as posted.

#### CORRESPONDENCE:

1. Planning Commission recommendation on Sky Realty.
2. Planning Commission letter on Hildebrand application of comprehensive plan.
3. Nelson Construction Company letter. Action on this was deferred until Paul Flint arrives.

#### SPECIAL GUESTS:

Chester Larson would like to see the dirt pile across from the telephone company cleaned up. He also said that the property has now become much higher than the surrounding land. Glen Sherwood had previously looked at this property and told the owner that he must put in adequate fill for drainage and to use care not to plug the drain. The attorney will write a letter to the owner. Councilman Stainbrook said he would like to see the property contoured down--in other words improve the slope.

#### ORDINANCE PROVIDING FOR ISSUANCE OF G.O. BONDS - First Reading:

PAUL FLINT came in and gave an explanation as follows: He said that everything was contingent upon the legal opinion on interim financing. Because of the second reading aspect he said it was delayed two weeks. It will be here by December 27 or 28.

Councilman Hanson asked how we got in this position. The first he knew of it was from the newspaper. He said he had repeatedly asked how our financial position was. Paul Flint explained about the bonding attorney. He said he had been told to cash to bonds but it was unclear how many to cash. Now, it is necessary to provide a second ordinance since the original ordinance has expired and this means an additional two weeks.

The mayor read McLean and Company's letter pursuant to interim financing. This is also the first reading of the ordinance.

Councilman Hanson moved that we draft a letter to Nelson Construction Company complying with their requirements and an investigation into the question of whose responsibility it was to supply the funding. Councilman Ekberg seconded. Carried.

#### REPORTS:

Sewer Construction: Glen Sherwood said the contractor has only two side sewers to go. Restoration of Harborview is to follow the side sewer installation. The outfall sub-contractor still is due to come in on December 13. Paving is up to Nelson Construction Co. Councilwoman Melton asked about a patching job on Fennimore Street. The Water Department will put some temporary mix in the hole.

Harry Rekers of Nelson Construction Co. said a patching crew will start day after tomorrow. The Harborview Drive job depends on installation of the force main from Pump Station #4. Then there is a deep side sewer to put in at the liquor store and the ground is very bad in that location. A closed circuit TV will be brought in on Thursday to test some of the lines. They will repair the settlements at no cost to the town.

Mr. Rekers added that he wished to thank the mayor for his tremendous cooperation and the engineers and people of the town as well.

Street and Water: Jim Hibbs reported on the completed street in the S&S Addition. Glen Sherwood will inspect in the daylight and give his report. As to the hydrant on Ryan, there is no way to reinstall it until March or April.

Police: Chief Galloway said they need tires for one of the patrol cars and feel it might be wise to get snow tires also.

Mayor Bujacich criticized the making of 6 or 7 daily logs when one to pass around would have been sufficient. The logs showed that one car is out of service lacking a cam.

Sewer: Gary Tannahill pointed out the specs on vehicles needed for the Sewer Treatment Plant. It was agreed that the call for bids will be advertised for December 23.

Attorney: Dave Johnson said that the Boundary Review Board has declined jurisdiction on the State Highway Department property.

Councilman Hanson asked Attorney Johnson about the Huber and Antilla injunction against tree cutting. Dave answered that he had contacted the H-A attorney, Monte Hester, and they had formed a temporary agreement about it pending a meeting within two weeks with the principals involved. Councilman Ekberg now said that more trees were cut today--at least 13 alders--and he feels that the builders have totally disregarded the town's directives. The attorney said a lawsuit is the next step.

#### R-2 SPECS:

Councilman Hanson reported on the study meeting with the Planning Commission. He told the council that the professional planner recommended (in regard to reconsideration of the Hogan annexation or any annexation) that each council member draft, in written form, his decisions and concerns in regard to annexation or growth of this town. Regarding the postponed study meeting with the Planning Commission, December 16; at 7:30 was set.

Dr. Hruza had been requested to prepare a comparison between the two R-2 drafts. He has done this and prepared copies which he submitted to the council.

Mayor Bujacich said it is illegal to pass the R-2 changes without a public hearing.

JOHN DOWER asked about the public hearing. He had not been advised of any in the past. When do we get public notice? He questioned how a person could place enough buildings on a lot now and make it economically feasible. The Dowers had brought a petition with them signed by other property owners protesting the changes.

Councilman Ekberg moved that a public hearing be set at the earliest possible date. December 23 at 7:30 p.m. was set. The assistant clerk was instructed to run off additional ditto copies for interested persons.

SHORE ACRES WATER CONTRACT: The council agreed that they will start going over the contract to start negotiations as soon as possible.

WATER RATE ORDINANCE - #211 - 2nd Reading:

Mr. Henington was again present and protested the apartment rate. He asked again that Section 5 be removed from the ordinance. Councilman Stainbrook moved that the ordinance be adopted. This was seconded by Councilman Hanson. Carried unanimously.

Mr. Henington again protested and asked that the mayor veto the motion. He asked that a complete survey be made of the water system and billing procedures as well as having an audit made of the records. Mayor Bujacich said he has no veto power and that the state gives the town a complete audit once a year.

SHORT PLAT ORDINANCE - To the next meeting.

TAX LEVY - ORDINANCE #212 - 2nd Reading: Councilman Hanson moved that the ad valorem tax levy ordinance be passed. Councilman Stainbrook seconded. Carried.

ULID CHINOOK AVENUE

Attorney Johnson had gone over the proposed ULID and said that the council cannot act on it since it lacks the necessary requirements of the State Statute. No mention is made of the cost of the amount of improvements, mode of payment, frontage involved and total area of improvement. They asked our attorney to contact their attorney.

BUDGET REVIEW: There were questions not yet resolved and the attorney is working on them. A budget hearing will be held next Monday, December 16, after the Planning Commission-Council study session.

HILDEBRAND GLAISYER WATER LINE REIMBURSEMENT:

Mayor Bujacich said we have an obligation of paying the pro-rata share of the line if we cut into the Hildebrand's line to better serve Shore Acres. The assistant clerk was asked to get the figures from the old records.

BUDGET ADOPTION; First reading.

STATUS OF POLICE NEGOTIATIONS : Not completed

HARBOR HOLIDAYS: No reply.

HI WAY PREVENTION PATROL: The patrol had sent a certificate of insurance to Councilman Ekberg who felt that the limits are adequate but feels that the town has not been named as insured and there is no false arrest coverage.

SHORELINE MANAGEMENT - The committee requested a meeting with the council. January 6 at 7:30 p.m. was set.

Randy Babich needs a letter from the town testifying that he has lived here all his life. Those on the council that have known him all his life so attest. The letter will be ready in the morning.

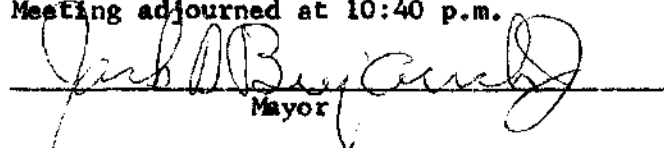
Prior to R-2 hearing, Councilman Ekberg asked that we make sure we comply with the law in all respects, and the clerk was asked to check the records and find out when the moratorium does expire.

The Planner had asked that each council member write a paragraph on their beliefs, goals, etc. for the future compilation of a comprehensive plan.

A gambling ordinance is needed.

Meeting adjourned at 10:40 p.m.

Tape 34, Side 2, 0 to End.

  
Mayor

  
Asst. Clerk

A special budget hearing was held on December 2, 1974 at 7:30 p.m. Present were Councilwoman Bogue and Councilmen Hanson and Ekberg and Clerk Avery. Councilwoman Bogue moved that Councilman Hanson be appointed mayor pro-tem. This was seconded by Councilman Ekberg.

SPECIAL BUDGET MEETING - December 16, 1974

Ordinance #213

Four special items were discussed:

FIRE MARSHAL INSPECTION:

Fred Smith, the Pierce County Fire Marshal, was present to discuss the inspection procedures under the Uniform Fire Code. The Fire Code must legally be enforced, whether the town signs a contract with the Fire Marshal or hires someone else. Under the inspection contract, all buildings in town will be inspected and instruction given to bring them up to life-safety standards. They will do as much as possible to bring them up to fire-safety standards. They can close a building for failure to meet life-safety standards.

The contract could not be placed on the budget for passage tonight but the money will be allocated and the council will then have until the next regular meeting to go over the contract. It would run about \$325 for the per capita charge.

SENIOR CENTER SUPPORT:

They are asking for \$1500 from the town. About 22 townspeople attend out of attendance of from 40 to 60 people a day. This is in addition to the nutrition program. They get no other funds.

Questions asked were: If the senior center moved outside the town or quit operations there should be a provision to refund the money to the town.

Should they have a monthly running audit to let the town know what they are using the money for.

Would it set a precedent? They did feel it was a worthwhile service and if the money is available they will see that it is budgeted. The council will also check with the attorney and look over the proposal.

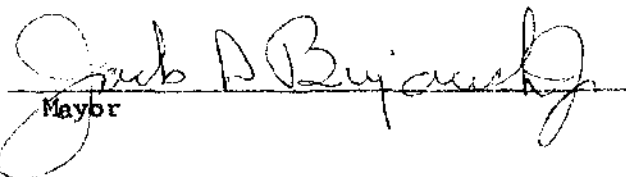
COUNTY HEALTH DEPARTMENT: They are again requesting funds for the town for services performed. The mayor said they have never given the town any idea of what services they do perform. Council agreed that they do not wish to go along with the contract.

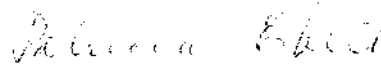
MOBILE SERVICE CENTER: They asked for \$478. The council did not approve it.

A motion was made and seconded that Ordinance #213 be adopted. Carried.

Meeting adjourned at 11:30.

Tape ~~34~~<sup>35</sup> Side 1, 106 to end.

  
Mayor

  
Asst. Clerk

Regular Council Meeting, December 23, 1974

The meeting was called to order by Mayor Bujacich. Present were Councilwomen Bogue and Melton, Councilmen Hanson, Ekberg and Stainbrook, Attorney Johnson and Clerk Avery.

ADVERTIZED BID OPENING: Sewer System Vehicles. Bids were received from Boyles Chevrolet, \$4,025.00 plus tax; \$4,176.00 plus tax, Bill Newton Ford, \$4,321.56 plus tax; \$4,571.84 plus tax, Titus Will Ford, \$4,283.17 plus tax; \$4,417.68 plus tax, South Tacoma Motor Co., \$4,017.91 plus tax; \$4,187.85 plus tax. Councilman Hanson motioned that the Town accept the Dick Boyle bid. Seconded by Councilwoman Bogue. Carried.

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS. ORDINANCE #214.

Mayor Bujacich read the entire Ordinance and the attached proposal from McLean & Co. Councilman Hanson questioned on Page 9 naming of McLean & Co.'s proposal, if accepted does this nullify any future liability: Attorney Johnson replied that this is a contractual action and any future action would be a liability action. Councilman Hanson asked if the Bond Ordinance would pertain to tax levy on property. Mayor Bujacich answered that it would. Councilman Hanson motioned that Ordinance #214 be adopted. Seconded. Carried.

Councilman Hanson motioned that McLean & Co.'s proposal to provide interim financing be accepted. Seconded. Carried.

The Sewer Construction Fund Warrants were presented by the Clerk.  
Stang Hydronics, Inc., \$139.97, not interest bearing



A. Wayne Goodno, \$513.00, not interest bearing.

The following are interest bearing warrants.

McLean & Co., \$147,381.62, October estimate less \$100,000.00 previously paid Nelson Construction Co.

McLean & Co., \$13,020.09, Retainage, October estimate, Nelson Construction Co.

McLean & Co., \$78,493.05, November estimate, Nelson Construction Co.

McLean & Co., \$4,131.21, Retainage, November estimate, Nelson Construction Co.

McLean & Co., \$7,831.00, Invoice No. 1128-30, Parametrics, Inc.

Councilman Stainbrook motioned that Sewer Construction Fund Warrants be approved as submitted. Seconded. Carried.

These interest bearing warrants were authorized to be drawn upon the Sewer Construction Fund dated December 23, 1974, made payable to the order of McLean & Co., Inc. and bearing interest at a rate of  $5\frac{1}{2}\%$  per annum from date of issuance. The proceeds of said interim interest bearing warrants were ordered to be deposited in the Sewer Construction Fund and cash warrants drawn thereof in favor of Parametrix, Nelson Construction Co. and Nelson Construction Co./Bank of Bellingham in payment of their statements.

#### BILLS:

The bills were approved upon motion and second. Carried.

CLAIMS: Bo-Mac Gravel \$16.80; Boyles Chev. \$9.84; Brodsky Uniforms \$2.25; Coast to Coast \$8.94; Harbor Janitor Service \$80.00; Lundberg Conc. \$931.93; Pac.Coast Stamp Works \$32.84; Parametrix \$225.00; Paul's Chevron \$1,337.19; Peninsula Light \$13.96; Peninsula Gateway \$129.31; PCFD#5 \$2867.77; PC Pub.Lib \$2686.15; Royal \$116.34; Shell Oil \$288.11; Spadoni Bros \$26.25; Stationers \$11.55; Stutz Fuel \$119.20; Uddenberg \$43.65; P.Ebert \$24.70; Dept. of Revenue \$132.38.

PAYROLL: Regular monthly payroll plus R.Bogue \$16.94; G.Stainbrook \$16.94; N.Melton \$16.94; S. Ekberg \$16.94; J.Hanson \$16.94; City Credit Union \$699.86; Wash.Phy.Serv \$140.75; PER(LEOFF) \$490.00; PERS \$905.70; Emp.Sec. \$1392.95; Dept.of Labor & Ind.\$103.31; EBP Trusts \$165.10; Pen.State Bank \$1676.30; D.Johnson \$254.84.

MINUTES: Councilman Hanson corrected the last minutes as follows: His motion was to investigate the question of whose responsibility it is to supply the funding and proceed with an action in accordance. He wished the minutes to read "and to proceed to recover damages." That portion had been left out of the original motion. Otherwise the minutes stood approved as posted.

#### CORRESPONDENCE:

1. Amateur Garden Club offered to provide a few benches around town. The council approved of the offer and Councilwoman Bogue was appointed to work with the Club as to the placement of these benches.

2. Harbor Holidays request to re-establish the celebration, this year to run just one day, June 7. The committee said they hoped to keep it more a small town celebration by reducing it to a one-day affair. Action was postponed to the next meeting because each council member was asked to formulate their suggestions and concerns by the next meeting.

3. H.J.Cochran and Sons, merchant patrol, asked for information on establishing their patrol in our town. They will write and the town will formally answer their letter.

#### REPORTS:

Sewer Construction: Glen Sherwood said the first lift of asphalt has been put on most streets in the town. Patching work is underway including adjusting the manholes to the proper elevations. Some settlement has occurred. Lines and being flushed and tested by closed circuit TV. Mayor Bujacich told Glen that a lot of the 2" underlay between the old bowling alley and Stanich's house is gone now.

Regarding the road in the S&S Addition, Glen said that he found only two small defects and Spadoni's agreed to repair them as soon as he can get to them. He said he sees no reason why the streets in that addition shouldn't be accepted on that basis. He was asked about the corner of Grandview and Pioneer. Glen said they furnished the legal description to the attorney who was to get the title report. The attorney said he has it and will send it over. To get back to the street in the S&S addition, Councilman Hanson asked if there was any reason why it was not accepted now. Glen said there was no absolute reason why it should not be accepted before it is fixed; the problems are not very serious. Councilman Hanson moved that we accept the streets as soon as those two items are cleared up. This was seconded by Councilman Stainbrook. Carried. The clerk was asked to write to Spadoni.

Street and Water: Jim Hibbs asked Spadoni to make an estimate on repairs to the shoulders on Rosedale Street. This would involve a strip of blacktop about six feet wide. It is estimated at \$1285, and it should be done in the near future before the shoulders are washed away. The same repairs need to be done elsewhere.

Mayor Bujacich said the uncovering of the valve boxes are an important item and it was agreed that this will be done as soon as possible.

Attorney Johnson brought over a copy of the lawsuit that has been filed. It is a temporary injunction against Huber and Antilla. The hearing is set for Jan. 2 at 1:30 p.m.



SHORT FLAT ORDINANCE: To be continued.

R-3 ORDINANCE AMENDMENT: First reading. Second reading scheduled for January 13.

STATE HIGHWAY DEPT: Hearing set for January 27 at 7:30 p.m.

R-2 MORATORIUM EXTENSION: First reading.

FIRE MARSHAL CONTRACT: They are in favor of the service but would like certain items in the contract spelled out.

SENIOR CENTER FUNDS: The council would be in favor if the county were asked to provide half of the funds.

SHORE ACRES WATER CONTRACT: Mayor said he had spoken with a new member of the board and agreed that the council should begin consideration.

PLANNING COMMISSION STUDY SESSION:  
No date has been set.

Mayor asked for an executive session with the council regarding personnel matters of the town. This was set for after the regular meeting on January 13.

*Jack Bujacich*  
Mayor

Tape 35, Side 1, 0-474

*Alison Ekberg*  
Asst. Clerk

Regular Council Meeting, January 13, 1975

The meeting was called to order at 8 p.m. by Mayor Bujacich. Present were Councilwomen Bogue and Melton, Councilmen Ekberg and Hanson, Attorney Johnson and Clerk Avery. Councilman Stainbrook was not present.

OPENING OF BACKHOE BIDS:

The bids are listed as follows:

Don's Drugs	\$509.00
Phil Radcliff	1295.00
C. Chambers	1626.10

The trade in offered had been at least \$2000. Jim Hibbs said that the backhoe is the only part bad on the rig. The tractor is still good and to keep it we would be way ahead. The broom gear is permanently installed on the machine and it would cost at least two to three hundred dollars to install on the new machine. The old tractor has only about 3200 hours on it and should last a long time mechanically. Councilman Hanson moved that we accept the highest bid. There was no second and the motion died. Councilman Ekberg moved that we refuse all bids. Councilwoman Melton seconded. Carried, by vote of three to one.

INTEREST BEARING WARRANTS:

The following interest bearing warrants were approved upon motion of Councilman Hanson, seconded by Councilman Ekberg. Motion carried:

All are payable to McLean & Co.

#SCF 095	Parametrix, Inc.,	\$5,339.31
SCF 094	A. Wayne Goodno	380.20
SCF 096	Pease and Sons	22,256.92
SCF 097	Pease & Sons, Retainage	1,112.85
SCF 098	Nelson Construction Co.	53,530.00
SCF 099	Nelson Constr., Retainage	2,817.37

These interest bearing warrants were authorized to be drawn upon the Sewer Construction Fund dated January 13, 1975, made payable to the order of McLean and Co., Inc., and bearing interest at a rate of 5½% per annum from date of issuance. The proceeds of said interim interest bearing warrants were ordered to be deposited in the Sewer Construction Fund and cash warrants drawn thereof in favor of Parametrix, A. Wayne Goodno, Pease and Sons and Nelson Construction Company and their retainages, the Bank of California and the Bank of Bellingham, in payment of their statements.

The following bills were approved upon motion of Councilwoman Bogue. The motion was seconded and carried.

CLAIMS: American Disposal \$15.50; Asphalt Paving \$2834.52; D. Avery \$34.35; Badger Meter \$571.45; Book Pub. \$498.07; Borgens \$247.34; Paul's Chevron \$13.45; Coast to Coast \$7.60; Econolite \$114.45; G.H. Union \$105.18; Isl. Emp. \$209.71; Overall Laundry \$66.12; Pac. Water Works \$320.14; Peninsula Auto Parts \$201.13; Pen. Gateway \$192.22; Pen. Light \$334.73; U.S.P.O. \$50.00; Siegner's \$24.89; Spadoni \$105.00; Stationers \$21.78; Stutz Fuel \$279.85; Rubber Stamp \$29.42; Timco \$33.01; Uddenberg \$9.46.

MINUTES: See end of minutes.

CORRESPONDENCE:

1. Peninsula School District letter regarding the 1965 Ford police car. They have no further use for the car and would like to be released from their promise not to sell it. Referred to new business.
2. Mr. and Mrs. Finley's claim of \$1,000 for damages by water at the Cooper Apartments. Turned over to Gilbert insurance.

SPECIAL GUESTS:

Hi-Way Prevention Patrol. They asked if they are to be allowed to go ahead with the business regarding their letter of December 12. Councilman Ekberg said one of the stipulations was false arrest insurance and this has not yet been covered. The town has been named as insured but there was a discussion concerning detention and arrest. The HPP said this was the first time they had ever been asked for it. Councilman Hanson felt that the town could be held liable and an attorney could name both parties. The mayor said the town could either insist on the false arrest insurance or waive it. He would like the attorney to research it. Our insurance carrier could also advise us. Thomas Ray of HPP asked the town council if they met the license requirements as so stated in Ordinance #71 at this time. The council stipulates the false arrest insurance.

SEWER OUTFALL LINE:

Attorney Malanca says that the outfall line is going through the wrong property. The council returned to regular business while the parties involved look over the legal documents.

REPORTS:

Sewer Construction - They hoped to have the outfall line done by February 1. The mayor reported some of the complaints against Nelson Construction. The company does not receive their full payment at present. 10% has been held back in retainage.

Street and Water: Councilwoman Bogue reported a problem on Stanich Avenue.

Police Department - The chief asked for uniforms for the department. Okayed. The radios have arrived and been installed. There are five old radios and one has been installed in Jim's truck. A transmission is going out in one car--he would like to have it checked. He was instructed to take it to Marvin's.

Attorney - He reported on the lawsuit for the injunction. The judge dissolved the injunction and felt satisfied that the developer had abided by the EPA. He felt also that the builders will install adequate replacement. The case is still pending on two points--restoration and fees or costs. He also reported on the condemnations. All are settled but Chris Palzer's and the amount of damages is yet to be determined. There is a demand of \$4000 but the property will be appraised.

Sewer Department: It will be 2½ weeks before all lines are cleaned and tested.

Building Inspector - Cascade Development sent a letter requesting a building permit as the moratorium is not now in effect. Wayne Goodno said they asked for a definite answer and if it is not forthcoming they will sue for damages. Councilman Ekberg felt the environmental worksheet had not been accepted, needing further work. No decision was made at this time, but the clerk was asked to check the tape.

COMMITTEE REPORTS: Councilwoman Bogue reported on the benches for the garden club. They will be asked to provide benches whose foundations will be embedded in concrete.

SHORT PLAT ORDINANCE: The attorney has a copy of a projected ordinance but will present others for consideration.

Mayor Bujacich reported on federal funding. We can go with the county this year. The letter accepting or rejecting the county project had to be in by today so the mayor went ahead and made the decision to go along with the county for this year.

R-3 ORDINANCE - Repeal of Section 17.24 - First reading:

Attorney Monte Hester, representing Huber and Antilla, objected to the repeal because his clients had been restricted to the 1200 square foot minimum lot size. They went ahead and built units of 1216 and 1400 square feet. This affects property values. If the restriction is removed and developers henceforth could build more denseley it would put an unfair advantage on Huber and Antilla and diminish the value of property already developed. Thus it would make their rental rate higher than other developers in the future. The attorney said reports must be made regarding the environmental aspects and acted upon. Councilman Hanson felt that it does not affect density, land use, etc. It was proposed that an environmental worksheet be prepared. Councilwoman Bogue moved that it be tabled until an environmental worksheet is prepared. Seconded and carried. The engineer will be asked to fill it out.

R-2 MORATORIUM EXTENSION - Second Reading - Ordinance #215:

Moved and seconded. Carried.

CONTRACT - FIRE MARSHAL: Glen Stenbak brought one copy. The council requested copies for each to consider. Postponed to next meeting.

EMERGENCY MEDICAL SERVICES REPORT: Dr. Burl Buskirk brought the council up to date on their progress. There will be a series of public hearings.

65 FORD CAR: They cannot sell the car without authorization from the town. Councilwoman Bogue moved that the town waive the agreement of March 1971. Seconded and carried.

SHORELINE MANAGEMENT MEETING: Next Monday night at 7:30 p.m. at the Town Hall. A study session with the Planning Commission was tentatively set for 8 p.m. pending notification of the planner and the commissioners.

Attorney Malanca returned to the discussion of the sewer outfall line. He said that perusal of the information in the town's files discloses that Roland Knapp was notified instead of First Cardinal Group. He was for a stop work with notification to Investment Syndicates to meet tomorrow to try to work out a solution. He claims that the outfall line is crossing the tidelands of First Cardinal Group and not following a common boundary line between ISI and FCC properties. If an agreeable compromise cannot be worked out they will go to the Army Engineers and stop the work. The mayor said he could foresee a two year court battle. The town should have gone ahead and condemned the tidelands as they originally intended to do. The town engineer will be present in the morning for the projected meeting.

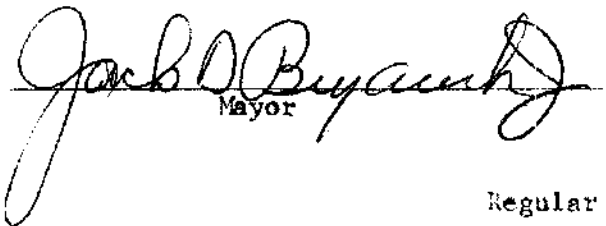
MINUTES: The posted minutes were approved upon motion of Councilwoman Bogue, seconded by Councilman Ekberg. Carried.

HARBOR HOLIDAYS: The council had been asked to render a decision tonight so that the committee can get to work on their plans if the council does approve of the projected one-day affair. Mayor Bujacich said the biggest objection was lack of adequate police protection and the fact that the officers were running back and forth to the bank for the benefit of the Harbor Holidays booths. It was agreed that the town would hire extra officers at the expense of the committee and the police protection would go through Saturday evening as that is when most of the damage was done last year. Also it was agreed that the committee should obtain proper insurance and notify the town far enough in advance that the insurance is placed. One other request was a performance bond that things are cleaned up and taken care of.

Councilwoman Bogue asked the attorney to check into the no-smoking ordinance.

Meeting adjourned at 10:45 p.m.

Tape #35, Side 1, 474 to End and Side 2 0-208.

  
Mayor

  
Asst. Clerk

Regular Council Meeting, January 27, 1975

The meeting was called to order by Mayor Bujacich. Present were Councilwomen Bogue and Melto Councilmen Hanson, Ekberg and Stainbrook, Attorney Johnson and Clerk Avery.

OPENING OF THE G.O. BONDS: The bonds had been opened at 11 a.m. this morning as advertised. Bids were as follows:

Seattle-First National Bank,	Effective Rate	6.708573%
Western Community Bank	" "	7.00%
Bank of California	" "	6.864589%
Rainier Bank	" "	6.7708%

Councilman Hanson moved that we accept the low bid of Seattle-First National Bank. Councilwoman Bogue seconded. Motion carried.

BID OPENING - Newspaper Advertising:

Only one bid was presented, that of the Peninsula Gateway. Councilman Hanson moved that the bid be accepted. Councilman Stainbrook seconded. Carried.

BILLS: The bills were approved upon motion of Councilman Ekberg, Motion seconded and carried.  
CLAIMS: Asphalt Paving \$474.80; D.Avery \$21.40; Assn. of Wash.Cities \$192.36; Dick Boyles \$24.57; John C. Bullo \$5.72; C.C.Donworthy \$227.50; G.H.Insurance \$163.00; Griggs Office Supply \$297.74; Motorola \$14.96; PWW \$522.30; Pen.Gateway \$88.35; Stationers \$196.62; Reeves Supply \$19.04; Spadoni Bros. \$266.18; Stutz Fuel \$66.61; United Supply \$5.91; Woodworth \$89.78; Woodworth & Co. \$89.78; J.R Loggers Supply \$81.14; Scientific Products \$61.04; State Chem. \$76.85; Pete's Machine Shop \$51.45; State Dept.Rev. \$191.19; Janitor Service \$40.00; PCFD #5 \$1839.43.  
PAYROLL: Regular Monthly payroll plus \$Pen.State Bank \$2192.40; City Credit Union \$714.86; Wash.Phys.Service \$129.55; Pub.Empl Ret. \$539.05; and \$1128.88; Empl.Sec. \$1642.90; Dept. of Labor and Ind. \$130.21; EBP Trusts \$141.52

MINUTES: As there were no corrections or additions the minutes stood approved as posted.

CORRESPONDENCE:

1. Michael Doel letter on fill erosion on Stinson Avenue. He protested the use of 18" tile when he feels that 12" tile would handle it. The attorney will go over the matter with Glen Sherwood.

2. Pierce County Planning Department letter regarding amendment to map by changing zone on the part of Island Empire Telephone Company and notice of hearing on February 13. The council will look at the property and leave their comments with the clerk. The type of zone will be checked into.
3. Planning Commission report on John Holmaas intent to annex. To new business.
4. Barnett Shorr, who had previously submitted a shoreline management application, had sent a letter to the Department of Ecology. They request an extension of the permit because of the difficulty in obtaining financing. They will review their file and come up with an answer by next meeting.

## SPECIAL GUESTS:

Ragnar Lovoll has a four-acre tract of land located behind the Willock property and he would like to apply for annexation but would like permission in the meantime to connect to town water when he builds. He might also like to apply for a height variance since his property is over the crest of the hill and would need the height to get a view. The council had no objection to supplying the water provided certain requirements are agreed to, such as a 50% higher water rate, one service connection only, specify annexation within six months, etc. An agreement will be drawn up.

Bill Edgbert asked about the advertised State Highway Department hearing. This was then reset to February 24, 1975, at 7:30 p.m.

## REPORTS:

Sewer Construction - Glen Sherwood said that the pumping stations are slated to be tested this week. The outfall line has been completed laid but not yet tested. The contractor is cleaning the sewers, testing some sections and repairing some that did not test. Settlements are still to be repaired and there is still some paving work to be done. Mayor Bujacich asked about anchoring over the outfall line. Only the very end is exposed--the rest of the line is buried from 18 inches to five feet deep. The engineers will get in touch with the Coast Guard to see about the charting of the outfall and any further marking that could be done.

Councilman Hanson asked about the results of the First Cardinal Group's claim from last meeting/ Mayor Bujacich said that the engineers proved to all concern that the outfall line followed the agreed-on center line of the three proposals. Everyone concerned was satisfied.

Building Inspector - Mr. Goodno had an application from the Skansi brothers for a double garage on their Marina West site. The Shoreline Management permit application must be published in the paper with a notice of hearing date. The council set March 10 at 7:30 p.m.

Attorney - Mr. Johnson presented a proposed short plat ordinance for the council to look over. The final reading can take place next time. Attorney Johnson went on to report that he gave the engineer the deed. The price remains to be agreed upon and the papers signed.

FIRE MARSHAL CONTRACT: The contract can be terminated by either party on ninety days notice. Mayor Bujacich felt that the town building inspector should accompany the inspector. Councilman Hanson moved that we enter into the agreed-upon contract with the Fire Department. Councilman Ekberg seconded. Carried.

R-3 ORDINANCE - Repeal of Section 17.24 - First reading:  
The environmental impact worksheet had been prepared by Glen Sherwood.

STATE HIGHWAY DEPARTMENT ANNEXATION, Adoption of by Ordinance - First reading.

JOHN HOLMAAS ANNEXATION PETITION - Postponed until final shoreline master program is ready.

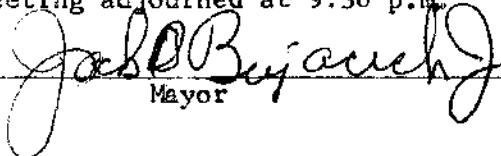
NO SMOKING ORDINANCE - Councilwoman Bogue proposed the first reading.

CABARET LICENSES - First reading of ordinance pending review.

Councilman Hanson asked that all documents be dated in the future.

Meeting adjourned at 9:30 p.m.

Tape 35, Side 2, 202-715

  
Mayor

  
Asst. Clerk

## REGULAR COUNCIL MEETING - FEBRUARY 10, 1975

The meeting was called to order at 8 p.m. by Mayor Bujacich. Present were Councilwomen Bogue and Melton, Councilmen Hanson, Ekberg and Stainbrook, Clerk Avery and Attorney Johnson.

The bills were approved upon motion of Councilwoman Bogue, seconded by Councilman Stainbrook. Carried.

CLAIMS: American Disposal \$13.20; Bearings, Inc. \$3.19; Book Publ. Co. \$192.18; Borgen and Johnson \$165.74; Boyles Chev. \$8.64; J. Bujacich \$28.80; Conan's Fuel \$8.67; E. Ebert \$77.04; Fire Control \$142.93; G.H. Hardware \$6.35; G.H. Machine Works \$2.10; G.H. Texaco \$2.73; G.H. Union Serv. \$24.32; Harb. Furnace \$34.02; Harbor Shell \$55.66; Dr. Hruza \$381.68; Ysl. Emp. Tele. \$204.42; Lundberg Concrete \$119.18; NW Petr. \$2.37; Overall Laundr \$87.90; Oxygen Sales \$25.99; Pac. Water Works \$532.39; Parametrix, \$99.93; Pease & Sons \$115.50; Peninsula Auto \$105.04; Pete's Machine \$37.80; Petty Cash \$42.16; PCI \$1080.00; Pitney Bowes \$38.67; Stationers \$33.20; Tacoma Transmission \$281.67; Thriftway \$34.26; Union Oil \$73.76; United Office Equip. \$8.92; USFO \$80.00; James Swang \$4.50.

The minutes stood approved as posted.

## CORRESPONDENCE:

1. Planning Commission statement of findings on the Tarabochia conditional use permit request. Referred to new business.

## GUESTS:

John Holman of Harbor Holidays presented a letter which offered the following points on behalf of the committee:

1. Adequate insurance for the town.
2. Performance bond or posting of money,
3. Requirements as to extra police.
4. Pick up own money. They will take care of it.

He wished to know if there are any more problems. They would like approval or disapproval at this meeting. Councilman Hanson moved that we give affirmative approval to Harbor Holidays to proceed with their scheduled event on June 7. Councilman Ekberg seconded. Carried.

Vera Zinn would like permission to take some trees down or get them taken down. These are the same trees that Mrs. Lawrence Hemley said are threatening her home and are in dangerous condition on the town right of way. Mrs. Zinn said the town could take them out through her place. Gary Tannahill said he and Jim Hibbs had looked at them and they are in bad condition but must be taken out in pieces. Mayor Bujacich wondered what is the obligation of the town. Jack Rossi will be contacted.

## REPORTS:

Sewer Construction: Glen Sherwood said he cannot give a specific answer on the completion date as some lines are unable to test. The pump stations, as a consequence, cannot be tested either. At least March first should find it all cleaned up.

As to street restoration, Harry Rekers will be in town tomorrow and by next meeting we should have definite word on hookup. The outfall line still has one leak in it. Glen was asked about the penalty clause for completion. Completion date should have been extended to at least the end of December because of the strike. Glen will mention it tomorrow to Harry Rekers that he is overtime.

Street and Water: None

Police: Councilman Hanson asked if they intend to purchase a six cylinder vehicle and retire one of the older cars. Spec sheets will be furnished.

Sewer Report: Gary Tannahill said that inspection has been delayed on the pump stations. He said he had word that the trucks are available for delivery.

Attorney: He said that concerning the condemnation lawsuit of Palzer, the town takes the position that the town owns the street, not Mr. Palzer. The property was not transferred on the tax rolls and, although recorded, it was carried in the name of Miller and up for tax sale when Palzer bought it in 1969.

Councilman Hanson asked the attorney what is the status of the Doel property at Rosedale and Stinson. Attorney Johnson said he has a meeting with Glen Sherwood.

SHORELINE MASTER PROGRAM presented by Allan Rowe. Public hearing date was set for March 3 at 7:30 p.m.

SKRIVANICH ROAD ACCEPTANCE: The settlement is a question of Nelson's side sewer fill collapsing. Glen will write a letter to Martie Skrivanich and asked that he get Nelson Construction Company to correct the problem.

CABARET LICENSE: Attorney Johnson said he ran into some problems and he needs the advice of the council regarding live-music, dancing, etc. He will make copies for the council.

BARNETT SHORR PERMIT EXTENSION:

Ivan Phillips was present and brought the council up to date regarding their plans. There have been delays due to the money market and the sewer. They feel they may be able to ahead and would like an extension of the permit to April 1976. Councilwoman Bogue told him of new requirements requiring life safety inspection, and thus a third set of plans must be furnished. Councilman Ekberg moved that the request be granted to April 1976. Councilman Stainbrook seconded. Carried. They will be sent a letter.

SHORT PLAT ORDINANCE: The Planning Commission has not replied although some portions refer to them. Glen said the ordinance should also either require surveys or not require surveys. He said there are more county regulations although he was not prepared and did not bring all of them. The council agreed that surveys within the town are a good idea and the attorney will incorporate them. They will wait for the Planning Commission recommendation.

R-2: Dr. Hruza has all the input he needs. Further word should come from the Planning Commission.

STUDY SESSION ON ANNEXATION WITH PLANNING COMMISSION: March 11, 1975, at 7:30 p.m.

SEWER RATES: Glen is working on this. The auditor said that the first year's revenue reserve requirements are not necessary to meet.

R-3 ORDINANCE REVISION - Second Reading:

Councilman Hanson said that the environmental worksheet should be either approved or disapproved. He went on to say that he felt that the proposal had no significant environmental impact and should be processed. He so moved that the revision be accepted. Councilman Ekberg seconded. Carried. ORDINANCE #216 - Councilman Hanson then moved that Ordinance #216 be passed deleting the square footage requirement of the R-3 ordinance. Councilman Stainbrook seconded. Carried.

STATE HIGHWAY DEPARTMENT ANNEXATION ADOPTION - 2nd Reading - ORDINANCE #217:

Councilman Stainbrook moved and Councilwoman Melton seconded that the annexation be adopted. Carried.

NO SMOKING RULE - An ordinance was not needed--just a ruling. Councilman Ekberg moved that there be no smoking in council chambers during any public council meeting or study session or during any recess within the building, and that we notify by posting the proper signs. Councilwoman Bogue seconded. Carried by vote of three to two.

INSURANCE ON TOP OF HILL: Councilman Ekberg said that offers have been made but all have been refused. *\* Verified under 1000 and 10000 insurance for the town*

Mayor Bujacich said that in regard to working agreements, the police contract will have to be redone and the rough draft on the town employees contract will be presented by the next meeting.

PUBLIC HEARING TARABOCHIA AND NANCY MELTON'S STATEMENT - Public hearing set for March 10 at 8p.m. Councilwoman Melton made the following statement: "For the record I would like to speak to the conflict of interest question concerning my vote on the proposed conditional use permit that has been requested by my father, Nick Tarabochia. Since I have no direct or indirect interest in the proposed project, I feel no compunction whatever in my ability to consider the proposal objectively. Having my vote to be determined solely on the basis of what concerns the townspeople of Gig Harbor, it is a well known fact that much of the property in the town is owned by him and if I hesitate to vote on this question I feel that I could then not vote on any question that would in any way change the business climate in town, because that could be construed to have either a direct or indirect influence on any property that he owns."

JOHN HOLMAAS asked for a formal hearing. First hearing on comprehensive plan application scheduled for April 14 at 7:30 p.m. He will come in and file regular annexation papers.

SEWER WARRANTS:

Councilman Hanson asked who dropped the ball in getting the funds. There is a big interest statement to pay. The attorney will check into it. He moved that the warrants be approved. Councilman Stainbrook seconded. Carried.  
A.W. Goodno \$432.90; Preston, Thorgrimson, Ellis \$1212.99; McLean & Co. \$1845.25; Parametrix \$3717.03; Nelson Construction \$43,892.93; Nelson Const/Bank of Bellingham \$2310.15.

PETER STANLEY DECK: There have been no complaints whatsoever and permission to use the deck for outside dining was extended for an additional year upon motion by Councilman Stainbrook, seconded by Councilwoman Melton. Carried.

STREET NAMING IN S&S ADDITION: To be considered next meeting.

Councilman Hanson asked when the council can expect to have monthly expenditure reports

*\* motion 2/17/75*

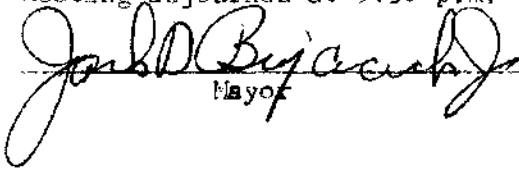
made available to them. The clerk will make a breakdown by fund.

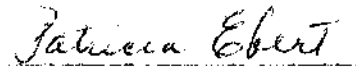
Councilwoman Bogue asked if any sewer employees had been hired yet. Yes, Lloyd Osterburg, hired through the PEP program. A lab man is yet to be hired.

Councilwoman Bogue would like a map or plan of the town showing which streets are accepted by the town and which not.

Meeting adjourned at 9:50 p.m.

Tape #23, Side 2, a-577

  
Mayor

  
Asst. Clerk

REGULAR COUNCIL MEETING - February 24, 1975

The public hearing was called to order by Mayor Bujacich. Present were Councilpersons Bogue, Melton, Hanson, Ekberg and Stainbrook although Melton and Stainbrook were not present for the public hearing. Present also were Attorney Johnson and Clerk Avery.

PUBLIC HEARING - STATE HIGHWAY DEPARTMENT PROPERTY ZONING:

The public hearing notice, the recommendation of the Planning Commission, and a letter from Peninsula Properties were read. The environmental worksheet was presented. Mayor Bujacich called for comments in favor.

CHARLES FISHER said a study has been done and because of the proximity to the freeway it was felt that the land should have commercial use.

In opposition: FIRE DISTRICT #5 represented by DREW WINGARD said that a least a four acre site is needed for a new headquarters station site and he asked that the zoning change be withheld as the dollar value is too high if the zoning goes through. Possibly the town could acquire the site through a negotiated price instead of an appraised price. He asked for a delay in zoning. It would give the district a much better location as everything is down hill from this location.

Councilman Ekberg voiced doubts about the D-2 since it is due for updating. Perhaps there was no great urgency to zone the property at this time and perhaps a delay would be more beneficial to all concerned. Councilman Hanson would like to see the D-2 dealt with before this is rezoned.

Councilman Ekberg moved that it be tabled pending research and review of the D-2 zone. Councilwoman Bogue seconded. Carried. Public hearing closed.

The bills were approved upon motion of Councilman Hanson, seconded by Councilwoman Bogue. Carried.

CLAIMS: American Business Supply \$50.49; D. Avery \$25.65; EOD Janitor Serv. \$40.00; P. Brodsky \$635.83; Coast to Coast \$36.78; Consolidated Elec. \$39.68; J. Hibbs \$17.70; K. Gilchrist \$6.88; Motorola \$328.19; Car Wash \$2.37; Pen. Gateway \$282.49; Pen. Light \$415.52; Pen. Serv. \$23.00; County Trsr. \$78.38; PCED #5 \$1839.43; St. Mich. Parish \$25.00; Spadoni Bros \$190.57; Dept. Rev. \$118.15; Stationers \$24.52; Stutz Fuel \$945.41; G. Tannahill \$47.70; United Supply \$18.31; Woodworth & Co. \$89.78; Zep. Mfg. \$187.63

FAYNOLL: Regular monthly payroll plus Peninsula State Bank \$7438.10; City Credit Union \$781.86; Wash. Phys. Serv. \$129.55; Pub. Empl Ret. \$604.43 and \$1203.65; Empl. Sec. \$1772.66; Dept. Labor & Ind. \$153.30; EBF Trusts \$109.77.

MINUTES: Councilman Ekberg corrected a paragraph on page 327 concerning insurance at the top of the hill. He wished it clarified that this refers to the claim, not the top of the hill, and that an offer was made to settle this claim. Otherwise the minutes stood approved as posted.

CORRESPONDENCE:

1. Glen Sherwood letter on the SSS Addition street acceptance. He urged his acceptance on the signature of Mr. Skrivanich since his bond is about to expire. The attorney said that the signature would be adequate. It was so agreed to accept the street upon signature and to release his bond.
2. Planning Commission letter regarding the public hearing on R-C on March 4 and notification of the study session on March 11, both at 7:30 p.m.
3. Planning Commission report and recommendation on Cascade Co. rezoning request. The council set the public hearing for March 24 at 7:30 p.m.

REPORTS:

Sewer Construction: Glen Sherwood said that by the end of the week he should have a completion date on the sewer testing, but he recommends that we add at least an additional week to that figure. A TV camera will be here on Wednesday and Thursday. The contractor will be here tomorrow to work on trench restoration on Harborview Drive. The pump station contractor will complete his tests this week. So far as paving is concerned, they prefer to wait for more dependable weather.



Street and Water: Jim Hibbs brought up the drainage problem on Chinook. It can be alleviated by installation of tile from Chinook to Tarabochia on an easement to be provided by John Gilich and Nick Babich. Also, two small catch basins are needed at the old Ford garage to take care of the drainage. He was given the go ahead to put these in. He also brought up a problem by Don's Drugs where it needs work on the catch basin. Jom went on to tell that Spadoni's had been in and banked the road on the opposite side from the main line coming down from the east side tank. About 40 feet of the main line was exposed.

Police Department: Patrol car spec sheets were presented. The council preferred that the chief get bids on a 6-cylinder package with heavy-duty springs, brakes, etc. Councilman Ekberg wished to thank the police department for their very interesting presentation at a local nursery school.

Building Inspector: Wayne Goodno said he had an application from the Morin brothers to extend the roof of their net shed over part of the dock. There was no objection from the council. He also brought up a lot in the Northshore Hills area. Brooks Cumbie wants to build on a lot that fronts on three streets. He was told to ask for a variance and thus site plans can be approved.

Attorney: "Paul Flint indicates that the bonds could have been issued as of October 1 or they would have had to have been issued December first to meet the December 23rd payment. In fact they weren't issued until February. The bonds interest rate is 6.7085%. The interim finance charge that McLean and Company put together for the town was at 5.5%. Now he indicates that as a matter of fact there was a savings then in the interest that the town had to pay for this period of time because the interest that they paid was \$2,060.67 and he tabulated that the interest that, if the bonds had been issued not on Oct. 1 but on Dec. 1, the interest that you would have paid would have been \$4,999.36, so he indicates that there is a savings of \$2,938.69. When I talked to Steve today he brought up an interesting point that that may be true but if you are talking about a total amount of bonds, and we are going to be stuck with paying them, have we just spent an additional \$2,060.00 because we have just postponed the inevitable because we are going to have the same number of bonds. That I do not know. Don kind of had the same feeling that the actual interest that we have paid was less cause we used the warrants as opposed to issuing the bonds on that day." The attorney went on to say that he would like Councilman Hanson to take the time to look into it and then he can give a legal opinion. The clerk said the council agreed to reimburse Nelson Construction Company for the interest it incurred and we do not know the cost until we get a bill.

Councilman Hanson asked what is happening to the street corner straightening at Pioneer and Grandview. The specs are drawn up on the street but the deed is yet to be recorded. They would like to coordinate the paving with the remainder of the sewer paving.

HILDEBRAND PUBLIC HEARING: Set for March 24 at 8 p.m.

STREET NAMING IN S&S ADDITION: The owners of the plats will be asked to contribute suggestions toward the naming of the streets.

SEWER DEPARTMENT TRUCK WARRANTS: The pickup and dump truck warrants were approved.

TOWN HALL PROGRESS: Allan Bucholz will be asked about the current progress.

B-2 REVIEW: The Planning Commission will be requested by letter to review and update the present B-2 zone.

A letter of thanks for each member of the Shorelines board was requested.

Councilman Stainbrook mentioned that the corner of Fennimore and Prentice needs work. Councilman Hanson asked what could be done about the low water pressure in his area. Glen Sherwood was asked to look into the problem and make a recommendation.

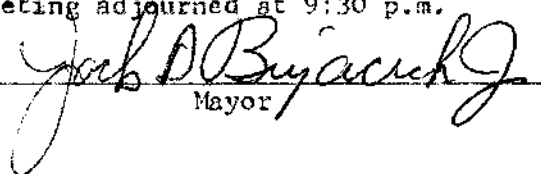
Glen Sherwood had some proposed sewer rates. These will be studied before the next meeting.

JANITOR SERVICE BIDS:

This was discussed and the council agreed that they will accept more bids.

Meeting adjourned at 9:30 p.m.

Tape 36, Side 1, 0-558

  
Mayor

  
Asst. Clerk

## TOWN COUNCIL MEETING - March 10, 1975

The public hearing was called to order at 7:30 p.m. by Mayor Bujacich. Present were Councilwoman Bogue and Melton, Councilmen Stainbrook, Ekberg and Hanson, Attorney Johnson and Clerk Avery.

SKANSI BROTHERS/SHORELINE MANAGEMENT PERMIT APPLICATION:

The mayor called for comments in behalf of the application. Tony Skansi was present and told the council that he was making application for a double garage on the Marine West property. It would be connected to the present office building by a breezeway and would be about a foot higher than the other building at one end to make them both level. It will be the same type of building and will provide a place to work out of the weather.

There was no one in opposition. Councilwoman Bogue moved that the application be approved. Councilman Stainbrook seconded. Carried. Public hearing closed.

The regular meeting was called to order at 8 p.m. and recessed for the second public hearing.

TARABOCHIA CONDITIONAL USE PERMIT APPLICATION:

The mayor read the notice of public hearing, the notification of property owners and the statement of findings of the Planning Commission.

There were letters of opposition from: Mrs. Ernest Ulsh, the Floyd Brewers and the Aaron Stowes.

THE Mayor then opened the meeting to those in favor but JOHN PAGLIA, attorney for those in opposition asked for a point of order. He asked that Councilwoman Melton be disqualified on the basis of the "appearance of fairness doctrine" because she is the daughter of Mr. Tarabochia. He said he was present in court at the time of the dissolution of her marriage and said he overheard that she was indebted to her father and he feels that she should excuse herself from the table. He said he questioned even her fitness to sit at the hearing. In answer to a question from Attorney Markovich, Mr. Paglia said he had been retained by the Floyd Brewers, Nick Jerkovich, Jr., the Jack Witherspoons, Bernice Bradley, Laverne Cox, Mrs. Ernest Ulsh, the Aaron Stowes, the Lester Monetts, Elsie Wilcox, the Norman Morgans, George Orlando, Joseph and Mabel Ancich, and Mrs. Erick Erickson.

NICK MARKOVICH, representing Mr. Tarabochia, defended the heavy traffic on Pioneer because of the possible moving of the post office. The traffic is already there. He cited community need as the criterion. The site would have a central location. He cited all the efforts made on the part of the Planning Commission to establish esthetics, convenience, etc.

FRED UNDERWOOD, who owns property on Pioneer Way, spoke in behalf. He was in favor of seeing a nice unit go in for the post office.

DICK LENTZ, the adjoining property owner, was completely in favor of it.

DOROTHY STOWE asked what size the proposed building will be. The mayor said he had spoken with the postal authorities and they require about 60,000 square feet for building, parking, employee parking and loading docks.

## In opposition:

JOHN PAGLIA brought up the application form itself. He critised almost every aspect of it—saying it was mostly blank. He went on to say that public service buildings are permitted only in B-1 and B-2 as opposed to uses which are allowed in R-1 and R-2.

He went on to say that he felt that the Planning Commission abdicated its responsibility in leaving the findings in the hands of their consultant. He said there were no findings cited in the minutes and yet the Planning Commission came up with a statement of findings on Feb. 5.

There may not be greater traffic generated by the new postal location but turns will be very difficult at a more disadvantageous site at the steepest part of the hill.

We are being asked to give Mr. Tarabochia a blank check, he said. He said noise, confusion, trucks at all times of the night will result. There are now 430 postal boxes and traffic of over 900 cars (over a four-day average). In addition to lack of safety on the hill, the noise and lights will be appreciable in a residential area.

He submits that it is not a conditional use because it effectively rezones the entire hillside to "commercial." He feels that the application should be either sent back to the Planning Commission or should be killed here—it is not in the best interest to approve it.

DOROTHY STOWE was in opposition in view of the traffic on the hillside. She felt it was ridiculous, sad, and really hazardous with the only access and exit on Pioneer Way.

Councilman Hanson questioned whether it was even a question, not being defined in R-1 conditional uses. The attorney said that is a proper conditional use and can be a building.

MRS. RONALD ROSS asked what kind of permit Mr. Curtis applied for. She said if she was not

mistaken it was a conditional use permit and he was denied it. She did not see how he could be denied and this question considered. The mayor reminded her that Mr. Tarabochia has a right to the hearing.

L. C. WILCOX asked what kind of other buildings are proposed for that area and Mrs. Wilcox asked if a tavern could go in next door.

FLOYD BREWER felt it was a dangerous location.

ANNE BUTZ asked about alternatives. The mayor told her that it is the choice of the post office department.

Attorney Paglia asked if it isn't true that the Post Office would buy the site. Can't the zoning go out the window because zoning does not apply to the federal government?

MRS. NORMAN MORGAN felt it would be a shame to destroy residential sites.

REBUTTAL:

Nick Markovich defended public facilities as only a post office and maybe a town hall. The Planning Commission limited its recommendation to only those two facilities. He went through the list of permitted conditional uses and showed how much more desirable a post office could be than some of the other permitted uses. He felt that trucks would use Pioneer Way anyway as it is the main entrance to the town. He felt it would be wrong not to fulfill the need that the town has to keep the post office here. It would eventually mean improvement to the roads, building of sidewalks, etc. The recommendation was done with the complete attention of the Planning Commission with the help of their professional consultant.

In answer to Mr. Markovich's question about "warehousing 2.8 acres" Mr. Paglia said it was a premature and far-ranging use of a piece of property long before its demonstrated need. He called it spot zoning. He felt the permit was really not needed anyway because the government can take it if they decide to buy it. He asked what happens if the postal bid fails? What checks do we have on the use of the property? He said Mrs. Erickson would see it but it would not obstruct her view. The noise and confusion would be more in an R-1 district.

After a short recess Mr. Tarabochia said his daughter is in no way obligated to him and has no interest in any of his property.

Councilwoman Melton, at this point, said that she will abstain from voting. This was a decision she made previous to the meeting. Councilwoman Bogue also abstained.

Councilman Ekberg asked why it is possible to include a city hall as a conditional use in an R-1 district since it is a B-2 permitted use, and clearly stated.

Dr. Hruza noted that it was an R-1 zone, therefore the particular provision under which the Planning Commission considered this request was under the A-5, public utilities, and in looking at the public service uses and public service buildings, and perhaps not seeing as much differentiation as Mr. Paglia suggests, felt that where it says public service buildings in 8 below such as city halls, that this was similar and could be included at that point; the recommendation was specific for the post office and possibly for the city hall.

Councilman Hanson said that federal use does not have to conform to land use so why are we even considering a conditional use permit. Dr. Hruza said it was brought up. He went on to say that the government can be considered to be immune from zoning but usually will follow procedures according to the community.

Councilman Stainbrook wondered what other use the property could be used for since the post office only occupies 1.5 acres. Mr. Tarabochia reminded the council that about an acre will be taken up in road dedication, greenbelt, setbacks, etc.

Councilman Hanson felt that he was concerned with elimination of access from three main roads serving the post office to only one; of the intrusion of a non-residential use in the center of a residential area; and the question of conditional uses based on an overwhelming need for the facility in one area. He so moved that the request be rejected. Councilman Stainbrook seconded. Councilman Ekberg made a statement regarding the impropriety of taking residential property and changing it to a B-2 type use--the intrusion is not justified because most felt it would be detrimental in many ways to affected properties. Motion carried unanimously with two abstentions. Public hearing closed.

The regular meeting was resumed starting with special guests since it was late.

STAN JOHNSON of Cascade Development asked if he could present his completed plans at this time. He said their public hearing is two weeks away but they are very anxious to obtain the building permit as soon as possible and he felt that perhaps if there were no major changes it would expedite things for them. Councilwoman Bogue said she had three questions concerning the environmental worksheet. Mr. Johnson will more completely answer these questions by the public hearing.

BOB SEIDEL, 11021 Butte Dr., S.W., Tacoma, is interested in a piece of property here. He had taken pictures and prepared a sketch of what he would like to do. He would like to establish off-street parking and is asking for a deck or fill. Although the garage is 5 or 6 feet on the right-of-way he asked if he could use it, tearing off the roof, adding ten feet to the side,

000000  
and making a three-car parking deck of it. He would continue to use it as a residential rental. The question arose of need for a shoreline management permit but Councilwoman Bogue said it did not fall under their jurisdiction. The attorney said that, as previously noted, the city cannot give away public property. The attorney will look into the SM permit and advise him by the next meeting. The building inspector commented on the danger of parking off a busy street and at the base of a hill on a curve.

REPORTS:

Sewer Construction: Glen Sherwood said that the Dept. of Ecology and the Environmental Protection Agency inspected the treatment plant, the pumping stations and the lines. Everything was satisfactory to them and all of the units functioned satisfactorily. Hookups can now be accomplished north of Novak Street and West of Stinson. The remainder of the lines depend on Pump Station #4 and there is a problem in the manhole there. Glen said he hoped it would be taken care of this week. Final estimates by April 7. The contractor is working on settlements on Soundview. The concrete repairs on a portion of Harborview Drive are lower than the surrounding street because there is still a layer of asphalt to be put on within the next three weeks. Formal notices could go out after next meeting about the remainder of the hookups. The north end will be permitted to start hookup tomorrow.

Street and Water: The tank cleaning on two tanks will be started Monday.

Police Department: Estimates on small cars were submitted to the council for study.

Building Inspector: Wayne Goodno said he brought George Bujacich to the meeting to clarify the walkway he built out to his float. George said he needed a place to tie his boat up. The question was the method of acquiring the use. The attorney will look into it.

Sewer Department: Gary Tannahill said he made an appointment to get the dump box placed on the new truck.

STREET NAMING:

Suggestions were submitted as follows:

Mountainview for 97th St and Anderson Lane (first choice) and Harborview Terrace (second choice) for 99th. The names will be checked with the post office before the approval is given.

JANITOR BIDS: None

SHORE ACRES WATER CONTRACT:

The council will take it up at a study session on 3/17 at 7:30 and then get a letter to the water company no later than April 1.

CABARET LICENSES:

Attorney Johnson asked for recommendations from the Council.

EMPLOYEE BENEFITS: The attorney will look into Councilman Hanson's suggestion that it be made an administrative rule instead of an ordinance.

CLASSIFICATION PROPOSAL: To next meeting.

MEETING ATTENDANCE: If council members cannot attend a coming meeting they are asked to call in.

BILLS: The bills were approved upon motion of Councilman Stainbrook, seconded by Councilman Hanson, Carried.

MINUTES: The minutes of the last meeting stood approved as posted.

CORRESPONDENCE:

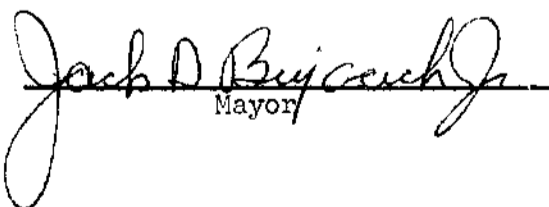
1. Planning Commission recommendation on the R-2 zone changes. Public hearing set for April 14 at 8 p.m.

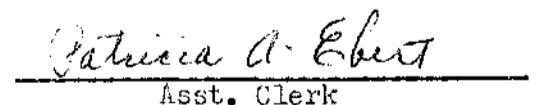
SEWER RATES: First reading:

Councilman Ekberg did not care for the format but a rough draft will be worked on at the coming study session.

Meeting adjourned at 11:15 p.m.

Tape #36, Side 1, 598 to End and Side 2,  
0 to 514

  
Mayor

  
Asst. Clerk

## REGULAR COUNCIL MEETING AND PUBLIC HEARING - March 24, 1975

The first public hearing was called to order at 7:30 P.M. Present were Mayor Bujacich, Councilwoman Bogue, Councilman Hanson, Ekberg and Stainbrook, Attorney Johnson and Clark Avery. Councilwoman Melton was not present.

CASCADE DEVELOPMENT COMPANY REZONE REQUEST TO R-2:

The public notice was read and a letter of recommendation from Dr. Michael Goal who owns the adjoining seven acres. He plans to build apartments and was in favor of the rezone to R-2.

On behalf, Stan Johnson, one of the partners in Cascade Development, said the property is ideally suited, being next to the freeway on the crest of a hill and meant to be used for this type of zoning. No one's view would be blocked. R-3 zoning would allow more efficient use of the land, trees, open space and so forth.

John Gillich asked that the Planning Commission report of findings be read. They were in favor of rezoning this tract of land as well as the entire R-2 zone south of Hunt Road and west of Soundview to R-3 zoning.

There were no voices in opposition:

Councilman Ekberg asked the following questions:

- Q. What is the height of the buildings? A. All 24-feet; two-story buildings.
- Q. Is the impervious cover broken down percentage-wise? A. The architect assured him that it met the 60% requirement.
- Q. Do the buildings take up less than 25% of the total area? A. 25% or less.
- Q. Regarding distances from neighboring properties, what is to be above it on the freeway side? A. A visual barrier.
- Q. How much less heavily wooded will it be? Q. Will there be trees only on the perimeter?
- A. As many trees as possible will be kept but they plan to take advantage of the view on the Soundview side.

Councilwoman Bogue asked if they are aware that the granting of the rezone does not necessarily grant the site plans.

Councilman Hanson asked what the Planning Commission meant about not requiring sidewalks, curbs and gutters? John Gillich answered that they had not asked for such requirements but would like provision made for at least a walkway.

Councilman Stainbrook wondered if this constitutes a first reading or can this be official action. There was a great deal of discussion of whether this constitutes an ordinance or not.

Councilman Stainbrook moved that the rezone from R-2 to R-3 be granted as per the request. Councilman Barron seconded. Councilman Ekberg amended the above ordinance as follows, that the Gasman power line be considered the rear yard and the side yards be the adjacent property lines. He amended that the rear and side yards be left in a natural state as per the R-3 ordinance. Mayor Bujacich questioned the amendment--this is site planning. Councilman Ekberg defended it as a rezone measure--not a site plan approval.

Stan Johnson asked that the side yards not be so limited--it is fine to restrict it to the freeway side. It was pointed out by Councilman Ekberg that R-3 requires plantings, etc., including natural growth.

The motion was voted and carried. The amendment was not seconded. The developers asked when they can apply for the building permit. Now, but no permit can be issued until the site plans are reviewed and approved. The plans in question have been in the hands of the building inspector for two weeks and have been reviewed by the Fire Marshal who has noted revisions. The public hearing was then closed.

The regular meeting was called to order and recessed for public hearing number two: HILDEBRAND/CLAISER PROPERTY - APPLICATION OF COMPREHENSIVE PLAN:

Mayor Bujacich read the notice of public hearing and the statement of findings of the Planning Commission. The applicants are applying for E-1 use. Originally the Planning Commission had recommended only R3-1 or R-3 for the property in question. The mayor then opened the meeting to those in favor:

FRED HILDEBRAND said the property lies 230 feet along Soundview Drive and the remainder is adjacent to the power line and behind the Gig Harbor Villa apartments.

There were no voices in opposition.

Councilman Hanson asked why the Planning Commission made the abrupt changes in recommendation. He questioned the application of the comprehensive plan--why the changes in the plan should be made without qualification. He moved that the designated land use (he said he would not call it a comprehensive plan) be voted in favor. It was not to be voted on tonight as it is an annexation which requires two hearings.

When questioned about green building, Fred Hildebrand reminded the council that the current plan calls for Villa apartments had been the precursor of the 30-foot green belt or buffer in this area. He certainly plans to use the 30-foot green belt on this property.

This is the first public hearing on the renovation--the next is set for April 20 at 7:30 p.m. The public hearing was declared closed and the regular meeting resumed. (The third public hearing was to take place now but they asked for postponement until 9 p.m.)

The approval of bills was moved forward to end of meeting.

**APPROVAL OF MINUTES:** As there were no corrections or additions the minutes were approved as posted.

**SPECIAL EVENTS:** None

**MINUTES:**

Street and Water - Jim Hibbs reported that the first tank had been cleaned and painted and the North tank should be finished by Thursday. They thought a water saving program for \$200, Police Department - Sgt Tomlin had copies of spot sheets. Issues on parking was discussed, no real a compact-car. Jim Meyer said that in tonight's meeting we will now and the new water and see how it goes. Council will ask the chief to get a breakdown of a small vehicle.

Water treatment - the pump was changed on lift station #6. They would like to get a bill on communications between lift stations, such as telephone jacks, so they could take a bill. Move into the pumping stations.

Power Construction - Asphalt paving error should be laid down that this week if the weather holds. The remainder of the water to be laid into sewerly and treatment applications can be accepted for the south end of the system. Restoration work is under way. Mayor Diefelich asked Clerk if the 120-day notifications should start April 1. About 15 to 50 bedbugs have been accomplished including a 50-unit apartment.

The building inspector reported two new construction sites, one on binder and one on Vandermere.

The sewer treatment plant reports that someone is running around town with a pump truck and dumping about 2000 gallons of sewage each night into one of the manholes. The police will be on the lookout for that.

Meeting recessed for third public hearing.

STONY CREEK MANAGEMENT DISTRICT PROGRESS

Allan Kove and Dennis Clark were present. Questions were asked regarding certain sections. Regarding the section on public notification, Councilwoman Kove said she would prefer both instead of one or the other. State law requires newspaper notice, but it was decided by all that the procedure be the same as our current variance procedure, under Planning Commission and the other at Council level.

9. Regarding the "new permit" in page 40 section 16, was it the building or shoreline management permit? A. The latter.

Page 40, Item: It was agreed that it would read advertising fees, mailing and standard fees stated in the plan.

Regarding the corrections on the part of the shoreline committee:

page 9, 5, 18000 feet read 15000 feet.

page 18, Reg. 43 should read public recreation piers with "temporary" overnight storage provided they obtain a conditional use permit.

page 21, Reg. 44, regarding surface drainage of the waters entering Big Harbor. This controls quality of the water.

Allan Kove read the appendix, particularly applying to this area, during review of the plan. There are provisions for review at the end of the first year, second if necessary.

Dennis Clarke outlined the environmental consequences of the plan:

1. Systematic approach.
2. Helps reserve shorelines for those uses that need a water location.
3. Allows you to consider environmental effects on a project by project basis.
4. Increases use of shorelines available to the public.

Councilman Koberg moved that the council accept the draft copy with changes outlined and conclude that they have studied the draft and that it would have neither major nor significant environmental impact. Councilman Koberg seconded. Carried. The committee will draft a final copy for mailing to the Department of Ecology. Councilman Koberg said he wished to publicly thank the members and the consultants. All members of the council agreed. Meeting closed.

The regular meeting recessed with Councilman Koberg.

Councilwoman Kove brought by the resolution that the garbage dump should be closed to the city. They will purchase three stories to the one suggested and pay for the amount of the city would like them placed.

SHORELINE WATER CONTROL Councilman Kove moved that the city pay for an additional charge of 50% for service outside the town, after notification of the Council and a contract of two years with renegotiation. Resolved subject to a motion except for the items. Carried.

Stainbrook seconded. Carried.

SEWER RATES - ORDINANCE #218 - Second Reading:

Councilman Stainbrook felt the flat rate charge for schools was unfair and a water usage method would be more equitable. Sprinkling or water cooling or freezer use should not be charged on the same basis. Regarding the charging for apartments that are new and being slowly occupied it was agreed that this was a question of administrative decision. Councilman Hanson moved that Ordinance #218 be adopted. Councilman Ekberg seconded. Councilman Stainbrook abstained. Motion carried.

BOB SEIDEL was again present to hear the council's and attorney's decision. The attorney said it would not be feasible for the town to give public property away. The ramp he proposes would interfere with the use of the right of way and would prove to be a private benefit-not a public one.

Mr. Seidel asked if the town is condemning this property through lack of accessibility. What would the town accept? Move the garage? Build a retaining wall? The moving of the property line was the only possible method with a bulkhead and parallel parking. It is a non-conforming use and unusable in its present form. No agreement was reached.

EMPLOYEE BENEFITS CONTRACT: They will discuss this at study session on April 7 at 7:30 p.m.

UTILITY CLASSIFICATION PROPOSAL: The Water Department will require classification next year and would be more efficient to go the sewer at the same time. A former auditor will set up the system for \$750 and it will take three weeks. The council agreed.

CABARET LICENSE: Next meeting.

BILLS:

Councilman Stainbrook moved and Councilman Hanson seconded that the bills be approved as signed. Carried.

JERISICH PARK: Mayor Bujacich explained that the name was that of the town's first white settler and the name has disappeared from use in our town since the street was renamed Harborview. He suggested naming the park at Harbor Heights after him with a plaque to that effect. This was postponed to a later meeting.

SEWER HOOKUPS:

Councilman Hanson moved that April 1 be named as the start of the 120-day period for sewer hookups. Councilman Stainbrook seconded. Carried.

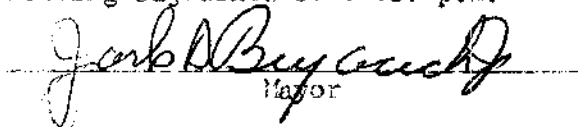
Councilman Hanson asked about the street that has appeared next to the former Sanford residence exiting onto Pioneer Way. He asked if the traffic flow should be restored to Sinson Avenue only, or should this be made a permanent street. The attorney will look at it.

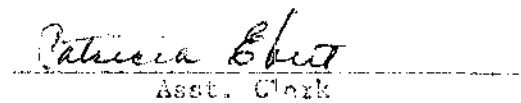
Regarding the intersection at Grandview and Pioneer, the Light Company will move the poles as soon as the right of way is staked.

The attorney said that the floating walk at George Bujacich's boat should have had a shoreline management permit. The attorney will get more information before the next meeting.

Meeting adjourned at 10:57 p.m.

Tap 37, Side 1, 0 to End

  
Mayor

  
Asst. Clerk

**REGULAR COUNCIL MEETING - April 14, 1975**

The first public hearing was called to order by Mayor Bujacich at 7:30 p.m. Present were Councilman Hanson, Councilwomen Bogue and Melton, Attorney Johnson and Clerk Avery. Councilmen Ekberg and Stainbrook were not present.

PUBLIC HEARING - HOLMAAS COMPREHENSIVE PLAN APPLICATION:

The mayor read the statement of findings of the Planning Commission. He said this is the first of two hearings as set by ordinance because it is an application of annexation. The meeting was opened to those in behalf:

John Holmaas said he would like to be a part of the town and would be happy to work with the town in any way. He felt there would be few adverse effects and many advantages from the annexation.

Councilwoman Bogue asked if the area is not now single-family residential. Yes, but it does allow three story buildings in the county. Mr. Holmaas said he felt that the Shoreline Management Act would give ample protection to the site.

There were no voices in opposition.



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Councilwoman Melton asked if he was as willing to accept W-2 as W-3. John Holmaas answered her that his ultimate height did depend on the establishment of the term "median high tide" but he felt they would be happy to accept a two-story frame.

Councilman Hanson asked if the zoning is approved will there still be a hearing under Shoreline Management? The attorney answered him "Yes, and follow CEPA findings also." Holmaas said he understood that there may be a number of hearings under the conditional use provision of the Shoreline Management Act. He was asked if he had filled out an environmental worksheet. Holmaas said a negative impact statement was filed with the county at the time he short-platted the property. The council asked if he would furnish copies of this. The second hearing is to be held on May 12 at 7:30 and it will be a dual hearing on the annexation and the rezone simultaneously. Hearing adjourned.

The regular meeting was called to order and recessed for the second public hearing.

PUBLIC HEARING - R-2 ZONE CHANGE - First reading:

The second reading will take place on April 28. Hearing adjourned.

The regular meeting was resumed with a motion by Councilman Hanson that the bills be approved. This was seconded by Councilwoman Bogue. Carried.

MINUTES: As there were no corrections or additions the posted minutes were approved.

CORRESPONDENCE:

1. Planning Commission recommendation on St. Nicholas Church rectory. A public hearing was set for May 12 at 8 p.m.
2. R.B. Allen letter requesting acceptance of Chinook Avenue. Turned over to Glen Sherwood for recommendation.
3. Harbor Holidays letter requesting donations for the celebration.

The mayor explained that because of a request the site plan approval on the Cascade Development property has been moved up to this time. Councilman Hanson asked Attorney Johnson about landscaping in an R-3 zone. Can blacktopping be considered as landscaping and can a driveway be considered part of the side yard landscaping? Attorney Johnson said the driveways could be considered part of the side yard landscaping; part of it could be a road and as a road it needn't be green.

Councilman Hanson moved that the application for site plan approval be approved as submitted. This was seconded by Councilwoman Bogue. Motion carried.

SPECIAL GUESTS:

Attorney Hester spoke in behalf of his clients, Donald Huber and Wayne Antilla. He asked that they be permitted a sewer hookup and water hookup on a parcel of land near their present apartments. They intend to build a 41-unit apartment complex on the property, most of which is in the county, and 20 feet of which is in the town. The request is mainly based on the fact that the property lies within the drainage basin of the sewer system. The water line has the right of extension and they wish to extend to all 41 units. They plan to annex the property but have a time problem. Now is the ideal time to build so they have financing commitments they are dealing with. The annexation petition will follow but that will take longer than they have now. They would like the town to agree to extend water and sewer to that portion in the town and the developer will stand the cost, and to agree to allow them to use these facilities on county property. Provisions could be made similar to that discussed at a council meeting recently. The user would pay a higher rate, with annexation to ensue within three months. Councilman Hanson did not object on the basis of the location of the property but felt that the town should not let itself be put in this position again although he realized that the builders are in a bind. The mayor felt that the engineers should take a good look at the water system and make a recommendation on that basis. Glen Sherwood said a study had already been made-- he recommended an additional storage tank. The 129-unit apartment complex will tax the present system to capacity as a pressure system. He did have alternatives: Update the present system with a larger pressure pump at a cost of about \$3600, or a storage tank at a much greater cost.

Attorney Hester asked for approval on the sewers and maybe conditional approval on the water. Jeopardization of the town's fire rating was considered. Finally it was agreed that the conditional approval would be given with Attorney Johnson writing an agreement with water at 50% greater cost and annexation to take place within a time limitation of 90 days.

Nick Tarabochia was present. He said he had gotten a letter from the Army Engineers and he would like to know who has been sending letters or complaining that he is supposed to have something illegal at the Coast Guard dock. Mayor Bujacich said he didn't know what Mr. Tarabochia was talking about. The only complaints have been about the walkway to his brother's boat. He did say that the Army Engineers have made recent aerial photos and can detect changes in docks, wharves, floats, etc., and perhaps this pertains to these aerial surveys.

Mike Jerlsich was present concerning the naming of the park after his grandfather. He said his grandfather was not only the town's first white settler, but came here in 1867--sixteen years before any other white settlers. All the council felt the name should be retained and the

mayor will go to the county to get the park turned back to the town.

REPORTS:

Sewer Construction - Glen Sherwood presented final estimates on the treatment plant and the pump stations. Council acknowledgement is needed.

Surface restoration is going on. Glen said he discussed the settlements with the contractor's representative and the contractor will patch the spots on Soundview. The contractor feels that the concrete slabs are still settling. Clay Hill will be graded and patched and then watched for further settling. Burnham Street will be patched where the ditch gave way. Mayor Bujacich said he felt that several streets are in very bad shape. He said he cannot understand why, in good weather, the work has not been done. The bills from the engineers and the contractor, drawn out the way they are, are a greater expense to the taxpayer and he cannot see dragging it out much longer. He said he was tempted to use the retainage to fix the streets.

Street and Water - Jim Hibbs said that shouldering is going on. Both tanks are cleaned and back in service. Does the town want a traffic count on the first of May? It was agreed to go ahead with it. Councilman Hanson asked Jim for a stop sign at the corner of Vernhardson and Woodworth. Jim and Glen will look into it.

Police Dept - Bid sheets are submitted on a 6 cylinder car. Councilman Hanson said he wished the bid to say "compact" six-cylinder sedan. He was authorized to call for bids with that change.

Treatment Plant - Gary Tannahill asked for installation of a no-parking zone at the power pole and driveway next to Authenticity. He would like a zone of about a car-and-a-half because they have to get the portable generator and pump down the driveway.

Gary then asked for consideration on the communications system he mentioned at the last meeting. He said the telephone company would install a jack in each pump station for a total cost of \$78. The monthly bill would run \$27.60 afterward. He was given permission to go ahead.

Gary then went on to say that fire extinguishers are needed at the treatment plant. He found a rebuilt pair for \$95.00 and the purchase was approved.

Attorney - Dave Johnson said he went over the dock to George Bujacich's boat with Wayne Goodno. The dock must have a permit under Shoreline Management.

REZONE TO R-3 - ORDINANCE #219 - 2nd Reading:

This was approved upon motion of Councilman Hanson, seconded by Councilwoman Melton. Carried.

EMPLOYEE BENEFITS CONTRACT:

It was suggested that it be distributed to the employees for their suggestions before the next council meeting.

Councilman Hanson had two questions:

What is happening at the corner of Grandview and Pioneer? It has been staked by the engineer and the Light Company will move the poles.

What has been decided about the non-street next to the former Sanford residence? The mayor and the attorney had planned to look at it but there were court commitments. Postponed.


The mayor suggested a committee to look into land acquisition, from 2 to 4 acres, for a storage area for town equipment.

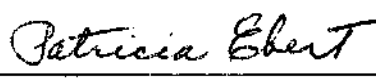
SEWER WARRANTS:

There was a great deal of discussion on finishing of the streets and repair of settlements. Glen Sherwood said that the contractor maintains that the base is much too wet to do the work at this time. Councilman Hanson moved that the warrant to Pease and Sons be approved at this time and the other warrants withheld until a firm commitment on road repair is obtained. Councilwoman Bogue seconded. Carried.

Meeting adjourned at 10:15 p.m.

Tape #37, Side 2, 0-804

  
Mayor

  
Asst. Clerk

\* CORRECTIONS:

Councilman Hanson wished it noted that a sentence should be added to the paragraph concerning Nick Tarabochia and the walkway to George Bujacich's boat. That the council is subject to legal proceedings in not following state regulations on Shoreline Management, so advised Attorney Johnson.

A second correction concerns the police department report. It should read that the PD was authorized to call for bids, not Councilman Hanson.

Councilwoman Bogue said that the council approval of extension of the water and sewer systems to Huber and Antilla property also depended on conditional approval of connection to the water system subject to our ability to serve it.

COUNCIL MEETING - April 28, 1975

The public hearing was called to order by Mayor Bujacich at 7:30 p.m. Present were Councilwomen Bogue and Melton, Councilman Hanson, Ekberg and Stainbrook, Attorney Johnson and Clerk Avery.

PUBLIC HEARING - HILDEBRAND/GLAISYER COMPREHENSIVE PLAN APPLICATION:

The mayor explained that this is the second hearing on the application of the comprehensive plan to the property in question. The hearing was opened to those in favor of the proposal:

FRED HILDEBRAND spoke. He said they propose the application of B-1 to the property because they would like to make a commercial development in this area. They do plan to protect as much vegetation as possible and keep the surrounding area as rustic as they can.

There were no voices in opposition:

Councilman Hanson moved that the Planning Commission's recommendation of B-1 be approved. Councilman Ekberg seconded. Councilwoman Bogue asked to amend the motion to include green belting along the side next to Soundview Drive and along the freeway side, each to be 30 feet wide. Mayor Bujacich said the power line provides natural green belting. It would take away too much usable property--;it would be overly restrictive to a piece of property to do this. Councilman Ekberg seconded the amendment to the motion.

Mr. Hildebrand said they plan a road along the pole line road. Also, the state is leaving a green belt between the pole line and the highway. It would take a great deal of his property away. It is already high bank in that area and not visible from the highway. The property is only 250 feet deep and 60 feet devoted to green belting would deplete the property. After all, it is a commercial zone he is asking for.

The vote was taken on the amendment: Councilwoman Bogue and Councilman Ekberg voted yes; Councilwoman Melton and Councilmen Hanson and Stainbrook voted no. The amendment was not carried. Councilman Hanson amended the original motion to include a 30 foot green belt on the Soundview side, with the exception of the driveway. Councilman Ekberg seconded. Original motion carried. The annexation hearing will take place on May 12 at 8:15 p.m. Hearing closed.

The regular meeting was called to order with a motion for approval of the bills be Councilwoman Bogue. This was seconded by Councilman Hanson. Carried.

MINUTES: The minutes were corrected and added to by Councilman Hanson as follows:

In the paragraph concerning Tarabochia and the walkway to George Bujacich's dock the following sentence was added. "The attorney advised that the council is subject to legal proceedings in not following state regulations on Shoreline Management."

In the paragraph concerning the Police Department report, the Clerk was authorized to call for bids, not Councilman Hanson.

At the end of the meeting Councilwoman Bogue wished it clarified in that portion concerning the furnishing of water to the 41-unit apartment complex proposed at the end of Foster Street that "Conditional approval of connection to the water system is subject to our ability to serve it." Otherwise the minutes stood approved as posted.

CORRESPONDENCE:

1. Harbor Holidays letter asking permission to use the property next door. No objection.
2. Parametrix letter concerning Chinook Avenue. This was referred to old business.
3. Margaret Paine request to hold a picnic at the town park at which beer will be consumed. This required an answer to the State Liquor Board and the council approved it.
4. Nelson Construction Company letter on non-payment of contract. Mayor Bujacich said he had promised Harry Rekers that the town would pay the warrant and meet here with them and Parametrix next Monday night at 7:30 p.m. This is May 5 and it will be advertised as a special council meeting.

SPECIAL GUESTS:

Mayor Bujacich said the Eagles Hall requests permission to place a mobile home on their property until a caretakers house can be built for a guard or watchman. The attorney will look into the ordinance and it will be taken up later in the evening.

Mike McKean and Bill Wood would like to present plot plans. They showed plans for a 48-unit apartment house on the R-3 zoned land at the rear of the Edgbert property, Lot 4, along the frontage road. The mayor pointed out that they had failed to provide a 30-foot dedication for a road along the east boundary of that property. They said this had not been made clear to them. The council said they had a right to consult their water superintendent and the engineer before agreeing to provide them with water. The principals suggested that the situation could be alleviated somewhat if the town required developers to contribute toward needed additions to the water system. They then went on to show a preliminary plan of a 60-unit complex they plan to develop to the south of the Huber-Antilla 50-unit apartment complex. They were requested to submit environmental worksheets on both projects.

REPORTS:

Sewer Construction - Glen Sherwood said he had little to report right now because the contractor's assistant did not get back from Alaska in time for consultation. Some paving has been done although some streets are in notable need of repair. There are additional settlements around town but the contractor has not agreed that these are his fault.

Street & Water - Jim Hibbs said the electric jack Hammer needs a new motor. It is German made and replacements must come from Germany. The cost is \$350 against \$1200 for a new jack hammer. Councilman Hanson asked if Jim had a chance to check on the stop sign they had previously discussed. Jim said the next day or so.

Police Department - No report.

Sewer Treatment - Gary Tannahill said there is a problem with station #3. There is no overflow plug and the specs had not included one. Gary will make a list of things needed, such as rubber mats in the pumping stations, and bring them to the special meeting Monday night. He went on to say that the Department of Ecology inspected the Treatment Plant and asked a question about a piece of laboratory equipment. They plan to check to see if the grant would cover this equipment.

Building Inspector - He said one permit was issued for \$1,700,000 for Cascade Development Company. Also, about 180 sewer connections have been made.

Councilman Hanson asked if there had been any word from the Army Engineers concerning the violations brought up at the last meeting. No word has been received at the Town Hall but the Clerk will write a letter.

R-2 ZONE CHANGE - ORDINANCE No. 220 - Second Reading:

Corrections were made as follows:

17.20.040.D. should read "pervious" not "previous."

17.20.030.a.1. change "duplicate to "triplicate."

Add paragraph F to 17.20.050 "No roads, parking or driveways shall be included in yard requirements."

Councilman Hanson moved that we adopt Ordinance #220 as written except for the above changes Councilwoman Bogue seconded. Carried.

EMPLOYEE BENEFIT CONTRACT: The clerk will make copies of the employees suggestions and give them to the council. Postponed to next meeting.

CHINOOK AVENUE: Mr. Allen explained the petition submitted by residents of the area. The mayor pointed out the location on the sewer map. The lower portion, previously accepted by the town, was paved acceptably. The last 50 feet, directly in front of the Squires residence, had no sub-surface preparation and does not meet current standards. This was outlined in the Parametrix letter mentioned above under correspondence. There was discussion concerning the 50 feet in question. Perhaps acceptance of the marginal paving would set a precedent. Mr. Allen wants the town to accept the 50 feet in question and requests permission to pave the remainder of Chinook. Glen Sherwood said there was a question of sufficient number of signers of the petition. The council agreed to postpone their decision pending the meeting of Dave Johnson and Glen Sherwood who will get together to look over the problem and research other possibilities.

BEER IN PARK REQUEST:

The council had no objection. The clerk was instructed to write to the Liquor Control Board to that effect.

EAGLES MOBILE HOME PERMIT:

The Eagles Hall application was brought up again. The attorney said that although there is a time limitation of ninety days, if their building has not been completed they can apply for an extension.

TAXI LICENSE:

The owner, Jack Lohre, has met all aspects including the inspection of his vehicle by our police chief. The dispatching will be done from across the bridge. The expiration date of the license will be December 31st of each year. Councilman Ekberg moved that we grant the license, seconded and carried.

NELSON CONSTRUCTION COMPANY WARRANTS:

Councilman Hanson moved that we approve the warrants. Councilman Stainbrook seconded. Carried.

Councilman Hanson had one question concerning the water system. Are will still eligible for the grant? Yes, the first opportunity to obtain funds under the grant will be July 1 of this year.

INSURANCE: Councilman Ekberg said he has been looking over the various coverages in health insurance. He would like to collate the proposals. He can neither recommend a specific one nor can he vote on any of them because of a conflict of interest.

ANNEXATION: Councilman Ekberg said he would like to know the status of the work Dr. Hruza has been doing on annexation. Councilwoman Bogue suggested that Dr. Hruza be asked to attend the Monday evening work session.

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PIERCE COUNTY PLANNING DEPARTMENT proposed zone change on the 41 unit Huber/Antilla apartment complex is coming up for a hearing. Councilman Ekberg moved that the town declare itself in opposition to this zone change on the basis of lack of sufficient water storage facilities. Councilman Hanson seconded. Carried. The clerk will write the letter.

Councilman Ekberg said he had contacted a manufacturer of park equipment and wondered if the town cared to spend some of the park money for improvement. It was agreed to do so.

Councilwoman Bogue said she had looked over the negative statement from John Holmaas. She wondered if anyone else would like to look it over before next Monday night.

SHORE ACRES WATER CONTRACT: Nothing has been heard from the council's query and only six weeks remains before expiration.

BILL EDGBERT was present. He said that first he wanted to correct any misinformation concerning the site plans presented by McKean and Wood. The 30 foot right of way was included on the map that he furnished them. He went on to tell the council that he is putting in a road through his B-2 zoned property in order to bring the sewer to the R-3 land which is under consideration for the apartment complex. The sewer line will be up to town specifications. Tom Galbraith will share in the cost of this line and they chose to go along the frontage road almost entirely within the county. Glen Sherwood said he felt this would necessitate a county franchise--the county would have to approve any plans for the extension.

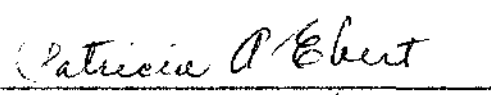
Councilman Hanson objected to the possibility of having to serve anyone outside the town. He asked the attorney to check into the supposition that the town is forced to serve those within the drainage basin.

Councilwoman Bogue asked the assistant clerk to check the tape of the last minutes and correct them because she felt sure that the conditional approval on the furnishing of water to the 41-unit complex proposed by Huber and Antilla depended on the engineers report of the availability of water.

Meeting adjourned at 10:30 p.m.

Tape 38, Side 1, 0-953

  
Mayor Bujacich

  
Asst. Clerk

REGULAR COUNCIL MEETING - May 12, 1975

The public hearing was called to order by Mayor Bujacich at 7:30 p.m. Present were Councilwomen Bogue and Melton, Councilmen Hanson, Ekberg and Stainbrook, Attorney Johnson and Clerk Avery. HOIMAAS COMPREHENSIVE PLAN APPLICATION COMBINED WITH ANNEXATION HEARING: The notice was read and the area pointed out by the Mayor. He called for comments in favor of the application:

JOHN HOIMAAS spoke of his intent. He plans to build a quality development and would like land usage, sewer and water. He said he knew he must go before the Shoreline Management Board and also appear before the Planning Commission and Council again for site plan approval. He feels there are adequate safeguards. He feels he can build a small scale apartment in keeping with the unique character of the community. He said if his application for W-2 is rejected he will be very happy with W-1 or even R-1.

Also in favor was ARNE REYLIE who said both he and his father are in favor.

In opposition to the proposal are:

DAVE MIDNEY, 7815 Goodman DR NE, about one mile to the south of the Holmaas property, said their group is very concerned with piecemeal, spot-type zoning as it comes a lot at a time. Most want to have a voice in planning what happens to the area. They would like the council to consider no annexation until we can all look at it and see what is best for their side of the bay.

ROGER MOSTMAN, 9617 Verrhardson:

He feels that traffic is pretty heavy on Verrhardson and the park is right there and rather heavily used. He questions the advisability of the problems that would occur with more cars in that area. He went on to say that it is a wild natural area--probably not usable without access to the sewer. How many people would be living in that area? What would be the approximate rental price? Lot sizes? He feels that it warrants more thought.

DIXIE BOLTON, 9616 Verrhardson:

How much land is involved? She wonders if development of the area immediately across from the park will affect it adversely.

TOM WAGNER - 8920 Randall Drive NE

Said he has deep concerns and speaks for a lot of people. He feels there should be more careful deliberation. It will have great impact on the park, the roads and even Crescent Valley itself. Performance standards would require screening, less impervious cover, etc. Parking will be a problem. He worried about sufficient open space as the area is so small. Why not remain in the county where the standards are more rigid?

IRVING WIDNEY - Felt it was not comprehensive planning. It is not truly so unless it takes in

the whole east side. Wrong to take the area chunk by chunk.

TOM MORFEE - Shore Acres, asked a question about annexation.

Mr. Holmaas was asked a question. What is he guarding us against? A. Perhaps because it has been considered a fragile area. He would like to do what the town would like him to do.

Councilman Stainbrook asked Mr. Holmaas how large the property is. About 200' x 145' (average) with a total area of over 29,000 square feet.

Councilman Ekberg asked John Holmaas about the negative impact statement. A. It was filled out by Pierce County. It is not applicable to W-2. He was not requested to prepare one for this body.

Councilwoman Melton asked John Gilich, former Planning Commission chairman, what made the Planning Commission decide as they did? John answered that the Planning Commission felt that county height regulations would have permitted a height greater than you would want to live with. He said they felt the area would eventually be tied to Gig Harbor and also the majority vote was in Mr. Holmaas favor.

Mr. Widney said he was here that night and it was not a unanimous decision. He said the statement was made that the Planning Commission owed Mr. Holmaas a decision--not keep him coming back time after time--and the vote was three to two.

Councilman Hanson said that we are now working on an annexation policy for areas outside the town. The study is not yet complete but it is very important and he feels that this decision should be postponed until the policy is made. Also, he said no study was made as to the fact that the area in question is considered a fragile area. There is no environmental worksheet.

Councilman Ekberg said that the annexation study has not been completed nor has the Shoreline Management Plan been accepted by the state. These outstanding matters should be dealt with first. The Mayor agreed. He said the decision should be based on the SM plan but it has not been accepted and he hesitates to decide without it.

Councilman Stainbrook agreed. He would like to know more about how the east side feels.

Councilman Hanson moved that the decision be tabled pending reply from the state on the Shoreline Management plan and he also requests that Mr. Holmaas prepare an environmental worksheet with the W-2 zoning he applied for in mind. Councilman Stainbrook seconded. Carried.

John Holmaas asked for interpretation of the tidal bench mark. As soon as the notice is received from the state they will set another public hearing and notify the property owners. Hearing closed.

The regular meeting was called to order.

#### BID OPENING - POLICE CAR:

Only one bid was received. Dick Boyles bid \$3883.92 as an outright sale or \$129.56 per month on a 24-month lease basis.

Councilman Hanson moved that we accept the bid as submitted to purchase the vehicle. Councilman Ekberg seconded. Carried. Regular meeting recessed for second public hearing:

#### ST. NICHOLAS CATHOLIC CHURCH RESIDENCE:

The Mayor read the notice and a letter from Reed Hunt which stated that he has no objections. In behalf, Jim Widrig, the architect, explained that they request two stories because it would fit in with the present architecture and would be more economical. There were no voices in opposition. Councilman Hanson disqualified himself from voting.

Councilman Ekberg moved that the motion be granted. Councilwoman Bogue seconded. Councilwoman Melton and Councilman Stainbrook abstained from voting. Motion carried. Public hearing closed.

#### Hildebrand/Glaisper ANNEXATION HEARING:

The Mayor explained that two public hearings on application of the comprehensive plan had been held and now was the annexation hearing itself. There were no voices in opposition. Fred Hildebrand spoke in favor. Councilman Ekberg felt that the zone designation was adequate but that this acceptance could also be postponed as well as the first one pending the annexation policy. He abstained from voting. Councilman Hanson moved that we accept the annexation as submitted. Councilman Stainbrook seconded. Councilman Hanson said he felt that this one had no questionable value. It was a clear advantage to the town and to the property owner. Councilwoman Bogue also abstained from voting. Motion carried by vote of three. Public hearing closed and regular meeting reopened at 8:45 p.m.

**BILLS:** The bills were approved upon motion of Councilwoman Bogue with second by Councilman Ekberg. Carried. Mayor Bujacich wished to remind all department heads that all purchases over \$25.00 require a purchase order. No purchases are to be made by anyone without approval of the department head. The different businesses in town will be notified by letter that they are to make no sales without purchase orders. The purchase orders are to be signed by the Mayor or Clerk.

**MINUTES:** These stood approved as posted.

#### **CORRESPONDENCE:**

1. Planning Commission submission of the short plat ordinance.
2. Planning Commission recommendation on variance request of John Sareault. Public hearing was set on June 9 at 7:30 p.m.



3. CABLE-TV letter of explanation regarding necessary reduction of franchise tax to 3%. The attorney will write to them explaining that time is too short now to permit modification of the Ordinance by May 22nd.

4. Shoreline Restaurant wrote asking permission for band facility for Harbor Holidays. The cabaret license was repealed and we are in the process of approving a new one. The attorney said the proposed ordinance has been in the hands of the council for some time. The Shoreline would like a letter written to the Liquor Board giving them permission to have dancing on Harbor Holidays. The clerk will write a letter giving them permission to operate in the interim.

#### SPECIAL GUESTS:

Henry Perrozo, security patrol, requested permission to operate. He said they are qualified in every respect. They are in the process of licensing in Pierce County. All are bonded. The council discussed with him the insurance he carries. He asked that the council take action subject to his fulfilling the conditions they request. He will do this by the next council meeting. Councilman Hanson moved that we grant the license subject to conditions. Councilman Stainbrook seconded. The minimum amount of insurance was suggested by Councilman Exberg and accepted by the council. Councilwoman Bogue asked him if he will furnish references. Motion carried.

Chuck Lindner of Sky Fealty requested a letter of non-removal of structure. He was speaking of the house owned by John Streick on Fenimore Street. A part of the garage and part of the house is on the right of way. The title company will not give clear title because it is 4'3" on town property. He needs a letter saying the town will not attempt to remove the portion that is on town property. Councilman Stainbrook moved that it be written that the portion that extends on Fenimore Street will not be removed. Councilwoman Holton seconded. Carried. It was noted for the record that there is now a drawing in the town's files.

PETER STANLEY thanked the town for the gravel on the Stutz property. Also he said he wants to prepare the council for complaints of noise on the deck with summer coming. He said he will do all he can to keep it quiet and he will see that the deck is vacated by midnight.

MILT SMITH of Active Construction said the telephone company would like to make an improvement to their property and extend the bulldhead along Stinson Avenue about a foot higher to force the drainage water to remain on Stinson instead of entering their property and their building. Jim Hibbs said it requires 15" tile instead of the 12" generally acceptable--will the town pay the difference? Mayor Bujacich said this also brought up the question of the Doel property across the street. He should be considered also in any changes as it will affect his property also. An overall plan should be prepared and turned over to Glen Sherwood and Wayne Goodno.

#### REPORT:

Sewer Construction - Glen Sherwood said the contractor has completed the pay patching, overlaid Clay Hill, removed the sealed areas along Soundview, by the Catholic Church and on Burnham Drive and will patch as soon as ground conditions permit. Soundview may lay open as long as a month. ~~or two~~ After last Monday the contractor gave us claims, the total amount was enough to make them hesitate to proceed with the overlay program. They did so Clay Hill. Glen said he did present an estimate to Don this afternoon too late to prepare a warrant, in the amount of \$12,000 for paving done in early April. The final estimate will be ready two weeks from tonight. Mayor Bujacich spoke on this same subject. He said that the discrepancies and asphalt claims take the better part of the \$81,000--Last Monday night we should have been notified of this possibility. He said he felt he had to make immediate decisions on Thursday and he felt he could not leave the manholes extending four inches in the air over the weekend, so he notified the pavers to go ahead and overlay Clay Hill.

Harry Tickers of Nelson Construction was in the audience and he said he might be able to clarify the matter. He said there are no claims as such. Their bookkeeping department took stock of the work performed, the bid items not paid yet. These were either not calculated or miscalculated. We did not get final information until 10 o'clock on the 7th of May. The total package was not established until then. Adjustment is necessary with so many bid items to consider.

A short session was scheduled for next Monday night to see what the total involvement is. A special meeting will be published for Monday, May 19 at 7:30 p.m. Harry said he hopes to have the final proposal by next Monday night also.

A meeting with Shore Acres was also discussed. They would like to have the council set it on Tuesday or Thursday but several council people can not be present until May 26 so it was decided to set the meeting for 7-8 p.m. before the regular council meeting.

Street and Water - Jim Hibbs asked for more two-man rocks to finish the bank at the park. About 28 tons - at a cost of \$230 - would be enough. Councilwoman Bogue said she had looked at it and she felt it was a wise expenditure. Jim reported that the garden club benches are set out now. Can we put some shrubbery around the one at the foot of Kesedelo? Jim went on to report that the traffic count was completed. The highest count of all was over 9000 cars at the Texaco station on a Saturday. Peacock Avenue is the least used arterial. Crosswalk painting was discussed.

Police Department - Officer Fuller graduated from police academy last Friday and will return to duty this week. Chief Galloway suggested that Henry Perrozo supply a background check on his men.

Sewer Department - The pump station fire extinguishers are installed. The mayor brought up the ice machine installed next to the pump station at Pleasantcraft Marina. He felt it violated



the ordinance. Gary Tannabill said it does not obstruct his pump station.

Attorney - Dave Johnson said that he could find nothing in writing that forces the town to service a drainage basin. The clerk had gotten essentially the same answer from the EPA. Dave went on to say that he had no answer to report on the problem on Chinook Avenue. He and Glen Sherwood had been very busy on sewer problems and had no chance to meet on it. Councilman Hanson asked him about the status of the Doel property. Attorney Johnson said it is a matter of determining the town's position. Mayor Bijacich said that Doel has no right to reduce a 12" culvert to that of an 8" plastic pipe.

SITE PLANS - Mike McKean:

He had furnished a site plan, a design plan and an environmental impact worksheet. He said there are 62 apartments in the complex but they cover only 18% of the property. Councilman Ekberg felt it would create a traffic hazard with only one entrance/exit on Stinson Avenue. Also, he did not know the engineers report as to his recommendation for water usage and utility service. Both the attorney and the clerk had checked with the AWC regarding requesting a developer to help in developing utilities. The builder offered to pay the cost of the larger pump. Glen Sherwood gave his ideas. Upgrading the pump only meets the commitments already made not considering the 60 unit and the 48 unit. The problem could be approached in other ways. Perhaps two pumps, one of which would cut in to provide adequate water for fire protection. It would be expensive. By Monday night he can have an estimate to increase domestic supply and even provide fire protection.

L. B. ALLEN - CHINOOK AVENUE: Mr. Allen was again present and wanted the road accepted in spite of the fact that the engineer and the attorney had not had a chance to look it over. They assured him that the problem would be looked into.

EMPLOYEE BENEFITS CONTRACT:

Mention was made that when the contract was written the Treatment Plant was not in operation so the section on Sunday holidays does not apply. Now there are Sunday and Holiday shifts. There was more discussion but it was finally agreed to hold it until an executive session.

Councilman Hanson asked what had happened at the County hearing on the Huber/Antilla property adjoining the town. A. Tabled.

Councilman Ekberg asked the mayor to check on the town hall plans.

Councilman Stainbrook asked if the shoulders of Clay Hill will be graded. Jim said they are going to haul in gravel.

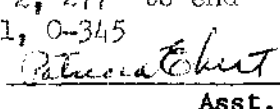
Councilwoman Bogue asked that a letter of thanks be sent to the garden club for the benches. She asked if a sign could be placed at the corner of Stinson and Grandview to direct traffic to the highway. Also, one at Pioneer and Grandview. She went on to tell the council that the Pierce County Planning Department would like a study session with the council regarding mutual problems. The town can set up a meeting. Clerk Avery was asked to contact the county.

Meeting adjourned at 11:20

Tape 38, Side, 2, 277' to end  
Tape 39, Side 1, 0-345

  
Mayor

Special Council Meeting - May 5, 1975

  
Asst. Clerk

The Mayor explained that the purpose of this meeting was to bring the council up to date on the sewer project.

George Capestany of Parametrix told the council what can be expected in the future. The project is almost complete. Four streets: Soundview, Burnham, Franklin and Vernhardson, in their best judgement have not settled all they are going to do. It requires patience to wait but it is unwise to resurface these streets now. Perhaps by the end of June. He mentioned that Clay Hill is extra unstable and will not pave satisfactorily until it does become stable. Councilwoman Bogue asked him if he meant to add Clay Hill to the above four streets. No, said Capestany, Clay Hill has settled all it is going to settle for the time being. It will be trouble until the end of time. The overlay is to be done now. Also, the overlay on Harborview from Pioneer until Harbor Landing. He hopes the contract will be accepted as complete at the next council meeting. Then, the 30-day hold period can start and they can make application for the final payments from EPA and DOE and the project is done basically. A few items remain besides street restoration but they are nonpay. Nelson Construction hopes to have a supplemental agreement prepared guaranteeing the town that he has these responsibilities left and guaranteeing that they will be done.

Rudy Nikolac asked if there is a guarantee period after completion of the contract. A. Yes a one year period.

Harry Rekers presented the supplemental agreement which carries a separate \$75,000 guarantee bond. The attorney will look it over and then it can be taken up at the regular meeting.

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The pavers will start on Wednesday with the Class B on the Harborview overlay and ATB on the Clay Hill area. A discussion followed on the merits of Class B on Clay Hill.

Basically, the proposal means releasing the retainage and accepting the supplemental agreement. Harry Rekers said the sub-contractor will come back only under the agreement of re-leasing the retainage. Mayor Bujacich said the town attorney will look over the supplemental agreement.

Further discussion involved the town's position regarding the apply of water.

Frank Hruza was present. He said he had no information regarding the laws of the State of Washington but in other states building permits have been denied on the basis of water supply Court have upheld that a city cannot be forced to enter an agreement which is in effect writing a permit when assumed liability, such as services or utilities which the city is not in a position to provide. And so in this sense then the cities have been upheld because under the four provisions of safety, health, morals or general welfare (which cities are expected to provide for their populace) cities have been upheld. He went on to say that fire protection is even more important than general welfare. A city could put itself in an even more libelous position in issuing a building permit when it could not adequately provide the services for the necessary protection of that area, unless you knew that by the time the apartments were actually construction that you could in fact supply the services.

The mayor brought up the fact that when the proposed developers were told that the town could not supply the water from its pressure system they suggested paying a share of the updating of the system. Cascade Development Company has to use the swimming pool as a storage reservoir in case of fire as the standards set by the Fire District would not be met otherwise.

Dr. Hruza had one final comment. He said developers could not fault the town when the town does not act in an arbitrary manner but refuses building permits only because the available services are not adequate.

Tape 38, Side 2, 0-277

SPECIAL COUNCIL MEETING - May 19, 1975

The contractor and the engineers were present and Glen Sherwood and George Capestany tendered the final estimate which they said reflects adjustments as to the depth of the sewer. There are now some pay items. The change orders are to compensate the contractor for work over and above that estimated in the design. Glen will make up the application to go to Olympia this week if the council okays the change orders.

Adelaide Stanich was present and she wished to protest some aspects of the sewer project. She maintained that some people were not adequately warned that they will have to pump. Then she told the council that the blacktop next to her property had all been scraped off even though the sewer ditch was on the opposite side of the street. She was told that the road is now in better condition that it has ever been--it was formerly oil mat and is now blacktop. Mr. Stanich did not feel it would be adequate--she would like the blacktop brought closer to her property.

Glen went on to tell about the estimate. He said there were a few specific cases where the contractor laid asphalt where he shouldn't or extended it further than it should have been. These areas were measured and deleted from the estimate.

Regarding the release of the retainage, Harry Rekers said that at the end of the thirty-day waiting period the town withholds the amount of any unsettled claims and issues the rest to us until these claims are settled.

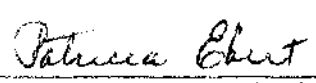
Mayor Bujacich said that, speaking of the \$20,000 claim, originally the \$15,000 estimate of surplus included asphalt from Pioneer Way all the way over to and including Clay Hill and now that portion has been dropped.

Clerk Avery brought up replacement of monuments (George Capestany said these are included in the supplementary agreement) and the street striping. Harry said the town can bid their own striping as the striping was dropped from the contract. Councilman Stainbrook moved that it be provisionally agreed pursuant to review by the engineers and the attorney within a week. Councilwoman Melton seconded. Carried.

Meeting adjourned.

Tape 39, Side 1, 345 to 832

  
Mayor

  
Asst. Clerk

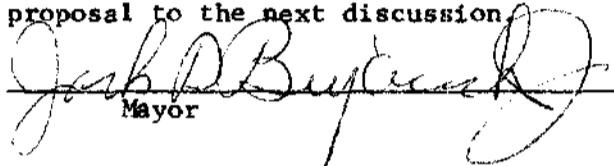
SPECIAL MEETING - May 26, 1975 7 p.m.

The meeting was called with the Shore Acres Water Company for negotiation and discussion only. This was not an official meeting. Shore Acres representative, Doug Ahling, opened the discussion.

Mr. Ahling, attorney for the Water Company, maintained that the charge for water should be a bulk charge only since it is bulk water delivery. They maintain their own system from the main meters on. They read their own meters, send their own bills, and maintain their own lines. It is a non-profit corporation with about \$9000 in the bank.

The mayor pointed out that the Shore Acres Water Company pays none of the town's bonded indebtedness, nor do they help pay for repairs to our system. When the system was updated at a cost of \$18,000 the Shore Acres company received better water pressure but their customers paid none of the cost. Also, until the contract was rewritten in 1971, Shore Acres paid only \$1.45 per customer, considerably less than the town users paid.

Mr. Ahling still maintained that the bulk rate was the only way to go, figuring the minimum bill at \$538 per month instead of the \$658 they now pay. Shore Acres will bring a written proposal to the next discussion.

  
Mayor

Tape 39, Side 1, 830 to 1160

  
Asst. Clerk

REGULAR MEETING - May 26, 1975 - 8 p.m.

The regular meeting was called to order by Mayor Bujacich at 8 p.m. Present were Councilwoman Bogue and Melton, Councilman Ekberg, Attorney Johnson and Clerk Avery. Councilmen Hanson and Stainbrook were not present.

The bills were approved as submitted upon motion of Councilwoman Melton, seconded by Councilman Ekberg. Carried.

MINUTES: As there were no corrections or additions the minutes stood approved as posted.

**CORRESPONDENCE:**

1. Planning Commission letter concerning expiration of terms of office of two commissioners.
2. Letter on dog situation on Stinson Avenue signed by several residents. Attorney Johnson said that we have an ordinance but no way of policing it. The judge may make a decision - he may file a criminal complaint against the owner if we can get people to come to court and testify. We can bring an action without having a dog catcher or a pound. The attorney said he would examine the ordinance with the Chief of Police and see if we can get some statements from citizens. If so, we may have a case.

SPECIAL GUESTS: None

**REPORTS:**

- Sewer Construction - Glen Sherwood had telephoned at 7:30 that he was having tire trouble in Everett and would be detained.
- Street & Water - No report
- Police - No report
- Building Inspector - No report
- Sewer Treatment - No report
- Attorney - No report

SPECIAL ASSIGNMENTS: Councilwoman Bogue said she had met with a representative of the Big Toy Company. They will work up a proposal concerning equipment for the Town Park.

EMPLOYEE BENEFIT CONTRACT: Postponed.

CONSOLIDATED SECURITY PATROLS: Mr. Perrozo had furnished a \$1,000 bond. He said the price of false arrest insurance is prohibitive in cost. Councilwoman Bogue recommended checking the personal references that he had furnished. Councilman Ekberg said he found no certificate of insurance attached and there was no general liability policy. He also said he feels that the false arrest part of it is still very necessary. Mr. Perrozo said he feels it is somewhat discriminatory to the small operator since no other town nor Pierce County requires it.

SHORT PLAT: The council felt that passage of this requires a study session. Next Monday night, June 2, at 7:30 was set for the study session and the employee benefit contract will be studied also.

CABARET LICENSE ORDINANCE: The attorney had furnished an ordinance modeled on Tacoma's that was somewhat elaborate. He will draft a simple ordinance just to get it done and present it at the next meeting.

JUNE 11

CABLE-TV RATE MODIFICATION: First reading of ordinance.

Attorney Johnson said he had contacted Mr. Irwin and told him it would be accomplished by ordinance and suggested considering this the first reading tonight. It will be in line with the information that the council has been furnished.

Mayor Bujacich had received a letter from the Public Works Director of Pierce County and the Clerk read it. It ~~was~~ discussed the drainage basin and the plan formulated by Parametrix. They enclosed a copy of it. The mayor suggested that the council go through the extra copy that is on hand. No contractual agreement as to how they plan to work it out.

McKEAN SITE PLANS: Postponed for Glen's water report.

CHINOOK AVENUE ACCEPTANCE: Mr. Allen was again present. The council did not wish to discuss it since Glen Sherwood had still not arrived. Attorney Johnson said he had spoken with Mr. Allen and with Pierce County <sup>Prosecutors Civil Dept.</sup> It all hinges on council acceptance of the road as it is. Pierce County said that if you did accept it you would not be setting any sort of precedent. He said that if the council decides to accept the road as it is that he would like them to put in the minutes the uniqueness of the situation, the factors that you considered, and the specific problem such as that the road is there and that it ties into a road which did not meet the specifications. The council decided to take no action until the engineer gets here.

PLANNING COMMISSION TERMS EXPIRING:

Mayor Bujacich said that the terms of George Borgen and John Gilich are expiring as of the first of June. He said he had already advised the council by letter but they all said they did not receive any word. The council can think it over and suggest possible appointees.

SEWER WARRANTS:

Councilwoman Bogue moved that Warrant #118 to Parametrix be approved. Seconded by Councilman Ekberg. Carried. This was in the amount of \$10,006.98. Councilwoman Bogue then moved that Warrants #116 and 117 to Nelson Construction Co. be approved. Seconded by Councilman Ekberg. Carried. These were in the amount of \$62,049.08 and \$3265.74.

NELSON CONSTRUCTION COMPANY:

Harry Rekers was present and asked that three things be accomplished:

1. That the warrants be approved.
2. That the town accept and approve the sewer system, and
3. That the supplementary agreement be accepted by the town.

One of the issues in the supplementary agreement is the paving that will be accomplished or completed, he hopes by Harbor Holidays. Compaction tests have been received on Burnham and Franklin and they are within satisfactory limits. Soundview still has not come up to the 95% required. It is just not compactible, said the soil testing company, even after excavation and re-excavation, hauling away and refilling. Harry had tests taken today, at his own expense instead of waiting for the engineers to do it, and he should have the results in the morning. If the results of the test today bear this out then it comes an issue of being impossible to compact and then it becomes an issue of engineering technicality beyond our control and the engineers or the town will have to work out a solution. If it means we have to again excavate, haul away the material and fill with select backfill material, as should have been done in the first place, whether we can ever possibly compact it then we are talking about an engineering technicality.

It does fall within the supplemental agreement and as long as the S.A. carries all the legal technicalities and all the engineering technicalities of the original on it then we can have a dispute--the supplemental agreement does not preclude that.

With the acceptance of the system the one-year guarantee period goes into effect. Harry said the system should be accepted--it has been in use about two months now and it is unfair to wait.

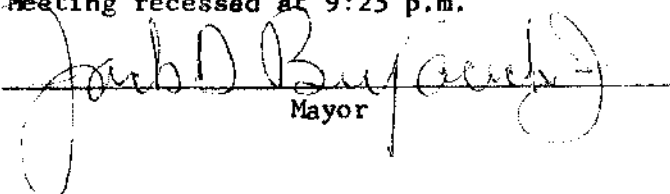
Councilwoman Bogue asked Harry if the Engineers had taken compaction tests also. No, Harry said, and they had no intention of doing so. At no time did the engineers take tests. They specified the degree of compaction but they never did anything about it.

The council did not want to accept the system nor the S.A. without the engineer's say so. The attorney suggested continuing the meeting one more day since Glen probably cannot be here tonight.

Councilman Ekberg moved that we recess the regular meeting as of now and continue at 7:30 on May 27. Seconded and carried.

Meeting recessed at 9:25 p.m.

Tape 39, Side 1, 1160 to End and Side 2, 0-235

  
Mayor

  
Asst. Clerk

May 27, 1975

The recessed meeting was recalled to order at 7:30 p.m. Present were Mayor Bujacich, Councilwoman Bogue, Councilmen Ekberg and Stainbrook, Attorney Johnson and Clerk Avery.

The contract completion was reviewed by the attorney and the engineer. Glen Sherwood said that completion of the sewer system and acceptance of it poses no construction problems—only legal problems. The biggest problem is completion of Soundview Drive. Harry Rekers, who was also present, said that his soils people had given him the test results and they were that the soil there just cannot be compacted. The engineering firm would like verification from the original soils people. Harry Rekers would like wording in the supplemental agreement that would compensate them if new material is needed on Soundview. He had come up with a figure of \$7500 (if the entire 1200 feet is in trouble. This figure includes new material and hauling away of the old. He will have a rental compactor, the largest made, on the job tomorrow and would like the testing done then.

Concerning the \$7500 cost above the engineers and the contractor felt was the town's responsibility. Mayor Bujacich said it should be ironed out now where we stand.

Glen Sherwood was asked if they had previously conducted soils testing before paving. He said it was not customary to do so and they had not conducted tests. They had not questioned it and neither had the contractor.

Harry Rekers said they have readily admitted paving that was their fault. They acknowledge the job on Burnham, Vernhardson, Franklin, etc., but they do not feel that Soundview is their fault. Mayor Bujacich said the contractor feels it is not their fault, the engineers say it is not their fault, and it leaves the town holding the bag.

Glen Sherwood said he felt it all hinges on the second soils test. He says wait to take a look at it. The test result will be available for the special meeting Monday. Harry objected and asked that a correction be made in the supplemental agreement. Harry asked that two points be added to the supplemental agreement. 1. That the side sewer markers will be installed and 2. that traffic buttons be supplied to Jim.

Attorney Johnson said the supplemental agreement could be approved providing Soundview can be done at no expense to the town. Councilman Stainbrook moved that the contract as written be accepted. Councilman Ekberg seconded. Carried. Mayor Bujacich read a letter from Glen Sherwood on acceptance of the system.

Councilman Ekberg moved that as of May 19, in accordance with the letter from the engineers, we recommend that the sewer system is complete and sound and we accept the system. Councilman Stainbrook seconded. Carried.

Glen Sherwood passed out funding analysis forms. He explained them and the further application for a grant increase. There is no action needed at this time and discussion was postponed to next Monday night.

#### McKEAN AND WOOD SITE PLANS:

Mike McKean explained that they had made some changes since the last meeting. At the suggestion of some of the town's citizens, they moved the buildings back from Stinson Avenue to about 120 feet. They are still able to accomplish only one driveway. They now submit a building permit application for only 32 units and defer the remainder until the water supply is more plentiful. Glen Sherwood said he had written two different letters on the water question. They both apply to the H/A 41-unit apartment complex. The booster could handle those 41 units, or, an alternative—a main could be extended from Coopers and then a booster pump at the Foster site. The booster pump could be moved out to Stinson and Foster and could supply the 50 unit, the 41-unit and the McKean units. He had no cost right now but could run 10 to 15 thousand dollars. Chief Wingard asked what fire protection this pumping system could offer. When he was answered 750 to 1000 g.p.m., Wingard said a great deal more would be required for a 50-unit complex—two hydrants, each capable of 1,000 g.p.m. He said that if the water system is not upgraded in the town for these high level areas it will retrograde its own fire rating and everyone will pay higher insurance costs.

There was more discussion but Councilman Ekberg said he felt that three things had to be done before final approval could be given:

1. Environmental worksheet
2. Site Plan Approval
3. Rests with developer himself—whether he can meet the fire code & building code.

He went on to say that there is no significant environmental impact then a negative declaration is in order. Motion was made by Councilman Ekberg that the negative declaration be accepted.

Although the North directional arrow on the site plan points in the wrong direction, Councilman Ekberg moved that the site plan as submitted by drawing be accepted as proposed with the stipulation understood and agreed to that the building permit shall apply to only 32 units and issuance of permit subject to the availability of water and any additional costs to provide the necessary water to this development shall be borne by the developer. Councilman Stainbrook seconded. Carried.

Drew Wingard asked if there are plans in the offing to add to the high-level system. Mayor Bujacich answered that high level plans are projected.

#### PIERCE COUNTY BLOCK GRANT APPLICATION:

Mayor Bujacich explained to the Council the need for a motion to approve the HUD Block Grant

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Application. Councilwoman Bogue made a motion to approve the Pierce County Grant Application Agreement. Seconded by Councilman Stainbrook. Carried.

CHINOOK AVENUE:

To be considered next meeting.

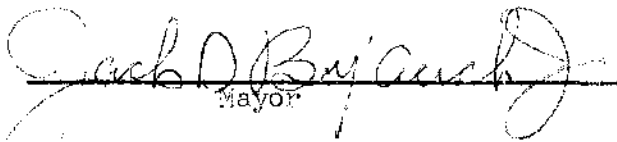
Councilwoman Bogue said that the Big Toy Company suggested a survey of the users of our park. She wondered if some high school students could conduct a survey.

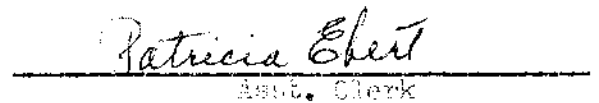
Councilwoman Bogue produced a picture of a piece of sculpture that would be donated to the town. The council would like more information on it.

Councilwoman Bogue asked about Dr. Kraza and are we proceeding on our work on the annexation problem and B-2? Do we have a follow up? She was asked to call him and inquire.

Meeting adjourned at 10 p.m.

Tape 39, Side 2, 235 to end

  
Mayor

  
Asst. Clerk

REGULAR COUNCIL MEETING - JUNE 9, 1975

The mayor called the public hearing to order at 7:30 p.m. Present were Councilwoman Bogue, Councilmen Hanson and Stainbrook, Attorney Johnson and Clerk Avery. Councilwoman Melton was not present nor was Councilman Ekberg.

PUBLIC HEARING - SAREAULT VARIANCE REQUEST

The mayor read the notice of public hearing and the recommendation of the Planning commission. Mr. Sareault had requested a variance in side-yard setback in order to erect a carport or garage closer to his north property line. The mayor asked for comments from those in favor:

DUANE JOHNSON, a neighbor of Mr. Sareault, explained that the principal was out of town and he would speak in his behalf. He said that at first the plans for the garage did not benefit his position at all but Mr. Sareault moved it so that it would not interfere with Mr. Johnson's property in any way. He said he is in favor of it and brought a drawing of what Mr. Sareault intends to do.

There were no voices in opposition. The Ryker Apartments abut the property on the north side and the carport would not protrude beyond the Johnson's house. It was felt that granting the variance would harm no one and Councilman Stainbrook moved that the variance be approved. Seconded by Councilwoman Bogue. Carried. Public hearing closed.

The regular meeting was then called to order and the bills approved upon motion of Councilman Hanson, seconded by Councilwoman Bogue. Carried.

MINUTES: Councilwoman Bogue said she had an addition to the minutes of May 26 regarding the Chinook Avenue discussion. She said it should be added to Pierce County "Prosecutor's Civil Department." Otherwise both sections of the minutes stood approved as posted.

CORRESPONDENCE:

1. Shoreline Restaurant requests a cabaret license for dancing in the interim until the license is granted.
2. E.H. Rice wrote that they are opposed to the Holmaas annexation.
3. Mr. Dick Lentz withdrew his name as a petitioner on the LID on Chinook Avenue.
4. Planning Commission recommendation on the Mackay rezone request. Public hearing will be set under old business.
5. Paramatrix letter on soil compaction.
6. Attorney Ahling letter on Shore Acres Water company contract. They object to the rate structure as being discriminatory against out of town residents. They ask for a bulk rate instead of individual rates. Postponed to old business.

SPECIAL GUESTS:

Mr. Hill from the Big Toy Company brought a catalog and a 1/2" scale model of a climbing structure. It would be suitable for the younger age groups but they do have models that appeal to the older age groups also. They can design to requirements. Councilwoman Bogue said that is why she proposed that a survey be made of the park's users. No action was taken at this time.

Mr. Huber asked if the council would consider swapping a piece of land for the tank site. The mayor said it would be an improvement because this land would be right at the end of Foster Street. The council would like to look it over.

Ed Conan said he had been inspected by the County Fire Marshal's Office and parts of the recommendation are impossible to comply with. They told him, among other things, that his tanks should be 22 feet from the property line--they exist now and have for years at 3 feet from the line. The Fire Marshal said the infringements can exist only with a variance from the town. It was not clearly understood what value a variance would have. A variance would not alter dangerous conditions or alleviate the problem. Mayor Bujacich felt that existing



conditions should have been covered by a grandfather clause. Mr. Jones of the Fire Marshal's office explained that the town can grant the authority to leave the tanks there or to change the code to fit the conditions. The assistant fire marshal said that the primary purpose of the inspection is life safety. Some things may be acceptable under life safety but not meet the code in all respects. It is a question of what is acceptable to the town. Mayor Bujacich instructed Mr. Conan to apply for a variance hearing and the attorney will review the recommendations and make a report to the council.

MR. PERROZO was again present. The Clerk had written for recommendations and about six had been returned, all quite favorable. Mr. Perrozo had asked for a waiver of the false arrest insurance. It is prohibitively expensive and not really necessary, he said, since they do not arrest, only detain. All of the council members present felt they should not change their standards about the false arrest insurance.

#### REPORTS:

**Sewer Construction** - Glen Sherwood said the last of the patching is nearly complete. No date has been set on restoration of the monuments, flap gate and traffic buttons. Regarding the signing of the supplemental agreement, does the town want it signed now or just wait until the work is completed? Then there would be no need of it. Should the town reduce the bond to about \$15,000? Councilman Hanson felt the amount of the bond should be large enough to make the contractor want to complete the work. The council decided they would sign the supplemental agreement with a bond of \$25,000.

**Street & Water** - Jim Hibbs said they need more traffic cones and the best price he found was \$1.55 each for 50 of them. Also, he would like to have permission to build more barricades. He was given the okay on both items.

**Police Department** - Chief Galloway reported that Harbor Holidays went very smoothly. There were only minor problems. The Chief went on to report that one of the police vehicles has a wobble in the front end. It is being checked.

**Building Inspector** - No report.

**Attorney** - He would like to postpone the cabaret license to the next meeting. Regarding the final reading of the proposed ordinance on the Cable TV rate modification, he discovered that the franchise was never adopted by ordinance. It was put in the form of a resolution. He will talk to Mr. Irwin and if the franchise is ok they will make a few minor changes and pass it as an ordinance.

Mayor Bujacich reported that he had met with Allan Bucholz today and there are a couple of copies of the Town Hall plans that the council can look over.

**SHORT PLAT:** The attorney will take the ordinance as submitted by the Planning Commission, along with their recommendations, and go over it.

**INTERIM CABARET LICENSE:** The businesses who request permission for dancing will be given that permission to operate.

**EMPLOYEE BENEFIT CONTRACT:** There was no quorum at the study session so they have not had time to pass on this.

**PLANNING COMMISSION APPOINTMENTS:** Councilman Hanson asked to wait to next meeting to vote.

**CHINOOK AVENUE:** Councilwoman Bogue wondered if Dick Lent's withdrawal made a difference in the status of the LID. Glen said he had not considered that a valid signature anyway. In order for the LID to be initiated by petition it must have 50% in favor of it. If the council decides to initiate it by resolution it takes a 60% objection to kill it. Councilman Stainbrook moved that the road be accepted only if brought up to town specifications or not accepted until it meets town specs. Councilman Hanson seconded. Carried.

**R.R. MACKAY REZONE HEARING** set for July 14 at 7:30 p.m.

**SHORE ACRES WATER SYSTEM:** Regarding their plea for bulk water rates, there was some discussion. Mayor Bujacich felt that we have no control of the growth of that area and it was decided that the town attorney will write them a letter that the new rates will be 50% above the old rates at the expiration of the present contract.

Councilman Hanson asked that a letter be written thanking Harbor Holidays for their cooperation and foresight. The mayor said the letter was sent out today.

Councilman Hanson asked three other questions:

What is the status on our annexation policy. Councilwoman Bogue said she had spoken with Dr. Hruza and he is not quite ready with his recommendations since it is the end of the school year and he is busy with the grading.

Is anything being done to provide a high level water supply? Glen Sherwood was asked to check on grant money for this.

He asked if the town has received any notice from Scandia Gaard on their festival. There was none. He said that last year the traffic was very bad where he lives.



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Mayor Bujacich brought up the Lighthouse Marina move. He said there are four businesses operating in that one building. Boats are parked on the street and they are creating a dangerous traffic situation. The police department said they are watching it. Other violators in the building are making a mockery of our local laws. They should be instructed to apply for the proper permit and boats on the wrong side or in the street should be towed away.

Councilwoman Bogue said that the Pierce County Planning Department would like to meet with the council. Could the town arrange a meeting with them. Thursday, the 19th at 7:30 was tentatively set.

George Bujacich asked about the progress on the loading dock at the foot of Rosedale. They assured him they are still attempting to get a grant.

The Clerk said the Sewer Fund must be lent some money by the Current Expense Fund. They are \$15,000 in the red now. This was considered the first reading tonight.

Meeting adjourned.

Tape 40, Side 1, 0-771

*James E. Bujacich*  
Mayor

*Patricia Ebert*  
Asst. Clerk

REGULAR COUNCIL MEETING - June 23, 1975

The regular meeting of the Gig Harbor Town Council was called to order by Mayor pro tem Bogue at 8 p.m. Present were Councilwoman Melton, Councilman Hanson, Attorney Johnson and Clerk Avery. Mayor Bujacich was not present nor were Councilmen Ekberg or Stainbrook.

The bills were approved upon motion of Councilwoman Melton, seconded by Councilman Hanson. Carried.

The minutes stood approved as posted as there were no corrections or additions.

CORRESPONDENCE:

1. Robert Mortvedt letter complaining that replacement of drainage gutter was not done correctly on his Grandview Place property.
2. Tom Wagner letter opposing change of annexation on piecemeal basis in East Gig Harbor.
3. Fred Kaehler postcard opposing change of annexation on Randall Drive.
4. Peninsula Investment Company letter on sewer service.
5. Planning Commission recommendation on Robert Ebert variance request. Public hearing set for July 14 at 7 p.m.
6. Consolidated Security Patrol letter on proposal of elimination of false arrest insurance.

SPECIAL GUESTS:

HENRY PERROZO was again present regarding the false arrest insurance. Attorney Johnson advised the council that this would not prevent the town from being sued even if they had false arrest insurance. It will in no way help or hurt the town. We have our own insurance. The council took no action and Mr. Perrozo left the building.

HARRY REKERS spoke on the Mortvedt drainage. Nelson Construction felt that they had no responsibility in this matter since the drainage problem pre-existed the sewer construction. He felt that there was no question but what they had done all that could be done for him. They paved once more when he last complained and then further paving was traded for the promise of overlay on N. Harborview Drive and it is no longer a question of whether it was done. Glen Sherwood said he had looked at the area and said the street had been resurfaced and small crushed rock fills the ditch. No discussion had taken place on the quality of the rock. It is 5/8" Minus opposed to the 1 1/2" rock that Mortvedt is asking for. Harry Rekers felt the problem is an engineering one and also the area needs a storm drain system. It will be taken up later on.

MIKE McKEAN AND BILL WOOD of Wollochet Development were present. They said that they have now achieved a second access to the property through the power line. They are now ready for a building permit. They asked what formal agreement regarding the pump is necessary. Glen Sherwood said he had no written copy with him but the discussion previously had been upgrading of the water system through installation of a pump in the pressure line at Harbor Heights tank site to increase domestic flow. They do need adequate fire protection of about 1500 g.p.m. and Glen had never indicated it could be available without high level tanks.

McKean said it is not possible to supply the needed 1500 g.p.m. with only a six inch main as now exists. He asked Glen how much the \$3600 pump would increase the flow. Glen answered about 50 g.p.m. and would only provide additional domestic service. John Gilich in the audience asked questions regarding the water supply regarding the number of units. He was answered that the pressure would vary according to the number of buildings in the complex, the density etc. The fire protection is nearly nil next door. There are no hydrants as yet. Councilwoman Melton <sup>called</sup> ~~asked~~ McKean if he was under the impression that by putting this pump in it would help

~~red. Five water~~

meet fire-water requirements. Mr. Wood answered that he felt that it was a compromise--if we put the pump in it would help get the council's okay. Councilman Hanson agreed, and it was agreed that this was necessary for council okay before a building permit can be issued. The attorney will draw up the proper papers regarding the pump and then the building inspector can issue the permit. The building inspector said that he can issue the permit but the fire department can stop construction without the proper fire protection. What would be the sense to issue the permit?

McKean and Wood are meeting with the fire marshal in the morning and the problem should be resolved before our letter is ready. Councilwoman Melton did not think it should be a policy of the town that we should be holding up building permits because of another agency's procedures.

HENRY FERROZO returned to the meeting and asked if they bring in the false arrest policy in the next few days would they then be issued their business license? A. Yes.

REPORTS:

Sewer Construction - Glen Sherwood said that construction is now wrapped up. The monuments have been restored that were the contractor's responsibility. Others that must be restored are the town's obligation. There was a discussion on those monuments that have not be found or replaced.

Street & Water - Jim Hibbs said the Harbor Heights tank is up for electro-rust proofing. This is at a cost of \$95. Councilman Hanson moved that the Wallace-Tiernan Company be authorized to perform the service. Seconded and carried.

Councilman Hanson asked a question regarding streets. He wanted to know what is the status on the Grandview and Pioneer corner widening. Glen Sherwood answered him that the light and telephone company are going to move the poles. Glen said that he will bring to the next council meeting what they want the street department to do and what is expected of the contractor.

Jim Hibbs reported that Dick Allen called him and said he had decided to hire Spadoni to go ahead with the surfacing of Chinook Avenue.

Attorney: Dave Johnson reported that he had talked with the fire marshal on the oil dock violations. The variance procedure is not the same as our zoning code. He thinks that the variance should be allowed. The fire marshal offered to come to the next meeting to explain the procedure.

NELSON RETAINAGE:

The clerk read the NCC letter and Glen Sherwood commented. Glen recommends that the retainage be released since the town has received clearances from the Excise Tax Division and the Dept. of Labor and Industries. This is except for the \$5534.00 which should be retained. The Peabody claim was felt to be unfair and Harry would like to have a disinterested party appointed to negotiate. This is in the amount of \$1350 and Rekens objects to paying it. The 30-day period when objecting parties can file their claims has now expired. The total retainage is \$93,000. Harry said he would go along with the Peabody claim provided a committee is set up to make a decision. The mayor pro tem asked for volunteers or suggestions. None were forthcoming. Attorney Johnson said it would be unfair to put a council person in that position and it was agreed that no amount of work would satisfy the Peabodys and that the town had may as well wait for the lawsuit. Councilman Hanson then moved that we release the retainage funds, holding back the \$5534. Councilwoman Melton seconded. Carried.

MORTVEDT LETTER:

Pursuant to the previous discussion, Clerk Avery read a letter from NCC in which they refused to accept responsibility for drainage in that area. Nelson had agreed to do the job once more but then would be released from responsibility in that area. Mayor pro tem Bogue asked for further research by the next meeting.

HIGH LEVEL WATER SYSTEM:

Glen commented on the method of increasing the high level water supply. He spoke on possibility of grant money to prepare update of the comprehensive plan. He said that funds could be requested for design of an upper level system. Councilman Hanson moved that an application be authorized for update of the comprehensive plan. Councilwoman Melton seconded. Carried.

Police Department Report:

Sgt. Tomlin said that two new tires are needed at \$34 each for one of the patrol cars, and lately the car has been stalling out and probably needs carburetor repair. This vehicle is destined to be replaced with the new car. Councilman Hanson suggested that the police dept. decide whether to keep this vehicle or the other one because they are expected to dispose of one of these present vehicles when the new one arrives. The council authorized the purchase of two tires if they decide to dispose of this vehicle.

TRANSFER OF FUNDS - ORDINANCE #221 - Second Reading:

Councilman Hanson moved and Councilwoman Melton seconded that this ordinance be adopted. Carr.

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HUBER LAND EXCHANGE: Tabled.

SHORT PLAT ORDINANCE: Continued.

EMPLOYEE BENEFIT CONTRACT: Tabled until Councilman Ekberg returns.

CABARET ORDINANCE: Attorney Johnson had presented the council with a new ordinance. This is considered the first reading. They will look it over.

PLANNING COMMISSION APPOINTMENT: Councilman Hanson would like this postponed because he wished to discuss it with Mayor Bujacich.

CABLE TV FRANCHISE ORDINANCE - First reading.

Councilman Hanson asked if we had received an annexation petition from Huber-Antilla. No.

Councilwoman Bogue explained that she had prepared a resume of the joint study session for information purposes for those that did not attend.

Councilwoman Bogue asked if any decision had been reached on the Big Toy Company. She felt that it would take several weeks to obtain the apparatus since it has to be ordered. There is no need for hurry now since the summer would be nearly over by the time the apparatus was ready so she proposed waiting to see how much we are now spending on parks.

HARBOR LANDING LIQUOR LICENSE TRANSFER: The council had no objection.

PENINSULA INVESTMENT COMPANY SEWER SERVICE TO EDGBERT PROPERTY: Glen Sherwood said he was aware that the question was a matter of the sewer line passing through county property. He felt it should be a town line strictly, not county, since the bulk of service is in the town. Mr. Edgbert could apply to the County for a franchise on their street. Councilman Hanson moved that Mr. Edgbert be instructed to keep the line within the town. Councilwoman Melton seconded. Carried.

Councilman Hanson said he was under the impression that the town had filed suit against Lighthouse Marina. The building inspector told him that he had been instructed by the Mayor to file the suit on the basis that ordinances were violated. The Lighthouse had been given no sanction to move in, that he subleased without the knowledge of the owner of the building, and that he is using off-street parking space as an outdoor sales room. Councilman Hanson asked why a similar suit has not been filed against Peter Darrah. He was answered that this suit is ready for filing now.

SEWER CONSTRUCTION FUND WARRANT: Councilman Hanson moved that the warrant be approved to Ceccanti-Franko in the amount of \$945. Councilwoman Melton seconded. Carried.

Councilwoman Bogue mentioned that the county offices would be happy to have a liaison person appointed who is familiar with environmental regulations in the county. She asked for suggestions of an approved person.

Councilwoman Bogue went on to say that the chief of police had contacted her regarding a model noise control ordinance. She passed the information to the rest of the council.

Clerk Avery reported on his trip to Olympia where he made application for funds for a marine park. They informed him that they will not now have funds until October 1976.

Harry Rekers asked if Attorney Johnson will please write a letter stating that the bond is lost. He then said he would like to thank the town officials for their cooperation.

Meeting adjourned at 10:04 p.m.

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Kath M. Bogue  
Mayor pro tem

Patricia Ebert  
Asst. Clerk

COUNCIL MEETING - JULY 14, 1975

The regular council meeting was called to order by Mayor pro tem Bogue at 7 p.m. Present were Councilwoman Melton, and Councilmen Ekberg and Hanson, Attorney Johnson and Clerk Avery. Mayor Bujacich is commercial fishing and Councilman Stainbrook arrived later in the evening. The regular meeting was then recessed for the first public hearing.

EBERT VARIANCE REQUEST - 7 p.m.:

The public notice was read as well as the recommendation of the Planning Commission. Building Inspector Goodno pointed out the location of the property. Mr. Ebert spoke in his own behalf and showed the plan of what he intends to do. Miss Ulberg, a neighbor, had written saying that she has no objection. The height variance would make the new addition only about four feet

above the road. Councilman Ekberg moved that, since no property owners objected to the proposed increase in height, the variance be granted. Councilwoman Melton seconded. Carried. Councilman Hanson spoke for consistency on the part of the Planning Commission--that they spoke of differing heights in the minutes, as opposed to the application and height mentioned in the plans. Public hearing recessed.

R. R. MACKAY REZONE REQUEST: 7:30 p.m.

The Planning Commission recommendation was read and the area pointed out on the map. The building inspector had nothing to add.

Bob Rosen of Rosen Realty spoke on behalf of his client. He was the broker who handled the sale of the property. He feels that the comments from property owners in the neighborhood did not apply. He said there is no way a seller can go, nor a builder build. The property is too expensive for single family use, He went on to tell of its former zoning as R-2.

George Martin, Parker Paint Company and owners of the property, said they acquired the property from a customer. It is much too expensive to develop for just a home.

Mayor pro tem Bogue explained why the property, formerly zoned to R-2, reverted to R-1 use.

There were no voices in opposition.

Councilman Ekberg asked Mr. Rosen what is unique about the property that should make it possible to zone it to R-2 use. Rosen answered that it is desirable to keep it all in one piece. It is in an area that is a mixture of other kinds of zoning, and it is near shopping. Councilman Ekberg said it appears that granting the zone change would be an infringement into single family residential areas and it would also be spot zoning. In line with the recommendation of the Planning Commission he moved that the zone change be denied. Councilman Hanson seconded. Motion carried with Councilwoman Melton voting no. Public hearing adjourned and regular meeting resumed.

BILLS: The bills were approved upon motion of Councilman Hanson with Councilman Stainbrook seconding. Carried.

MINUTES: As there were no corrections or additions the minutes stood approved as posted.

CORRESPONDENCE: Before the correspondence was read, Mayor Bogue said she had had a request that members at the council table speak up as they could not be heard in the back of the room.

1. Planning Commission recommendation on the Boat Barn sign variance. Public hearing set for August 11 at 7:30 p.m.
2. Request for water service across from town park. Referred to new business.
3. Shore Acres Water Company rejection of the raise of rates. To old business.

SPECIAL GUESTS:

Keith Davies from Scout Troop #264 has been working on his Eagle Scout project. He organized a car bash during the Harbor Holidays celebration to raise money. After he paid for booth rent he sold the cars for junk and wished to present the town with a check for the proceeds of his project--\$123.40 for the mini-park. He presented the check and a set of plans. Mayor pro tem Bogue thanked him for his kindness and thoughtfulness.

REPORTS:

Street and Water - Jim Hibbs said he needs crushed rock--about 500 tons at \$2.75 to \$2.95 per ton--for road shoulders. He went on to say that he had talked with George Borgen about a no-parking sign at the intersection of Harborview and N. Harborview because the view is blocked. Him was given the okay on the rock and the sign/

Police - None

Sewer Treatment Plant - None

Building Inspector - He had received a complaint on a building permit fee today. The plan checking fee in the ordinance was objected to, and Wayne read the complaint. The council looked over that portion of the ordinance and took no action.

Attorney - None

Councilman Hanson asked the status of the widening of the intersection at Pioneer and Grandview. Glen Sherwood was present and he had brought a plan sheet. He explained traffic direction, left turn lanes, flashing and stop signals, and pedestrian crosswalk and paths. The decision will be made at the next meeting, giving the council time to add their comments.

OLD BUSINESS

The plan for the park was opened. It is the same one drawn by Allan Bucholz but it has been encased in plastic. Councilman Hanson moved that a letter of thanks be sent to Keith, thanking him for his time, effort and work. Motion seconded and carried.

MORTVEDT DRAINAGE PROBLEM:

Glen Sherwood estimated the cost of repairing the ditch at between \$300 and \$350. There is

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some additional washing this evening. It is a private road but also a sewer easement. The town employees can do the work, but there is a question of whose responsibility it is. Glen had looked through his files for a letter from Harry Rekers dated May 2. None was found. The construction company had delineated the problem in this letter and gave the basis of responsibility. A copy will be requested from Nelson and Glen will have a formal communication at the next meeting.

Councilwoman Bogue brought up the Tony Stanich parking strip. He complains of lack of paving in the street in front of his house. It is really part of the parking strip and it is filled with gravel. Mr. Stanich will not be satisfied with anything but a hard surface. Decision was postponed to next meeting until all of the council looks it over. Then there was a question of why all of Dorotich Street was torn up. It was answered that the street did not have as good a base as some of the other streets. The street gave way under the heavy equipment and also there was a bad drainage problem around the manhole.

SHORT PLAT: The attorney said the information did not get to him on time. To next meeting.

CABARET ORDINANCE - Second reading - Ordinance #222

Portions in question are: Fees. Motion was made and seconded to set the fees at \$25.00

Penalty. The general penalty ordinance was invoked here.

Motion was made by Councilman Hanson to accept the cabaret ordinance. Seconded and carried.

FIRE MARSHAL:

There was a question of liability on the part of the town. The attorney said the Fire Marshal was to have contacted the county commissioners. Inspector Jones explained that under the variance procedure the town allows the businessmen to continue operating but under the safest procedure. He said that the council is only the appeals body. The council would like the attorney to check further into liability. He will check with the fire marshal. Mr. Jones recommended that the council visit the bulk plants. Mr. Jones asked if the council plans to give another extension? A. Yes.

PLANNING COMMISSION APPOINTMENTS:

Councilman Stainbrook moved that George Borgen's reappointment to the Planning Commission be confirmed. Seconded and carried. Concerning John Gilich's reappointment, John does not live in the town since his marriage and Councilman Hanson would like to table this pending word from John as to where he now lives. This was so moved by Councilman Hanson, seconded by Councilman Ekberg. Carried.

CABLE-TV ORDINANCE - Second reading Ordinance #223

Mr. Irwin of CA-TV agrees with the franchise. It was moved and seconded that it be approved. Carried.

PENINSULA YACHT BASIN has been sold to Alvin Veitenhans. It is a five-year lease but the Attorney questioned two aspects of the lease. It is based on gross profits only and the insurance amount is inadequate. The closing should take place on July 15 and the change of ownership by August 1. The council requested copies of the lease to look over by next meeting.

WATER SERVICE OUTSIDE THE TOWN:

A request has been received for town water next to the Irwin place on Vernhardson. The council agrees that it is the present policy of the council not to supply water outside the town limits. The clerk was asked to write.

SHORE ACRES PROPOSAL ON WATER RATES:

The Shore Acres Water Company deemed that the town proposal contained inadequate information regarding the rate increase, the duration of the proposal and the renewal clause. They request another meeting with the town. The attorney does suggest the meeting because of the contemplated suit. A study session was set for Monday, July 21 at 7:30.

The attorney was asked about the status of Lighthouse Marina suit. Goes to court July 31. Peter Darrah's suit will be heard sometime in August.

Regarding the Peabody claim, Mayor pro tem Bogue had been to look it over and she said she felt the trees, fill dirt and depressions left on the property by the contractor's equipment were the points in question. Our attorney will contact Mr. Gadbow.

Councilwoman Melton asked:

About Peggy Cozort's sewer connection - Taken care of.  
Iced tea or coffee might be served at the meetings.

Councilman Hanson:

Would like to strongly request that the Planning Commission get going on the comprehensive plan. Councilwoman Bogue suggested a letter to Dr. Hruza with a copy to the Planning Commission.

Pierce County Planning Department's request for a liaison person with the town. If no one else will volunteer he will be willing to serve on this position.

Asked about suits. Any connection with the sign ordinance? He then moved that the sign ordinance be enforced on all signs within the town. Councilman Ekberg seconded. Carried. The attorney was asked to check if the street crew can pick up the illegal signs.

The Clerk said the county has awarded the town \$40,000 for sidewalks. Huber and Antilla were granted approval by the county for their 40-unit apartment at end of Foster Street.

Meeting adjourned at 9:50 p.m.

Tape 40, Side 2, 0-722 feet.

Ruth M. Bogue  
Mayor pro tem

Patricia Ebert  
Asst. Clerk

REGULAR COUNCIL MEETING - JULY 28, 1975

The meeting was called to order by Mayor pro tem Bogue at 8 p.m. Present were Councilwoman Melton, Councilmen Stainbrook, Ekberg and Hanson, Attorney Johnson and Clerk Avery.

BILLS: The bills were approved upon motion, seconded and carried.

MINUTES: As there were no corrections or additions the minutes stood approved as posted.

CORRESPONDENCE:

- 1. Glenn Goldbloom letter stating that the side sewer stub is wrongly located on his lot.
- 2. Parametrix letter regarding updating of the comprehensive plan prior to application for federal grant for updating of water system.
- 3. Parametrix letter regarding Mortvedt drainage ditch.

SPECIAL GUESTS:

Peter Stanley, owner of the Tides Tavern, was present. He objects to the Boat Barn plans to build a restaurant on their property. He is concerned about over-parking.

REPORTS:

- Street and Water - None
- Sewer Treatment Plant - None
- Police Department - The new patrol car has been delivered. It uses unleaded gas only and the town has no storage provision for unleaded fuel. It was decided that gas will be purchased from local dealers but must go out on bid.
- Building Inspector - None
- Attorney - He has brought a copy of the Short Plat ordinance. He went on to report that he has written to Gadbow, attorney for the Peabodys. There has been no reply. He also wrote to the Fire Marshal and has had no reply there either.

WIDENING OF CORNER AT PIONEER AND GRANDVIEW:

Mayor Bujacich had indicated to Glen Sherwood that bids should be called for on the entire project; it should not be done piecemeal by the town or a contractor. Glen went on to say that the turn lanes are reasonably adequate although no left turn lane was planned for the westbound traffic on Pioneer. Councilman Ekberg felt it was a shame that a whole row of trees was cut down for nothing, but Glen told him that the town does not own the land.

Councilwoman Melton asked Glen if the corner will be completed by the time school starts. Glen answered no. Councilman Hanson moved that the project be submitted for bid. Motion seconded and carried.

MORTVEDT DRAINAGE PROBLEM:

The Parametrix letter had stated that the problem was one that belonged to the contractor. They did state that if the town corrected the problem that Mortvedt should sign the enclosed letter releasing the town from any further obligation. Councilman Hanson felt that a bill should be submitted to Nelson Construction Company. Councilman Ekberg moved that we proceed as outlined in the Parametrix letter of July 28 and then to bill Nelson Construction for expenses incurred. Motion seconded and carried.

STANICH PARKING STRIP PROBLEM:

Glen Sherwood said that paving of the parking strip is the only permanent solution. Possibly the present oil mat surface could be scarified and the crushed rock would then bind better. Also, it was considered patching as an addendum to another job. Spadoni Brothers will be contacted and asked to give an estimate as part of another job. Councilman Ekberg was asked to contact Spadoni.

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SHORT PLAT: Attorney Johnson said the new copy he brought is virtually the same as the Planning Commission copy except that two paragraphs were added on page 1 and a change was made later on. This is postponed to the next meeting and copies of pages 1, 3 and 4 will be furnished the council in the meantime.

PLANNING COMMISSION APPOINTMENT:

Mayor Bujacich had planned to contact John Gilich regarding his residence. The clerk said that John is temporarily living in Tacoma. Mayor pro tem Bogue asked for suggestions or recommendations from the council members.

HUBER LAND EXCHANGE - No plans have been received.

PENINSULA YACHT BASIN LEASE:

Councilman Hanson asked when the prior lease was negotiated? A. October 1, 1970. How much rent are we receiving from the dock? A. 3% of their gross sales. In the contract it speaks of assignment of lease. Are we now assigning? A. No, this is a new lease. Councilman Hanson felt that a minimum rent should be established. The council queried Al Veitenhans on the cost per month of maintenance of the dock. He had no figures and explained that he had asked Doug Coulter to attend tonight but he could not be here. Councilman Ekberg proposed better insurance protection: Liability of \$300,000 Bodily Injury and \$50,000 Property Damage with a certificate of insurance to the town.

Councilman Ekberg questioned the option to renew paragraph on page 2. He felt it should contain the renewal option of at least three months,

Regarding the minimum rent to the town, leave the 3% of the gross profit in the contract but place a minimum rent of \$200 per month. Councilman Stainbrook then moved that the lease be accepted as corrected. Councilwoman Melton seconded. Carried.

PARAMETRIX LETTER ON UPDATING OF COMPREHENSIVE PLAN:

Parametrix estimates the updating to cost about \$3000. They ask that the town pays half at the time of the completion of the plan and the other half upon receipt of the grant. Councilman Hanson moved that the recommendation of Parametrix be followed. Seconded and carried. Clerk Avery had requested that the funds come from the Water Improvement Fund. This needed a motion on the part of the council so Councilman Stainbrook moved that the update be paid for from the Water Improvement Fund. Seconded and carried.

METHOD OF BILLING WATER AND SEWER:

Regarding the billing of multi-family units Councilman Hanson wanted to reaffirm that if a building is available for tenancy it should be charged for. He suggested that as soon as one unit in a building is occupied then the entire building should be charged for. Councilman Hanson so moved that the policy for billing of utility service for multi-family be as soon as a building is occupied by one or more dwellers that the entire building, or number of units in the building, be billed. Seconded and carried.

TOWN HALL PLANS: Councilman Ekberg moved that we adopt the plans for the new town hall as submitted and instruct Allan Bucholz to draw up the final plans and submit them for bids. Motion seconded and carried.

Councilman Stainbrook asked Glen Sherwood what are the plans to surface Benson Street. It is not paved in any way. Glen said it was not one of the items on the list that the contractor had to complete.

GOLDBLOOM STUB:

Glen Sherwood said the stub was put in to the property line but was not deep enough to accommodate the basement plumbing. The side sewer contractor had already dug the line from the back of the house when it was discovered that the stub was not deep enough. The engineers will lower the stub--it is their problem. The council asked the clerk to refer the Goldbloom letter to Parametrix.

SHORE ACRES WATER COMPANY furnished proposed water connections to their system to the town for the council's approval. The council reread the water contract and found the portion that stated that the SA Water Company was to notify the town clerk but the contract failed to mention that council approval is necessary. They felt no action was needed.

STREET STRIPING:

Mayor Bujacich had found that the street striping already accomplished was illegal. He got a bid of about \$600 for striping. Glen said that, prior to striping, the streets constructed of ATB should be seal-coated. The Class B does not need sealing. Councilman Hanson asked Glen to furnish the cost of seal-coating by next meeting.

SHORE ACRES REQUESTED A MEETING ON THE CONTRACT: Set for August 4 at 8 p.m.

STUDY SESSION ON proposed sewer contract with the County, Thursday, July 31 at 7:30.



Jim Hibbs tendered a list of normal supplies needed by the Water Department. It was okayed.

Meeting adjourned at 9:38 p.m.

Tape 40, Side 1, 0-483

Edith M. Bogue  
Mayor pro tem

Patricia Ebert  
Asst. Clerk

REGULAR COUNCIL MEETING, AUGUST 11, 1975

The meeting was called to order by Mayor pro tem Bogue at 7:45 p.m. and then recessed for the public hearing. Present were Councilwoman Melton, Councilmen Hanson and Ekberg, Attorney Johnson and Clerk Avery. Councilman Stainbrook was on vacation and Mayor Bujacich is commercial fishing.

BOAT BARN SIGN VARIANCE:

The letter of recommendation from the Planning Commission was read and the pro tem called for comments from the audience in favor of the variance:

JIM GORMAN, one of the owners, said the sign is needed to call attention since the business is off the beaten track.

In opposition, H. SHIRLEY BABICH, said the sign is not offensive but she did want to make certain that it would not become offensive if they add neon or make other changes. She was assured that any changes would require council approval just at this variance did.

Councilman Ekberg felt it was not a case of permission for an off-premises sign since this is just a change in an existing sign. He felt it should be under subsection G instead of E. He felt it would be sensitive, allowing off-premises signs. If the change in the existing sign course is followed it obviates the first and allows the latter. Councilman Ekberg then moved to amend the request from a variance of Section 17.80.040 E to Section 17.80.040 G. Seconded by Councilman Hanson. Carried.

Councilman Hanson moved that the variance request as amended be approved. Councilman Ekberg seconded. Carried. The public hearing was adjourned and the regular meeting resumed.

BILLS: Councilman Hanson moved and Councilman Ekberg seconded that the bills be approved. Carried.

MINUTES: As there were no corrections or additions the minutes stood approved as posted.

CORRESPONDENCE:

1. Letter from Merlin Packer on Addendum #1, Block Grant Award for signature. The council looked it over and approved the mayor signing the Grant.
2. Mortvedt letter of thanks on restoration of drainage ditch.
3. Fred Smith, Fire Marshal, letter on recommended alternate procedures to the Union Oil Co. bulk plant as follows:
  1. That the minimum required distance of 22 feet from the property line to the storage tanks be waived.
  2. That the section requiring the fenced enclosure of the truck and trailer unloading facilities be waived.
  3. That the section requiring a fence separating the marine service station from the bulk plant be waived.
  4. That the dispensing of flammable liquids by gravity feed at the marine service station be allowed to continue.

SPECIAL GUESTS: At this point the mayor pro tem called on special guests and introduced the Fire Marshal, Fred Smith. He said that the intent of their office is to provide life safety. They ask the council to accept his recommendations, and to grant him permission to make alternate proposals so they can correct the deficiencies. He recommends certain procedures to get the best practicable solution. Councilman Hanson moved that we accept the recommendation of the Fire Marshal regarding the Union Oil Dock. Mr. Smith said that all the other oil docks will require similar action so Councilman Hanson withdrew that motion and then moved that we adopt the recommendation of the Fire Marshal as to the bulk plants in the town. Councilman Ekberg seconded. Carried.

Fred Smith went on to discuss the water supply in relation to proposed apartment complexes. He said that ~~the~~ possible temporary solution is that the fire marshal's office is allowing <sup>622</sup> swimming pools to provide fire flow. Councilman Hanson told the marshal that the town is proceeding with plans for more storage capacity.

JOHN McCANDLESS - BENSON STREET:

Mr. McCandless said there was oil mat or blacktop on Benson Street prior to sewer construction but now the road is very bad and in winter it will be impassable. It is just a very short street end but five families do live there. The clerk said that the street had been

paved in the past and had told Glen Sherwood of the problem. Councilman Ekberg said that Glen should look into it and a decision could be made at the next meeting.

#### HUBER/ANTILLA PROPERTY:

Monte Hester, representing the developers, asked about the proposed property exchange on Foster Street. The County planning meeting on Thursday makes a decision mandatory at this time. The council did not feel qualified to make a decision tonight because there was no information available, even the location, until tonight.

Regarding the extension of water and sewer service to the property outside the town limits, Mr. Hester said letters written by town personnel have reflected two differing points of view. The county needs a letter from the town clarifying the town's position, since the first letter gave stipulations concerning connection to the town's utilities, while the second letter cast doubt as to the ability of the town to supply the water.

The original letter was written by Attorney Johnson, read by the mayor, and Monte Hester hand carried it to a county meeting. It was a rush job. Concerning the contents of the letter, Mayor pro tem Bogue read the minutes of April 14 and the correction to those minutes that was made on April 28.

Concerning the letter and the conditions stipulated at the council meeting, Attorney Hester said, "As far as the annexation goes, at the time these letters, at the time it was prepared, there wasn't an agreement on our part to petition for annexation. It was our understanding that the annexation petition was to be a timely petition following the rezoning classification."

Councilman Ekberg said the petition for annexation was a condition and the corrected minutes bore this out.

Councilman Hanson felt the council's intent was not reflected in Attorney Johnson's letter. The attorney had failed to cite intent to annex as one of the stipulations. Councilman Hanson felt that furnishing water and sewer would be jeopardizing the town for the sake of someone outside the town. He went on to say that the original okay was based on the town's ability to supply fire protection and domestic supply. Also, a petition for annexation was to follow immediately. Attorney Hester insisted that the fire marshal's statement concerning use of swimming pools to provide fire flow showed the town was not being jeopardized. Attorney Hester went on, "Regarding the attorney's letter, we are down the pike now because the attorney wrote it and the mayor approved the contents and it was delivered. It would be a little awkward now for any of us to change our positions from the terms of the letter. It would create problems."

There was a question of whether adequate fire flow would have been provided with the use of swimming pools, otherwise, Attorney Johnson's letter pretty much described the council's feeling. It was agreed that annexation was not listed in the letter as a condition. Attorney Hester wanted to know when it was brought up in the minutes. He said he could not remember the 90-day time limitation but if we thought it was one of the conditions then they can file a petition tomorrow, or fill one out right now. He went on, "Could I ask for, this thing about annexation, as I say, the 90-day limitation from the time we were here at this particular meeting, is news to me and I am surprised although I am sure those minutes are made from the tapes." He was assured that he could listen to the tapes.

Councilman Hanson suggested writing a letter redefining the town's conditions, including annexation. Attorney Johnson will draft a letter and copies will be furnished all the members of the council for their okay before the final draft is made for presentation on Thursday at the County Planning Department meeting.

#### REPORTS:

Street and Water - Jim Hibbs brought to the council's attention a water supply problem on Franklin Street at the Martin house being built. Water must be furnished either from Fuller Street, extending service along the alley, or the main along Franklin must be extended. This is the last lot available for building in that area. The council okayed the alley route since it is a dedicated street.

Jim went on to say that out of 61 fire hydrants in the town from 33 to 36 have wrong threads on the large port and do not conform to standard. New fire department equipment does not fit and it would require four different adapters. The fire department is mainly concerned with about half a dozen in the main business district. Jim was asked to get a map and put the locations on it so the council can take a look at it. Jim asked if they can come to the pump house because he has such a map there. In the meantime he was authorized to start work on the six critical hydrants in the near future. Councilman Ekberg was appointed to take charge of the hydrant alterations.

Sewer Treatment Plant - Gary Tannahill reported the completion of the new park.

Police Department - Chief Galloway reported that the old shield will not fit the new car. The old one cannot be altered to fit and a new one would cost \$130 installed. He was authorized to order a new one and to sell the old shield. Councilman Ekberg moved to autho-

size the call for bids on the old police car. Seconded and carried.

BIDS ON UNLEADED GAS were read:

ARCO	60.9¢ per gallon	No discount
Union	60.9¢ per gallon	2¢ gallon disc. with min. of 100 gallons monthly
Shell	63.9¢ per gallon	2¢ discount
Texaco	65.1¢ per gallon	No discount

Councilman Hanson moved that we accept the bid of Gig Harbor Union. Councilman Ekberg seconded. Carried.

The telephone company had written regarding the automatic answering device. The rental rate is to be increased but a cassette would be much cheaper. Chief Galloway said we could go to the cassette or we could look into a divert-a-call. The council felt the latter would be worth while. Chief Galloway was asked to look into it and also to tell the telephone company that we have to postpone a decision right now.

The Building Inspector told the council that some of the side sewers are unable to be hooked up. The Goldbloom stub is one and Mr. Goldbloom was promised by the engineers that it would be taken care of. The engineers have done nothing. Councilman Ekberg said that a letter should be written to the engineers with a copy to Goldbloom asking that action be taken immediately.

Then, Bay Cities explained their problem at the Harold Sharpe residence. The stub was located too high for the depth of cast iron pipe that comes out two feet below the basement floor. Wayne Goodno said the engineers had not taken careful readings in some cases. Also, a neighbor does not have much grade, although the sewer is working properly, and he will not pay for his side sewer until he has 2% grade. He wants the job redone and threatens a suit, naming the town also. The council felt that nothing should be done until the suit is served. The attorney will write to the Sharpe's.

REPORTS OF SPECIAL ASSIGNMENTS:

Councilman Ekberg had contacted Spadoni regarding patching the paving in front of Tony Stanich's house. It was quoted (along with a larger job) <sup>approximately</sup> at \$175. Councilman Hanson moved that the paving be done along with a larger project. Councilman Ekberg seconded, asking that this specific case be documented as to why this particular case was handled in this manner. Carried.

HILDEBRAND ANNEXATION ORDINANCE - First Reading.

SHORT PLAT ORDINANCE - #224 - Second Reading -

Councilman Ekberg moved that it be adopted. Seconded by Councilman Hanson. Carried.

SHORE ACRES WATER CONTRACT:

Attorney Ahling wrote again. He said the Shore Acres Water Company would accept the 25% surcharge. There was no contract submitted by Attorney Johnson thinks he is working on it. Regarding the submission of new accounts for approval by the council, single family residences are exempt from the approval. Councilman Hanson was in agreement with the 25% surcharge. Tenure of the contract was discussed.

STREETS: The clerk was asked to write to Nelson Construction Company and get a breakdown of street surfacing.

EMPLOYEE BENEFIT CONTRACT: This is postponed to a study session. The county sewer contract will be discussed at the same time. Meeting date to be set later.

It was requested that a representative of the town attend the County Planning Department meeting on August 14, at 9:30 a.m. Ron Lopp, in the audience, said that Huber and Antilla were on this agenda because a time limit must be set for them to comply with. Attorney Johnson will be there. Councilman Ekberg asked when the 90-day limitation on application for annexation should start. Should it be made effective now? Did it start on April 14 as per the minutes? It was decided that the new letter to be written by Attorney Johnson will cite a 15-day time limitation from the date of the letter.

Councilman Ekberg asked if bids had been called for on the new Town Hall. The plans are not ready yet. Councilman Ekberg would like a follow-up.

Meeting adjourned at 10:45 p.m.

Tape 40, Side 1, 483 to end and  
Side 2, 0-266

Paul M. Lipp  
Mayor pro tem Bogue

Patricia Ebert  
Asst. Clerk

## REGULAR COUNCIL MEETING - AUGUST 25, 1975

The meeting was called to order at 8 pm by Mayor pro tem Bogue. Present were Councilwoman Melton, Councilmen Ekberg, Hanson and Stainbrook, Clerk Avery and Attorney Beecher, who is taking the place of vacationing David Johnson.

The bills were approved upon motion and carried.

## MINUTES: Two corrections were made:

Councilman Ekberg said that under reports, concerning the bid job for paving, no firm price was quoted. Insert the word "approximately" before \$175. Councilman Hanson asked that the assistant clerk listen to the tape of the last meeting because he felt that the tape should reflect that the solution quoted by Fire Marshal Smith was only a temporary one and that the solution will perhaps come to the point where it will no longer be available. The second sentence where it states that "one possible temporary solution." should be "a possible temporary solution." Otherwise the minutes stood approved as corrected.

## CORRESPONDENCE:

1. First Church of Christ Scientist at Purdy wishes permission to again hang a banner. Referred to new business.
2. Graybar Electric wishes to have beer at their picnic in the town park on Sept. 6. To new business.
3. Washington State Liquor Control Board letter extending the time limit on Harbor Inn request for Class H license. To new business.
4. Planning Commission letter on Walter Brown variance request. The hearing date was not set because commissioner Kae Paterson said he planned to withdraw. This will be checked on.
5. Gary Bunch request for road surface on Benson Street.

## SPECIAL GUESTS:

Jana Paterson and Louise Dolney wished to comment on the position of the crosswalk on Grandview Street. They say that the crosswalk has been repainted several times and each time it gets closer to Pioneer Way. Now they can no longer see cars approaching along Grandview Street because the Wesserling's hedge obstructs their view. Glen Sherwood brought out the engineering drawings for the new corner and explained where the crosswalks will be.

Daryl Hedman spoke next. He asked if it might not be possible to have a preliminary approval or disapproval of the short plat application before a person goes to a great deal of expense and effort in surveying and making mylar tracings. Since Attorney Johnson is on vacation the question will be postponed until his opinion can be obtained.

Parker Buck said he had received earnest money on the Karl Peterson property. The buyers plan to live there but wish to hold small weddings in the house. He asked council permission. The council recommended a variance or conditional use permit.

HARBOR INN REQUEST:

Clerk Avery read the letter of request from the Harbor Inn. They wish a Class H license for the Cellar Restaurant. There were no objections from the council and the clerk was instructed not to answer the LCB letter.

Bill Edgbert asked if a date had been set concerning the meeting with the county on joint sewer services. No study session has been held since it has been very difficult to arrange it.

BENSON STREET: Glen Sherwood reported on this estimated cost for resurfacing. He estimated about \$1700. There was a discussion on culverts and ditching. Glen explained that it wasn't until after the contractor had completed his restoration work that any question was raised. The contractor is off the hook but he would have had to be paid just like anyone else.

Glen went on to say that it is an unaccepted street--or at least not improved according to the town's standards. It was oil mat and generally oil mat streets are the city's responsibility. We lost track of the fact that it was ever improved.

Councilman Hanson moved that we have that road resurfaced and with the 20 foot two-inch deep mat that does not include culverts and drains. Seconded and carried.

## REPORTS:

Street and Water - Jim said he had a call from an architectural firm who is doing a comprehensive plan on Pierce County parks. Do we want to go along with this? Councilwoman Bogue will answer this. At the town park we need about 50 yards of bank run gravel and have Spadoni grade it. This will get rid of the swamp and finish off the park. This will cost \$150 or so. Approved. The park needs a sewer hookup. Do we contract it or do it ourselves? Mayor pro tem Bogue reminded Jim that the park does not lie inside the town. Further discussion revealed that the drainfield failed some time ago but nothing was done pending completion of the sewers. Councilman Ekberg would like to see a proposal drawn up.

Concerning the fire hydrants that are in need of updating, Councilman Ekberg said that 33

hydrants have the wrong threads. These could be divided into three groups and spread over a three-year period. They will take the six critical ones right now.

Councilman Ekberg said he had found a strand of barbed wire closing off the bottom access of the east side tank site. It is a dedicated county road and cannot be closed off. The attorney will be asked to find out if it would be appropriate for the clerk to write to the county with a copy to the responsible property owner concerning this.

Sewer Treatment Plant: Gary Tannahill said the major problem right now is condensation that builds up in the wet wells. He needs a dehumidifier for each at a total cost of about \$700. The engineer will look into the problem.

He brought up a second problem of a relay burning out, but the problem is being solved by the manufacturer's replacement of the proper relays.

Police Department - Chief Galloway reported on the Divert-a-Call. Two kinds are available:

- 1. Lease basis from the telephone company at \$25 a month, and
- 2. Lease-purchase plan from a Seattle concern, with a total cost of \$604 over a period of 34 months. Councilman Hanson was appointed to make a recommendation by next meeting.

Chief Galloway said he had advised the telephone company that a decision on the code-a-phone had to be delayed.

Firearm Training - Chief Galloway had a call from a man who wanted to set up a firearm training course in the area. He wants to know if the town approved or disapproved and asks that he be advised of a suitable site. Mayor pro tem Bogue will answer his request.

Building Inspector - Wayne Goodno asked a question on the revamped R-2 ordinance. According to the rewritten ordinance only a 10-unit or larger development must go before the commission and council for site-plan approval. He wondered if something has been left out in the re-writing since at one time a draft required approval on any development over the size of a duplex, or is this the way it is meant to be? He now has a request for a tri-plex on R-2 zoned land and he was instructed to go ahead and issue the permit because there is no way to hold it up. Meanwhile Councilman Ekberg was asked to research the minutes by the next meeting concerning this.

Councilwoman Melton asked what happened to Bay Cities problems with the Sharpe and Thomas side sewers. The Sharpe connection has been satisfactorily completed. No mention was made of the Thomas connection. Regarding Goldbloom, Glen said that it is for Parametrix to work out and they are working on it. They are in the process of getting three bids but because of the depth of the sewer it does make getting bids difficult.

Attorney Phil Beecher was presented in Attorney Johnson's place.

Glen Sherwood gave his report. Concerning the sealing of streets, the contractor who installed the paving was skeptical about spending the money to seal. He felt the product that was installed was basically good enough to last without sealing. Glen did ask to have a meeting with him later this week to go over the streets. He will report next meeting.

Tank Site Land Exchange: Either site would be satisfactory. The new site has one advantage of better access to Foster Street. There is no disadvantage to trading, so far as Glen Sherwood could see. He was asked if both sites are the same size. He replied that they seem to be. Mayor pro tem Bogue would like more facts: a map, a legal description, and an actual staking of the property in question was requested at the last meeting. Glen can then compute the area from the legal description. Action was postponed to next meeting. The clerk will write to Huber/Antilla advising them that the council wishes the property staked.

Mayor pro tem Bogue brought up the "appearance of fairness" doctrine. This was brought to her attention by Ron Lopp and she thought that we might have our attorney read this and advise the Planning Commission that perhaps Mr. Behnke should not even be present during discussion of the Huber/Antilla hearing. Mr. Behnke will be advised of the doctrine.

The bid acceptance will take place at the next council meeting on the street improvement at the corner of Pioneer and Grandview.

HILDEBRAND ANNEXATION - Second Reading - Ordinance #225:

Motion by Councilman Ekberg, second by Councilman Hanson, that the ordinance be adopted. Carried.

ASSIGNMENT OF REPRESENTATIVE TO PAC:

Councilman Ekberg will find a representative.

WSLCB application from the Harbor Landing restaurant. This is only to maintain the previous license. No objection.

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FIRE DEPARTMENT ENVIRONMENTAL ASSESSMENT:

This regards the proposed location of the Fire Department on the State Highway Dept. property. The county commissioners had ruled that the town pass on it. The assessment said there is no effect on the environment. The council will look it over and pass on it at the next meeting.

CHRISTIAN SCIENCE BANNER: No objection.

GRAYBAR PICNIC BEER PERMIT: No objection.

Councilman Stainbrook asked if Spadoni had ever accomplished the required repairs on the street in the Skrivanich plat. The street was accepted contingent to work to be done. There was no readily discernable answer on the tape.

TOWN HALL PLANS: Councilman Ekberg asked that Allan Bucholz be contacted. Then Ekberg asked if the clerk would provide a map denoting streets accepted by the town. A further request was that council members might like to have access to letters written by the town. The clerk advised them of the letter date file.

Meeting adjourned at 10:07 p.m.

Tape 4, Side 2, 266 to 1069

Keith M. Rogue  
Mayor pro tem

Patricia Ebert  
Asst. Clerk

REGULAR COUNCIL MEETING - SEPTEMBER 8, 1975

The meeting was called to order at 8 pm with a motion by Councilman Ekberg that Councilman Stainbrook be appointed mayor pro tem. Councilwoman Melton seconded. Carried. Present in addition to the three previously named were Attorney Johnson and Clerk Avery.

BID OPENING - OLD POLICE CAR:

Bids were received as follows:

Bob Miller	\$425
Al Tomlin	275

Chief Galloway said the current book price on that year of car is \$1600. It needs about \$450 to restore it to top notch condition. A used car dealer would give about \$400 for the car. Councilman Ekberg moved that Bob Miller's bid of \$425 be accepted. Councilwoman Melton seconded. Carried.

The bills are to be taken up later in the evening.

As there were no corrections or additions the minutes stood approved as posted.

CORRESPONDENCE:

1. Notification of claim from Anthony Thomas on his side sewer. Referred to old business.
2. Puget Sound Council of Governments application for grant funds on a 40-unit apartment project on the Edgbert property. Postponed to next regular meeting.
3. AWC notification of meeting October 22.
4. Mayor Bujacich letter requesting conference with Paramatrix and the county on sewer contract. Place on agenda for next meeting.
5. Mayor Bujacich letter requesting reappointment of John Gilich to the Planning Commission. To next regular meeting.

SPECIAL GUESTS: None

REPORTS:

Street and Water - None  
Sewer Treatment - None  
Police - None  
Building Inspector - None  
Attorney - His report falls under old business.

BID APPROVAL OF PIONEER/GRANDVIEW CORNER STREET PROJECT:

Bids had been opened at 3 p.m. in the Town Hall. They are as follows:

Thecci and Sons	\$14,727.50
Lige Dickson	9,830.00
Spadoni Bros.	9,316.00 subsequently corrected to 9,288.00

The engineers estimate had been \$9,300.00. Motion was made by Councilwoman Melton, seconded by Councilman Ekberg, to accept the Spadoni bid. Motion carried.

SHORT PLAT ORDINANCE: Daryl Hadman had previously asked if the council would consider giving tentative prior approval to proposed shortplats before the developer goes to the considerable expense of surveying and mylar tracings. If such approval could be given

could this provision be written into the ordinance? This is postponed to next meeting while the attorney researches the question.

PROPOSAL FOR SEWER HOOKUP FOR TOWN PARK:

Jim Hibbs said we could hook the sewer line into the pump station and do the job ourselves for the cost of about 85 feet of pipe. Councilman Ekberg worried about county jurisdiction but was assured that a portion of the town sewer lies in the county anyway, including the pump station. It was agreed that Jim should go ahead with the hookup.

BLOCKAGE OF 96th STREET BY STRAND OF BARBED WIRE: The attorney will write the letter concerning this problem.

TOWN HALL PLANS: They are not yet ready.

COUNCIL MEETING DATE: Glen Sherwood asked that the council set a study session date to at least attempt to get the council's opinion on the water tank, well and booster. The council should at least know what is in the report and get the report finalized. 7 p.m. Monday, Sept. 22, was set. They will take up the county sewer proposal at this time if there is sufficient time.

RESEARCH OF MINUTES ON SITE PLAN APPROVAL:

Clerk Avery had done some research on the minutes and said it seems to be an oversight that the draft embodied a change not specified in the accompanying cover letter.

REPORT ON SEALING OF STREETS:

Jim Hibbs and Glen Sherwood had met with Pat Gailey. He reiterated that the material used on our streets is basically good. Water penetration through the surface is not a problem. He felt it would be wasteful of the town's money to seal. It is better to give at least another year. If localized failures occur they could be repaired to protect the base. He advised going ahead now with the striping program. Glen said that the state prefers that this not be submitted on a normal competitive bid basis but the town can be their own contractor.

TANK SITE EXCHANGE:

The property in question has now been staked. The attorney said the swap is reasonable and should pose no problems. Councilman Ekberg would like a total written proposal. The clerk was instructed to ask for a formal written proposal.

FIRE DEPARTMENT ENVIRONMENTAL ASSESSMENT:

Councilman Ekberg asked if traffic might create adverse conditions going down the hills to a fire. Drew Wingard said the problem already exists as trucks go up and down hills to all fires. He sees no problem with proper training but sees the possibility that the problem does exist. Councilman Ekberg moved that it constitutes a negative declaration and should be approved. Councilwoman Melton seconded. Carried.

EMPLOYEE BENEFIT CONTRACT: The clerk said he would like the problem resolved for the 1976 budget. A study session was set for October 14, 1975 at 7 p.m.

A. THOMAS NOTIFICATION OF CLAIM: The claim is for \$298.75. Councilman Ekberg moved that Mr. Thomas's letter be turned over to the attorney for advice by next meeting.

DREW WINGARD ASKED THAT THE TOWN PARTICIPATE in raising of \$131,000 for new equipment. The department needs to replace some plectrons and provide new ones for volunteers. The Town could perhaps hold a special levy and buy one piece of equipment. The town would hold title. Councilwoman Melton asked for a written proposal.

BILLS: The bills were approved upon motion of Councilman Ekberg, seconded by Councilwoman Melton. Carried.

Meeting adjourned at 9:15 p.m.

Tape 42, Side 1, 0-337

*Paul M. Bogue*  
\_\_\_\_\_  
Mayor pro tem

*Patricia Ebert*  
\_\_\_\_\_  
Asst. Clk.

TOWN COUNCIL MEETING - SEPTEMBER 22, 1975

The meeting was called to order at 8 p.m. by Mayor pro tem Bogue. Present were Councilmen Hanson, Ekberg and Stainbrook, Attorney Johnson and Clerk Avery. Mayor Bujacich was not present nor was Councilwoman Melton.

The bills were approved upon motion of Councilman Hanson, with second by Councilman Ekberg. Carried.

MINUTES: As there were no corrections or additions the minutes stood approved as posted.



## CORRESPONDENCE:

1. Fire Chief Wingard's proposal.
2. Bridgeway Realty letter regarding the Knutsen property.
3. Senate Transportation and Utilities committee meeting to be held Sept. 23 at 2 p.m. at Scandia-Gaard on Trident Study.
4. Planning Commission recommendation on Huber-Antilla application of comprehensive plan.

The mayor pro tem digressed from the agenda to allow the engineer to give his report and leave the meeting early. Glen Sherwood explained the problem at the Knutsen residence. The survey markers indicate a small encroachment of the garage on the right of way. Bridgeway Realty had asked for a letter from the council saying that they will not remove the structure or that the council will take no action against the encroachment since the title company will not give clear title without it. Attorney Johnson told the council that this council can give assurance that they will take no action but they cannot give away town property. The council decided to postpone action and asked the attorney to draw up a sample copy of "no action" or "non-removal." He will prepare the letter for their signature.

Regarding the Thomas claim, our attorney said the claim states that the existing situation is in violation of current law since the ordinance states 2% grade, or if a lesser slope, the slope shall be approved by the Superintendent who shall require the owner to release the Town from all liability for damages caused by the lesser slope. Attorney Johnson said he cannot see where the language obligates the town. He sees no liability. He cannot see where Mr. Thomas is damaged since the side sewer is in and it does work. Glen Sherwood, however, said the side sewer line can now be lowered since the point of stubbing has been moved lower on the main line. Thomas can relay the line in the same location but with a greater slope. The question arose of who would pay for it. The council asked the attorney to write a letter to Thomas.

Glen went on to report that the contract on the Pioneer/Grandview intersection has been delivered to Spadoni.

Regarding the street striping, Parametrix is now in the process of getting the specs together and they will send them in to the state. He will have information within two weeks for the council.

Gary Tannahill asked Glen what to do about the pumping station problems. Glen has written to Chemethon, the sub-contractor, and they are working on the problems.

Mayor pro tem Bogue returned to the regular agenda.

## REPORTS

Street & Water - Jim Hibbs reported that the tennis court will be resurfaced by the Kiwanis Club.

Sewer Treatment - No report.

Police Department - Councilman Hanson said he will get together with the police tomorrow regarding the Divert-a-Call. Officer Forest from Eife was introduced.

Building Inspector - None

Attorney - Regarding the questions on the short plat, he is working on them. Clerk Avery presented a second preliminary short plat for approval and Attorney Johnson took it with him to look over.

SHORE ACRES WATER COMPANY CONTRACT:

Changes were made concerning coverage charges, a longer time limit to both parties concerning the termination of the contract, change paragraph on charges to a simple "rate to be 1 1/2 times the current town rate.", attachment of a map outlining the Shore Acres area, and a standard arbitration clause.

HUBER/ANTILLA ADDITION TO THE COMPREHENSIVE PLAN:

Ron Lopp questioned the legal notice publication. He said the action taken was not compatible with the legal notice published. He also questioned Glenn Behnke's participation under the appearance of fairness doctrine. Mayor pro tem Bogue asked Attorney Johnson's opinion. He asked that he be furnished a copy of the legal notice.

GRANT APPLICATION - NORWEGIAN WOOD:

The council had questions to ask of Barbara Hastings. Don Avery was asked to contact her.

R-2 RESEARCH:

Clerk Avery had researched the minutes concerning the rewriting of the R-2 zone. He said that the draft was changed from site plan review for single family to site plan review for ten units on up without mention in the cover letter that came from the Planning Commission. The council would like some rationale from the Planning Commission as to why the change was made. The clerk will write to the Planning Commission.

PLANNING COMMISSION APPOINTMENT:

Concerning the mayor's suggestion that John Gilich be reappointed to the Planning Commission

Councilman Stainbrook moved that the reappointment be confirmed. Councilman Ekberg seconded. Carried.

FIRE DEPARTMENT REQUEST FOR FUNDS:

Drew Wingard said that the district is asking for a total bond issue of \$131,500 in the entire district. He said that \$50,000 to \$55,000 would buy a pumper and if the town could raise the money then the pumper would belong to the town. Such action would help lower the fire rating from 7 to perhaps 5 or 4 along with the updating of the high level water system. The Clerk will work with the Fire Department on alternate plans.

TOWN HALL PLANS: The plans are nearly completed. Allan Bucholz would like to have a decision on the type of floor covering to incorporate in the plans. No action was taken. Gary Tannahill brought up that the property next to the treatment plant may be for sale as McKenzie has said he would like to sell.;

HUBER/ANTILLA LAND EXCHANGE: The title report has not yet come back. The attorney will contact the principals and ask them to draw up the contract.

SEWER CONSTRUCTION FUND WARRANT: These are the final bills. Motion was made by Councilman Hanson to approve this warrant. Seconded by Councilman Ekberg and carried.

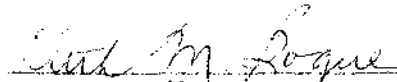
The council members brought up the following:

Councilman Ekberg asked if anything had been done to include Gig Harbor in the Pierce County Bi-Centennial. Mayor Bogue gave him the name of a Tacoma Councilman, Ed Hudson, that can be contacted.

Mayor pro tem Bogue said that the town is in violation of the state Litter Control Act because our garbage cans are not painted as specified. She assigned Jim Hibbs to investigate and to provide the cans with the accepted decals.

Councilman Ekberg suggested continuing the removal of illegal signs. He moved that we appoint Clerk Avery to oversee the enforcement of the ordinance.

Meeting adjourned at 10 p.m. Tape 41, Side 1, 337 to End and Side 2,  
0 - 53

  
\_\_\_\_\_  
Mayor pro tem

  
\_\_\_\_\_  
Asst. Clerk

TOWN COUNCIL MEETING - OCTOBER 14, 1975

The meeting was called to order by Mayor Bujacich at 8 p.m. Councilwomen Bogue and Melton, Councilmen Ekberg and Hanson, Attorney Hester and Clerk Avery were present. Councilman Stainbrook did not attend.

BILLS: The bills were approved upon motion, second and carry.

MINUTES: As there were no corrections or additions the minutes stood approved as posted.

CORRESPONDENCE:

1. Proposal from Spadoni Brothers for the paving of Benson, \$1169.52; and patching of Dorotich, \$247.50.
2. Gig Harbor Planning Commission letter on their rationale in reduction of site plan review.
3. Memo from the Puget Sound Council of Governments on review of the grant for water storage tank. Glen Sherwood offered to attend on behalf of the town.
4. Wollochet Company letter to Wm. Edgbert concerning exercise of option.
5. Letter from Charles Winston, Senior Real Estate Specialist for the Postal Services, concerning choice of site for the new Gig Harbor facility.
6. Bridgeway Realty letter on the Knutsen property. The council chose to discuss this matter now since Bill Reid was present. The letter showed that there had been an engineering survey made showing encroachment of the garage on town property by .97 of one foot. The council is willing to give a letter of non-removal. Attorney Johnson will draft the letter after he has spoken with the attorney for the title company. Councilwoman Bogue moved that the letter be written that this council will take no action against such encroachment. Seconded and carried.

SPECIAL GUESTS: None

REPORTS:

- Street and Water - Jim Hibbs was not present at this time although he arrived later.
- Sewer Treatment - Gary said they had one pump replaced on #6 and work is being done on the dehumidifiers.
- Police - The chief asked about the divert-a-call. Postponed to later in evening.
- Building Inspector - Wayne Goodno reported that he had received an order from the State Highway Department regarding a required change in our sign ordinance. Councilwoman Bogue added that she was present with Wayne at this meeting and it is true that State law requires

follow-up signs for the primary exit signs on the freeways and we will be obligated to permit off-premises signs advertising the goods and services depicted on the exit signs. The town can only decree the size and location. This will probably require a change in our sign ordinance and Councilman Ekberg was appointed to look into it.

Mayor Bujacich reported that he will attend a state meeting next week on road funds and will report at the next meeting.

Councilwoman Bogue had been contacted by Gary Williamson, principal of Harbor Heights School, who asked if the council might consider retired people as crossing guards at busy school intersections. She had checked and found that those people can be hired by School districts. They will check into the possibility of CEIA funding, or budget appropriations. Mayor Bujacich said the town could afford \$30 a week toward the salary of a guard. Councilwoman Bogue will contact the school.

MURER LAND EXCHANGE: The deed still has not been transferred.

SHORT PLAT: The attorney is working on it.

STREET STRIPING: Glen Sherwood said they are working on it. The corner of Pioneer and Grandview will be striped now. Mayor Bujacich said he would like the crosswalks marked on the access roads also.

MURER/ANTILLA ANNEXATION HEARING:

Attorney Johnson said that Ron Lopp raised the issue of the appearance of fairness regarding the public hearing held by the Planning Commission. The attorney said the notice of public hearing was advertised properly but it will have to be reheard. Attorney Hester has requested that it be returned to the Planning Commission and also requests that George Bergen, Glenn Bekke and John Finholm absent themselves from the meeting. Councilman Ekberg moved that the attorney write asking the Planning Commission to reset the hearing and advise the members of the exclusion/ Seconded and carried.

PAUL FLINT was present regarding the county sewer contract. He has spoken with Jim Ellis on it. They had a few comments to offer regarding the perpetual contract, infiltration, payment monthly or bi-monthly, the county paying a pro-rated share of all costs, and annexation.

Councilman Ekberg moved that Don Avery be instructed to notify the engineer, the planner, the counselor, and the attorney to prepare written reports prior to the study session on the 27th at 7 p.m. Councilwoman Bogue seconded. Motion carried.

Glen Sherwood reported on a talk with the Social and Health Services and it appears that design monies will be approved.

Councilman Hanson asked why the grant study was not slanted toward the north end of town since they have a pressure problem there also. Because, Glen said, there are few families involved in the north end of town while 250 or more are involved in the area to be covered by the grant.

DUVERT-A-CALL:

Councilman Hanson said he had checked and there are models available from the telephone company and from an electrical supply house in Seattle. He recommended the model from the telephone company as cheaper and you have the option of new equipment as the telephone company develops new equipment. With lease or purchase you are stuck with one model until it wears out. Councilman Ekberg moved that we accept Councilman Hanson's recommendation. Seconded and carried.

POST OFFICE SITE: Regarding the appearance of fairness, Councilwomen Bogue and Melton left the meeting hall. The postal department had requested the opinion of the council on the site they have chosen on Pioneer Way. Councilman Hanson recalled the hearing for conditional use on the entire parcel of land and the council's opinion at that time. Now, the post office wants to use only 1.3 acres. Councilman Ekberg felt that either other site would cost the town considerably less and would not mean injecting the post office in the midst of R-1 zoned land. Mayor Bujacich said he felt the post office should be located near business because it relates to businesses. Councilman Hanson said he would like to get an estimate of the traffic it draws and would like to get more information on it. Councilmen Ekberg and Hanson both said they would like to get together with the postal authorities at our next meeting. Councilman Ekberg moved that the clerk be instructed to write to Mr. Winston. Councilman Hanson seconded. Carried.

SHORELINE MANAGEMENT DRAFT: The public hearing was set for November 10 at 7:30 p.m.

BUDGET STUDY SESSION: Set for November 10 at 6:30 p.m.

CANCELLATION OF WARRANTS BY RESOLUTION: Clerk Avery requested the passage of a resolution to cancel two warrants never redeemed. They date from 1973. Motion by Councilman Hanson and second by Councilman Ekberg to pass the resolution. Carried.

TAX LEVY 1976 - First reading of ordinance.

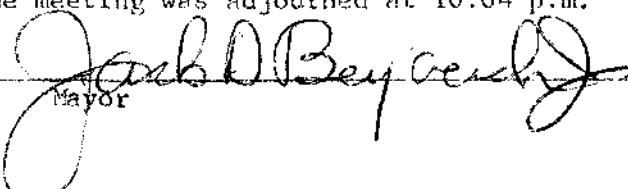
Councilman Hanson asked that all those property owners that can be served by sewers and are not yet hooked up be sent letters strongly urging them to hook up.

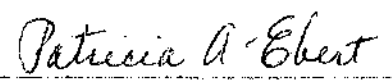
SPADONI ESTIMATES: Mayor Bujacich felt that Benson Street is the town's responsibility but the shoulder on Dorotich is not. The council felt the prices are reasonable and the work has already been approved.

Councilman Hanson asked if there is a right to option land for the well site. Mayor Bujacich felt that this was not necessary because the town could condemn land, even outside the town. The attorney was asked to check into this.

The meeting was adjourned at 10:04 p.m.

Tape #4, Side 1 227 to end and Side 2 0 to 53

  
Mayor

  
Assistant Clerk

TOWN COUNCIL MEETING - OCTOBER 27, 1975

The Mayor called the meeting to order at 8:20 p.m. after a lengthy study session. Present were Councilwomen Bogue and Melton, Councilmen Ekberg and Hanson, Attorney Johnson and Clerk Avery. Councilman Stainbrook was not present.

The Mayor introduced Mr. Charles Winston, Senior Real Estate Specialist for the U.S. Post Office. Mr. Winston said they have needed a larger facility in this area for some time. They are now about three years behind schedule. They said they had a lot of advance publicity and, as a result, were offered 17 proposals. They chose three of these within the town as contending sites. These were chosen on the basis of being in the center of population and center of the delivery area. The post office feels that perhaps the town council is not ready to accept the postal recommendation. He said he would like to know the reasons behind it.

Councilman Ekberg answered by asking Mr. Winston how the postal authorities go about looking for a site. He asked if the post office knew that the council had already turned down the proposed location under previous hearings. Mr. Winston answered that he already knew the history. Councilman Hanson said he felt the chosen site would require driving to it--it is too far for foot traffic. Councilman Ekberg asked if the business people and the postal authorities might get together and get a site consisting of several parcels. Mr. Winston said they are constrained by a budget. They are also not in a position to start all over again by going over prospects parcel by parcel. Councilman Ekberg felt he would be required to reverse his previous decision. This decision was based on the fact that a post office would intrude on all residential areas. It is a steep hill that could cause possible hazard with ingress and egress to the site. Councilman Hanson felt similarly.

Mr. Winston then asked what is the council's reaction to one of the other possible choices of sites? All the council felt that the others would be more desirable than the site on Pioneer. Mayor Bujacich said he will support what the post office wants to do. Any location will be in some kind of residential area. He would like to see it near the downtown area to support local business.

When a poll was taken all agreed that site 6 would be the most desirable if the post office cannot be located near the central area. *Councilman Melton felt that site 6 was preferable to site 4 but would prefer to see the p.o. located in the downtown area*

Councilman Hanson moved that the town write a letter to Mr. Winston saying that sites 1 and 4, based on our past hearings and location of properties, are not desirable by the town but that site 6 is most desirable from our standpoint because of its accessibility to the interchange and location. Councilman Ekberg seconded. Motion carried with Councilwomen Bogue and Melton abstaining.

BILLS: The bills were approved upon motion of councilman Hanson. Councilwoman Melton seconded. Carried.

MINUTES: The minutes were approved as posted upon motion of Councilwoman Bogue. Seconded by Councilwoman Melton and carried.

CORRESPONDENCE:

1. Active Construction letter of appreciation on improvement of the corner of Grandview and Pioneer.
2. Forest Investment Corporation letter of appreciation regarding apprehension of burglars. They request that the officers be commended.
3. Tacoma Pierce County Humane Society schedule of charges.
4. Pierce County letter on clarification of work "detached", pertaining to R-2 zoning, in Section 17.20-020 and 040. This was turned over to Councilman Ekberg for recommendation by the next meeting.

JUL 10

SPECIAL GUESTS:

Pastor Taylor: Pastor Taylor was present to speak on a proposal for the Bi-Centennial. He said a ministerial group is interested in working out a celebration on Sunday, the fourth of July. He would like to get as many as possible involved but does not want to conflict with plans the town may have. Councilman Ekberg said he had checked with the American Revolution Bi-Centennial Committee and said there are monies available for certain projects. Anything the town may plan would not be in conflict with the pastor's plans.

Glen Stenbak of the Pierce County Fire District said he had comments to make on the inspection of the Shoreline Restaurant. He said the inspection revealed a matter of non-compliance with life safety codes. In this case two thirty-day periods went by and then after ten more days they red-tagged the building. The tags were disregarded. The fire district has turned this over to the town's legal counsel. Attorney Johnson was concerned with why the town is involved with enforcement of these proceedings. He suggested that a letter be written to Mickey Hogan. Hogan's attorney said it was a misunderstanding as to allegations and that Mickey will comply with the fire marshal's request. The attorney has prepared a letter and asks for council approval. Glen Stenbak gave a list of the discrepancies; the exit door is too narrow, no fire exit on main floor, store rooms not covered with fire proofed material, dumb waiter not fireproofed, grease laden fumes from fat fryer and grill, occupancy of upper dining area to be limited to 49 persons. Attorney Johnson read the letter he wrote to Hogan's attorney. Councilman Ekberg moved that the letter be sent. Seconded by Councilman Hanson. Carried.

REPORTS:

Street & Water - None  
Sewer Treatment - Gary Tamahill spoke on a problem they have had with infiltration. The town must get permission from the county before we can open the street at the Villa Apartments.  
Police - None  
Building Inspector - None  
Engineer - He presented the environmental assessment on sidewalks. This will be passed for information. Mayor Bujacich brought up the possibility that the end of Stinson might be reconnected to the freeway. He went on to say that there has been a delay in the preparation of the report preliminary to striping of the streets because Glen Sherwood has been busy in Chelan with another job.  
Attorney - He brought a letter from Attorney Alling who needs okay on the agreement and furnished a copy of the Shore Acres agreement. Put this on agenda for next meeting. Attorney Johnson went on to say that he took care of the Knutsen problem but has since found that the town can give up an easement right.

EMPLOYEE BENEFITS CONTRACT: Attorney Ekberg moved that the draft of October 14 of the Employee Benefit Contract be approved. Councilwoman Melton seconded. Carried.

SHORT PIAT: The attorney said he has still not come up with the revisions.

TAX LEVY - Second Reading - Ordinance #226: Councilman Ekberg moved that Ord. #226 be approved. Councilwoman Bogue seconded. Carried.

PUBLIC HEARING SET FOR SHORELINE MANAGEMENT PERMIT - Duvall request set for 12/8/75 at 7:30 p.m.

CETA CONTRACT: This replaces the PEP program and required ratification of the contract. The attorney said it is very complicated but the town does not obligate itself. Councilwoman Melton moved that the mayor be authorized to sign the contract. Councilwoman Bogue seconded. Carried with two abstentions.

REVIEW GROUP HEALTH PLANS: Clerk Avery had shown them plans from Sound Health, Western Clinic and Pierce County Medical. The council will look these over by next meeting.

Meeting adjourned at 10:20 p.m.

Tape 4<sup>a</sup>, Side 1 (c-1178)

  
Mayor

  
Asst. Clerk

TOWN COUNCIL MEETING - NOVEMBER 10, 1975

Public Hearing - ACCEPTANCE OF FINAL DRAFT OF SHORELINE MANAGEMENT PLAN:

Dennis Clarke was present to answer any questions. Changes may be made at this point, if the council so desires, but there is a mandatory review period of one year and further review at five year intervals thereafter.

One change that is mandatory is that conditional uses imposed by the town must be circulated at State level, so the town is advised that they must watch out for this provision if they do make any conditional changes.

Some other discussion took place and then Councilman Hanson moved that the town adopt the Gig Harbor Shoreline Management Plan. Councilwoman Melton seconded. Carried. Hearing adjourned.

The regular meeting was then called to order at 8 p.m. Present were Mayor Bujacich, Councilwomen Bogue and Melton, Councilmen Stainbrook, Ekberg and Hanson, Attorney Johnson and Clerk Avery.

The bills were approved upon motion of Councilman Ekberg, seconded by Councilwoman Melton. Carried.

MINUTES: Councilwoman Melton wished the minutes corrected in paragraph 3 where it stated that all the council felt that the other sites were more desirable than the site on Pioneer. The tape showed that Councilwoman Melton stated that Site 6 was preferable to Site 4 and that she would prefer to have the post office located in the down town area. Otherwise the minutes stood approved as posted.

CORRESPONDENCE:

1. Planning Commission recommendation on application of the comprehensive plan to the Huber/Antilla property. Councilwoman Melton asked that a copy of this letter be furnished to each council member.
2. Margaret Payne's letter on request for hookup to town water on a lot on Vernhardson outside the town limits. Since Ms Payne is willing to annex her property the council will postpone a decision on this until the next meeting and Ms Payne will contact the intervening property owners.

SPECIAL GUESTS:

Wayne Goodno explained a bulkhead that has been built at 6817 Rainier Avenue. It is 14 to 16 feet into the right of way. He attempted to stop the construction but it was completed by the contractor. It is a rockery bulkhead or retaining wall. Wayne said it could be a hazard to drivers. Dr. Ken Davis, owner of the bulkhead, said he attempted to correct a drainage problem and to provide parking. He said the bulkhead had been completed but for one or two rocks when Wayne put the stop order on it. The council will look it over before the next meeting.

Denton Andrews, of the law firm of Andrews and Markovich, asked to speak next. He said he had new information to bring to the attention of the council. He said a petition has been circulated regarding the opinion of where the Post Office should be located, regarding the wishes of the citizens of the town. Petitions had been taken around inside the town and in the county as to where the postal site should be by John Sass, Gene Rickabaugh, George Roller, N. J. Tarabochia, John Picinich, Mary Palo and himself. 10% of those signing are from outside the town, but they did achieve 480 signatures, about 1/3 of the population of the town. 21 of these were opposed to the site. He maintains that the Gig Harbor Planning Commission and their planner, Dr. Hruza, are in favor of the site, feeling that the post office belongs in the down town area, not on the periphery. The petitions were taken to the following areas: Fox Island, Shirley Avenue, Warren Drive, Peacock Hill, Lybecker Drive, Soundview Drive, Goodman Drive, Lewis Drive, Stanich, Prentice, Goodman, Crescent Valley, Pioneer Way, Stinson, Rosemount, Butler, 66th NW and Burnham Drive.

Nick Markovich spoke also. He said the council had not considered the opinion and recommendation of their own Planning Commission and Dr. Hruza. Also, the opinion of the people of this town. They, Andrews and Markovich, ask the council approval of Site #1 and would like a letter to this effect to the Postal Department. Or if it is the alternative <sup>they</sup> wish a denial, with specificity, stating the grounds for that denial in specificity and in writing so that if necessary <sup>they</sup> can seek remedy in the courts.

Others speaking on behalf of Site 1 were Andrew Mirkovich and Nick Tarabochia, Jr.

Councilman Hanson said he was not in favor of changing his vote tonight but he will gladly study the question. Councilman Ekberg asked that the petitioners tender their request in writing.

Mayor Bujacich said he does approve of a down town site for the post office but felt that any further decisions must be made at an advertised public hearing. This will be continued at the meeting of November 24.

REPORTS:

Street and Water - None

Sewer Treatment - Pumping Station #6, the dehumidifiers and the infiltration problem are still being worked on.

Police - Chief Galloway said he had received notice of grant application for portable radios. They sent spec sheets for three companies that they will deal with and the chief asked if the council will authorize the submission for bids. Councilman Hanson moved that we authorize a call for bids subject to council right of refusal. Councilwoman Melton seconded. Carried.

Regarding the letter received last meeting, Councilman Hanson moved that a letter of commendation be placed in the files of both officers. Seconded and carried.

Attorney: He said he had studied the requests concerning the amendment of the short plat ordinance, and felt that exclusion of the mylar drawings until final acceptance of the plat would be permissible. This is the first reading of the amendment.

SPECIAL ASSIGNMENTS:

Councilman Ekberg reported on the recommendation of the Planning Commission to clarify the R-2 ordinance. He said it was a means of clarifying the intent of the ordinance. He said the ordinance is still not too clear. Recommendation of a public hearing and maybe new ideas will come up. Make copies of the Planning Commission recommendation for all council members.

Councilwoman Bogue said that the sculpture in the park is ready for dedication and they would



Like to have the mayor and any council members who can attend set an afternoon date after November 20. Mayor Bujacich said he will gladly attend either the 24th or 25th.

Councilwoman Bogue asked when a light might be installed at the new intersection. Jim Hibbs said it depends on the moving of the wires. Probably next week.

Town Hall Plans: The finished plans should be ready to submit by next meeting because they are now being gone over for structural and electrical engineering.

APPROVAL OF ENVIRONMENTAL ASSESSMENT FOR SIDEWALKS: Councilman Ekberg moved that the council find that the proposed action will have no significant adverse affect on the quality of the environment and this finding, together with preceding evaluation and together with any attached supporting materials, constitutes a negative declaration. Motion seconded and carried.

STREET STRIPING: All information has been put together and will be reviewed this week by the Washington State Engineer. Glen felt it could be a completion date of 30 days.

HUBER/ANTILLA PUBLIC HEARING DATE: Councilman Hanson wanted Glen Sherwood to look into the proposed street suggested by the planning Commission and also the run-off problem. No date set.

BUDGET MEETING: Set for November 24 at 6:30 p.m.

SHORE ACRES WATER CONTRACT: Councilman Ekberg felt the method of payment described in the contract is still too involved. He volunteered to get together with the two attorneys to clarify the contract. Mayor Bujacich wanted it made clear that any property, formerly in the Shore Acres area and subsequently annexed to the town, be excluded from the contract.

Mayor Bujacich brought up the late payments that have been received on water billings. He proposed a 10% interest charge to multi-users after perhaps a 30-day period.

Councilwoman Bogue brought up the table she had prepared on county sewer service contract. She had collated the comments from the attorney, engineer, financial advisor and planner and she wanted to make it clear that she had not attempted to slant the comments in any way. Councilman Hanson felt that perhaps there might be a conflict of interest since the financial advisor and engineer represent the town and county both. Glen Sherwood said he felt that he had not been very involved--the engineers mainly furnish figures and do not actually prepare the agreement. The county had prepared the agreement and only asked the engineers for costs. The engineers are designing the line to the Purdy Treatment Center and it is not a conflict--it is a separate design problem. Mayor Bujacich said he would get an opinion from one or two other engineers.

The council set a meeting with Dr. Hruza on December 8 at 6:30 p.m.

GROUP HEALTH PLANS:

The employees had overwhelmingly voted for Pierce County Medical Plan #6. Councilman Ekberg moved that we adopt the Pierce County Plan #6 at 100% of these expenses for employees. Dependents can join also. Seconded and carried. The clerk was asked to check if the council can also join.

Glen Sherwood had drawn up plans for revision of the intersection of Stinson, the frontage road and Pioneer Way. Since it would be a state funded project it must be submitted to the county for approval or denial. The intersection should cost about \$48,000 with the town's share about \$10,000. He would like the council to agree that it is a non-major project in terms of environment. This allows avoidance of the environmental assessment or negative impact statement. Councilwoman Melton moved that it is a non-major problem. Seconded and carried. Councilwoman Melton moved the same motion for the street striping project. Councilman Hanson seconded. Carried.

Councilman Hanson asked for a left-turn holding lane at the proposed intersection.

Councilman Ekberg asked that a copy of the map be sent to the Planning Commission for their review and comments.

Meeting adjourned at 10:30 p.m.

Tape #43, Side 2, 0-812

Jack D. Bujacich  
Mayor

Patricia Ebert  
Assistant Clerk



REGULAR COUNCIL MEETING - NOVEMBER 24, 1975

The meeting was called to order by Mayor Bujacich. Present were Councilwoman Bogue, Councilmen Ekberg and Hanson, Attorney Johnson and Clerk Avery.

The bills were approved upon motion of councilman Ekberg, seconded by Councilwoman Bogue. Carried.

The clerk then read a letter of resignation from Councilman Stainbrook. Councilwoman Bogue moved that the resignation be accepted. Councilman Hanson seconded. Carried. Mayor Bujacich would like to have a letter of appreciation written to Gary Stainbrook. Councilman Hanson then moved that Ken Malich be appointed to fill the unexpired term of Councilman Stainbrook. Councilwoman Bogue seconded. Carried. Ken Malich was sworn in by Clerk Avery.

MINUTES: Councilwoman Bogue corrected a paragraph on page 2. This concerns Attorney Markovich's statement concerning the denial of the post office site. She wished to substitute "they" for "we". The minutes then stood approved as corrected.

CORRESPONDENCE:

- 1. Walter N. Hogan letter of compliance to the Pierce County Fire Marshal.
- 2. J. C. Enterprises, John Holmaas, requesting a new public hearing in January and a determination from the attorney on the meaning of "median tide". To new business.
- 3. Planning Commission letter of recommendation on Duvall bulkhead.
- 4. Planning Commission letter of recommendation on the planned intersection at Pioneer/Stinson/frontage road.

The balance of the correspondence was deferred to the postal site discussion.

POSTAL SITE:

Letters were read from the Floyd Brewers, Rosemary Ross, M. J. McDonough, Nina Ulsh and Nellie Erickson, all protesting the selection of the site on Pioneer Way. Mayor Bujacich pointed out that the Town Council does not pick the site--only the post office can do that. The post office authorities do not have to adhere to "zoning". Mayor Bujacich then opened the meeting to those in favor:

NICK MARKOVICH, JR., furnished the findings of fact to each member of the council. He said he realized it is an emotional issue to those who live on Pioneer Way. There are now 664 signers of the petition. He went through the findings of fact item by item.

Mr. Andrews felt that the council has an obligation to consider the opinion of those who signed the petition.

CECIL ROOT, Planning Commission chairman, said the Planning Commission was not given an option of sites to consider at their public hearing. They were asked for a conditional use permit on this site only. He said he was aware that the postal authorities have the right of eminent domain and the Planning Commission had hoped to impose restrictions under the conditional use permit and thereby make the imposition of a post office in R-1 zoned land less of a burden.

HAROLD ROBY recommended that a southbound road be placed parallel to Pioneer to help take care of the post office traffic. It is a bad left turn area on Pioneer.

N. J. TARABOCHIA, JR. felt it was the proper site for the post office.

CHRISTA ANDERSEN felt it was a good choice and that it is an advantage to locate in the downtown area.

In opposition were:

JOHN PAGLIA, who asked how the council plans to get by Section 19.4 (c) of the zoning code. Not a year has passed since their first public hearing.

MR. ANDREWS, in rebuttal, cited cases in State and Federal law and said the council does have discretion in this matter.

NICK MARKOVICH said this is not an application for reconsideration for conditional use permit. This is merely discretion to recommend the site you wish.

JOHN PAGLIA understood the town must commit itself to make off-site improvements and this they are perhaps not prepared to do.

BEA WILCOX maintained that those she questioned who signed the petition did not understand the location of the site.

COUNCILMAN EKBERG had prepared a statement:

"Since the council meeting of November 10th I have reviewed the whole situation surrounding the location of the new post office. It seems to me there are really two difference situations in connection with this selection and I would like to take a few minutes to review them and explain my position in relation to them.

"The first situation is in regard to a request by Mr. Tarabochia for a conditional use permit for a post office on a site on Pioneer Way. An advertised public hearing was held

on March 10, 1975, and the request was denied unanimously, with two abstentions. After listening to all the discussion at that public hearing I voted against the conditional use permit because I felt it would be an unacceptable intrusion of a commercial-type use into a prime residential area. I was also concerned with problems in traffic and general accessibility.

"The second situation in connection with the post office is the actual selection of a site. We received a letter from Mr. Charles Winston, a real estate specialist with the Postal Service, dated October 3, 1975. In it he stated he had reviewed 17 different sites and had narrowed it down to 3 acceptable ones. Their first choice was the location on Pioneer Way and he requested a letter from us approving it and stating it was not in conflict with local planning. Mr. Winston attended our meeting of October 22, 1975, at which time I informed him I had previously voted against this site because it would conflict with our local planning. He did not have any additional information concerning the site that would persuade me to change my previous decision. In fact Mr. Winston agreed that there would be a problem with accessibility at this Pioneer Way site and wanted the town to participate in constructing turn cones and shoulder improvement to allow safe access to the site.

"Mr. Winston then asked if the Pioneer Way site was unacceptable, of the remaining two sites (one on Stinson and one on Kimball) which was the most acceptable. Since the site on Kimball Drive posed no serious safety, operational, or zoning problems, I felt this was the most acceptable site.

"At the council meeting of November 10, Mr. Andrews and Mr. Markovich, attorney for Mr. Tara-bochia, basically made a request that the council reconsider their previous decisions in regard to the post office question. They also presented the council with a petition signed by 480 people.

"Since the meeting of the 10th I have reviewed all the meetings we have had on the post office. As for my original decision to deny the conditional use permit for this site I have found no additional substantive information that would cause me to change my decision.

"Since the 10th I have also reviewed Mr. Winston's letter of October 3 and personally visited the other two sites he said we had to choose from. Again, I feel my previous decision favoring the Kimball Drive location is correct since its use complies with our zoning requirements and poses no accessibility problems.

"I would like to take a minutes to address the petition that was circulated. I am always greatly pleased when citizens take the time and effort to become involved in local government, either by coming in person to our meetings or by letting their opinions be known to us in other forms, such as petitions or letters. I therefore reviewed the petition most carefully. Unfortunately, the petition contains no new substantive information that would alter my previous decisions.

"I trust this statement has made clear not only the areas of concern the council has to deal with in connection with the whole post office issue, but also the reasoning behind my vote against the conditional use permit and my approval of the Kimball Drive site."

Councilman Hanson said he also had reviewed the entire issue and <sup>found no reason to alter</sup> ~~agrees with Councilman Ekberg.~~  
his decision.

It was the finding of the council that they support their original motion and support the site on Kimball Drive.

DAVIS BULKHEAD:

This was continued from last meeting in order to give the council time to look at it. Councilman Hanson felt it could be a precedent setter. He would like a letter to Dr. Davis stating that the improvement can remain with the agreement that it will be removed if so requested, and that the town be furnished with a hold-harmless insurance policy in case of damages.

Councilman Ekberg agreed with Councilman Hanson. He did not feel that the bulkhead should be removed but that our attorney could write stating the above facts. There should be a hold-harmless of any and all claims and Dr. Davis should acknowledge in writing. Councilwoman Bogue had visited the site at various times. She felt it would not be a hazard since it lines up with adjacent yards. They could plant some low growing trees in the lower area which would give a visual impact to drivers.

Dr. Davis asked if it might not be desirable to put some small decorative items along the top level to give further visual impact. He will come to the council and show them whatever he plans to erect. It was suggested that he get together with Jim Hibbs. Councilman Ekberg moved and Councilman Hanson seconded that the attorney write the letter to Dr. Davis. Motion carried.

SHORT PLAT - EDGBERT:

Clerk Avery said he had looked over the short plat ordinance and feels that directions are nebulous—there are no clear cut directions for processing a plat. The council asked attorney Johnson to research a basic procedure. This will be considered the first reading of this amendment. Mr. Edgbert was instructed to apply at Planning Commission level now. Mr. Robert Dunn was to follow the same procedure also.

REPORTS:

Street & Water - Butler Street needs tile or rock. Glen Sherwood had recommended large rock to hold the ditch. Mayor Bujacich asked for reflectors along the shoulder past Ben Knutsen's house. The drop off is dangerous there. Councilwoman Bogue asked how the caution/stop light is coming at the new intersection. Jim said the Light Company is working on it.

Sewer Treatment - One problem has arisen in the main lift station, and the manufacturer has been contacted. It may be possible to repair it in the early morning hours without having to divert sewage to the bay.

Police - None

Building Inspector - Said the building permit ordinance may need revision. It is out of line with Pierce County and Tacoma. Mayor Bujacich asked Wayne to come up with suggestions. Councilman Hanson asked how the situation was coming along concerning letters to those users not yet hooked up to the sewer system. Clerk Avery replied that over fifty letters had been sent out and careful track has been kept on them.

Attorney - He had the amendment ready on the short plat but will postpone it for the second amendment.

REPORT ON R-2 REVISION: Public hearing set for January 26, 1976, at 7:30 p.m.

SCULPTURE IN THE PARK:

The Oliver Tiedeman sculpture was dedicated today. The mayor urges all to see it. He recommends a letter to the Civic Arts Commission and to Mr. Tiedeman thanking them.

HUBER/ANTILIA PUBLIC HEARING: Date of Public Hearing set:

Glen Sherwood gave a report on the possibility of a road to the back of this property. He said he had not yet contacted City Light but did drive the power line and could not feature their approval of a road here as it would impair their use.

Concerning the drainage from the property in question, he really did think it questionable to take all of it south under the freeway. The major portion could be drained that way. Taking it down Stinson would vastly increase the drainage there.

Water Service to the area was questionable. He had proposed an additional pump in the beginning but the capacity of that pump was taken by McKean and Wood. As it stands now there is no plan to accomodate these additional units. If the updating of the system is followed there will be no problem.

Mayor Bujacich brought up the destruction of Foster Street that has never been repaired. The builders should be written to by Attorney Johnson to see what their response might be.

The public hearing was then set for January 12, 1976, at 7:30 p.m.

JOHN HOLMAAS HEARING ON ANNEXATION, Date Set:

John felt that his annexation hearing does not require a Shoreline Management permit hearing at this time. He said he must go through it later—a conditional use permit and a shoreline management permit and would like the annexation hearing now. The attorney will look at the legality of it by next meeting and the council can set the public hearing then. The attorney will also interpret "median tide" by next meeting.

DESIGN OF PIONEER/STINSON/FRONTAGE ROAD INTERSECTION:

Glen Sherwood said that the drawings are now completed, including a left turn holding lane as requested by the council. The plans were approved upon motion of Councilman Ekberg that Glen Sherwood be authorized to proceed with the project. Seconded by Councilman Hanson and carried.

DEPARTMENT OF THE ARMY NOTICE - N. TARABOCHIA:

The notice shows the addition of two pilings and approval of walkway and dock. John Paglia, representing the Anciches and Mrs. Ivanovich, asked for rejection of the application on the grounds that Tarabochia does not have adequate parking and saying that Tarabochia exceeds every application he has made.

The council would like to postpone this to the meeting of December 8. Clerk Avery will advertise it for 8 p.m. and will write a letter to the Department of the Army regarding the postponment and also get clarification of the action needed.

SHORE ACRES WATER CONTRACT: Councilman Hanson urged the drawing of the contract without further delay and with a rate of 125%. They have postponed the matter long enough and the contract is expected by next meeting.

BUDGET: To regular meeting of December 8.

OFFER AND ACCEPTANCE AGREEMENT - LOAN FOR WATER SYSTEM IMPROVEMENT DESIGN:

Glen Sherwood presented papers extending a loan of \$35,730 for engineering design for the water system improvements. The deadline for acceptance is December 1 and authorizes the mayor to accept the offer. This was the first the council had heard of a loan. They had hoped for a grant and they were reluctant to sign this. There was discussion but Councilman Hanson moved that the mayor be authorized to sign the loan acceptance. Councilman Ekberg seconded, for discussion purposes only, and abstained from voting.

Councilwoman Bogue asked Glen if there were any HUD funds available. Glen said he knew of none at this time. Mayor Bujacich reminded the council that they had previously authorized

To apply for the loan.

Glen to proceed. Councilman Hanson amended his motion that Attorney Johnson review the contract to see that there are no hidden factors. Councilman Ekberg seconded.

Councilwoman Bogue amended the motion further that Glen explore the possibility of obtaining HUD or other funds. Councilman Ekberg seconded and withdrew his abstention.

Vote was then taken on the amendments and the motion:

- Vote on Bogue amendment - Carried.
- Vote on Hanson amendment - Carried.
- Vote on Original motion - Carried.

COUNTY SEWER CONTRACT: Mayor Bujacich had talked with Paul Pazooki on the phone but had not yet received a written reply from him.

Councilman Ekberg brought up the condition of Foster Street. He asked Clerk Avery to check into an occupancy ordinance that other towns may have. Also the possibility of a bond for a damaged street.

Councilman Ekberg went on to ask the clerk to check into amending the water rate ordinance to shut off water from commercial accounts that age past 30 days or attempt to find some means of leverage other than shut off.

TOWN HALL PLANS: Allan Bucholz had been in and said that costs have gone too high on the mechanical and plumbing portions. He is going back and doing the plans in phases attempting to economize. He hopes to have approval by next meeting.

Councilman Hanson criticized the tentative promising of annexation to those people who wish water service to the town if they annex. It is putting ourselves into a position of jeopardy. We have precommitted our public hearing position.

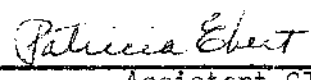
Councilwoman Bogue asked if the town plans to have a Christmas tree. A. Yes. Concerning tree height control, can trees so tall be allowed to interfere with view? She had researched Steilacoom ordinances and found that they have a citizens committee who are going to work on formulation of a policy concerning tree heights.

She went on to ask if work had proceeded on rewriting of business zones. She suggested adding site plan review approval as an immediate control. She asked that the Planning Commission be written to asking site plan review and resumption of the rewriting of the business zones.

Meeting adjourned at 11:25 p.m.

Tape 44, Side 1, 0 to End.

  
Mayor

  
Assistant Clerk

TOWN COUNCIL MEETING - December 8, 1975

PUBLIC HEARING - DUVALL BULKHEAD SHORELINE MANAGEMENT PERMIT:

The public hearing was called to order at 7:30 p.m. by Mayor Bujacich. Present were Councilwomen Bogue and Melton, Councilmen Hanson, Ekberg and Malich, Attorney Johnson and Clerk Avery. The mayor read the public notice and the letter from the Planning Commission. He then opened the meeting to those in opposition. There were none. Those in favor were:

CLIFFORD DUVALL, who explained that he wishes the permit for the bulkhead only to prevent further erosion of his property.

Councilwoman Bogue asked what height he intended to follow, the height of the adjacent bulkheads? The Sand and Gravel bulkhead is higher than the other. Mr. Duvall said he wished to be above the point of high tide and would not ask for more than that height.

Councilman Malich asked him if he planned to use creosoted piling and plank construction. A. Yes, and the job will be contracted out.

Mayor Bujacich said he will make no comments on the issue since his family owns the adjacent property.

Councilman Ekberg asked if this project is exempt from environmental assessment? The Clerk said he felt it was indiginous to the house and not necessary to submit an assessment. Duvall said he is not planning to fill the land level with that of adjacent properties. He plans to retain the property as residential but with a better structure than that existing now. The council tried to determine how tall the completed structure would be and also to make sure that Duvall will not be creating land. Councilwoman Bogue saw no objection to the bulkhead but would like to restrict the height to the same as that belonging to Mrs. Jack Bujacich, or within reasonable limits. The plans say 16 feet above mean low water but the ultimate height is hard to determine. Councilman Hanson moved that we approve the application for the timber bulkhead with 1200 yards of fill, the structure to be used for the protection of uplands and the height not to exceed one foot above the bulkhead of Mrs. Bujacich. Councilman Ekberg seconded. Motion carried. Public hearing closed.

The regular meeting was called to order and then recessed for the second public hearing:

TARABOCHIA DEPARTMENT OF THE ARMY REQUEST:

Mr. Andrews furnished each member of the council with a drawing of what is requested. He explained that the present piling and fingers have been in existence since 1971 and his client is being asked by the Dept. of the Army to bring his permit status up to date. They request

the addition of two more piling to be driven at the ends of the fingers to protect them.

In opposition:

JOHN PAGLIA, representing John, Joe and Peter Ancich and Mrs. Ivanovich, claimed that they (Tarabochia) did not build at any time according to the various permits from the Department of the Army. In 1963 they requested permission to build and were cautioned by the Dept. of the Army that they had exceeded this permit. In 1966 a permit was denied. In 1971 another request was made for that which was not included in the 1963 request and also permission to build moorage for the Coast Guard cutter. Now, in 1975 comes this last permit request, again to catch up with work done that exceeded the permit. None of the prior work was completed according to the permits. Now there are 13 vessels moored there and this far exceeds the zoning which maintains that one parking spot be provided for each moorage. In addition, the residence required off-street parking.

In favor:

DENTON ANDREWS, speaking for Nick Tarabochia, contested the issue of parking. There are at least 13 spaces below the building and two alongside. They request no permission for additional moorage; only what now exists. They request permission for two fingers and the piling that is in place, plus two additional piling at the ends of the finger piers. It is primarily convenience and does not constitute an encroachment beyond existing permits. The fingers and the piling are the only things now requiring the permit. The boats are all local boats, mostly commercial fishermen. It is not a marina. Those moored belong mostly to members of the family. It is somewhat of a precedent because the float was constructed without a permit. There are others along that same side of the bay that are in the same status—without a permit. NICK MARKOVICH, JR., spoke as an observer. He said he was in favor of the facilities there. Usage has not increased over its initiation in 1971. It is not extending or creating a larger problem.

NICK TARABOCHIA, JR., was also in favor. He feels that commercial fishermen are welcomed in other ports in the State of Washington and are extended the use of much better facilities. He feels it is a shame that the Town of Gig Harbor has not done as well.

MIKE CALLIGAN said that Marina West and Pleasurecraft Marina have inadequate parking space considering the number of moorages but there is no parking problem at either place.

THE COUNCIL ASKED SOME QUESTIONS:

Councilwoman Bogue asked if a Shoreline Management permit is needed here. Attorney Paglia was sure that one was necessary while Attorney Andrews said no. Councilwoman Bogue went on to ask if we can approve a portion of the request or can we limit this request? Attorney Andrews felt that the Corp of Engineers would like an answer on the entire package, but Attorney Johnson said that only a portion of the request could be approved. Councilwoman Bogue then asked where did the Tarabochia-Ancich boats moor before 1971? Some tied to the piling, said Attorney Andrews. This new float and fingers is a question of convenience only and if they were removed the same number of boats could still moor. Councilman Ekberg asked if any pier or float extends closer than 20 feet to the outer harbor line. A. No. He then asked if a provision had been made of discharging wastes other than into the harbor. The Coast Guard barrels waste and bilge water and Andrews said his clients would like to do this.

Attorney Paglia pointed out that waterfront zoning requires 12-foot side setbacks. He said this is not being maintained and felt that the permit should be denied on the basis of zoning alone.

Mayor Bujacich commented. It is not a menace to navigation. At this time there are at least eleven other spots on the waterfront in the town that are in violation and require similar permits. He feels that we should take care of our commercial fishermen.

Councilwoman Melton, unable to vote because of a conflict of interest, felt that if this is found in violation that similar penalties be exacted against other violators.

Councilman Malich worried about the property owners on each side and that boats will be overlapping property lines. If Mrs. Ivanovich and Mr. Ancich wanted to build a dock each then none of them would be able to use their dock. He wondered if there would be any guarantee that Mr. Tarabochia would keep within the lines.

Councilman Hanson felt that approving this request would set a precedent and moved that the request for our input be written to the Corps of Engineers in the negative based on the fact that the facts occurred without concurrence of the town, that there are questions of complying with the zoning of the town, a question of complying with the public welfare and the public welfare being what we encourage to be done in the town, and the letter be sent to the Department of the Army advising them of that fact. Councilman Ekberg seconded. Councilman Malich disagreed, saying, "One of the overall goals of the Shoreline Plan is the Town of Gig Harbor focuses around its fishing industry and I think for the public welfare that the fishermen should be allowed to tie up. So I can't go along with that". Vote was taken. One abstention, one nay and three ayes. Mayor said someone should be appointed to police the town for other infractions of this sort.

GEORGE BUJACICH told the mayor that he is in the same position as Tarabochia with no place to tie. Their moorage is gone at Union Oil—the scow and piling are gone. Where can we tie?

Attorney Andrews summed up the council's action. He felt the case was judged on the basis of



three things: the illegality of the existing structure, the zoning aspect and the fact that it was felt to be only a convenience.

Councilwoman Bogue assured George Bujacich that she would consider any case on its own merits. She said she had decided Mrs. Tarabochia's case on its individual merits and felt that conditions there are overcrowded; they did have sufficient moorage but chose to lease it to the Coast Guard. They still have space to tie up just as many boats but without the convenience of the walkway.

The public hearing was then closed and the regular meeting recalled to order at 9:50 p.m. Councilwoman Melton did not return to the meeting.

**BILLS:** Motion to approve by Councilman Ekberg, seconded by Councilman Hanson. Motion carried.

**MINUTES:** Corrected on page 3, paragraph 3. Councilman Hanson wished the paragraph to state, "Councilman Hanson said he had also reviewed the entire issue and found no reason to alter his position." There is a change to page 5 at the top, "proceed to apply for the loan." Otherwise, the minutes stood approved as corrected.

**CORRESPONDENCE:**

1. Planning Commission letter of recommendation on Edgbert short plat. Turned over to attorney for his report later in the evening.
2. Nick Markovich, Jr., letter on sewer hookup. Referred to special guests.
3. Charles Ogden letter. (Published previously in Gateway and not read tonight.)

**SPECIAL GUESTS:**

Ron and Pam Chilton of Cub Scout Pack #264 would like to erect a flag pole in the town park. This would be a project of the cub pack and Mr. Chilton's Boy Scout Pack could raise the flag on the 4th of July. They will get together with Jim Hibbs to agree on a location.

**HEARING ON HOLMAAS:** Attorney Johnson ruled on "median tide." He felt that "mean tide level" should be substituted for it. He went on to say that he felt that Mr. Holmaas' case should be returned to Planning Commission level for a Shoreline Management permit hearing, since there are now guidelines under the new Plan. He said it is better to err on the side of too many hearings instead of too few. John Holmaas decided to go back to the Planning Commission.

**SIDE SEWER HOOKUP - NICK MARKOVICH, JR:**

He explained that his stub is on the wrong side of the building and in the worst location possible. He said that there are two stubs, one evidently meant for Mrs. Puratich's rental but it would mean digging down 17 feet near his building and he refuses to allow that. He feels that he should have been furnished a proper hookup at a relatively reasonable price. Glen Sherwood was not prepared to comment at this time. He asked that the council give the engineers two weeks to arrive at a compromise. Councilman Ekberg asked that the recommendation be ready by the Thursday before the council meeting and he would like it in writing and accompanied by a diagram.

**TRIPLEX PLANS - BATY:**

Mr. Baty's architect was present and explained the problem. He plans to build on a landlocked piece of property that is served only by an easement. There is really no front or rear yard and this is the crux of the problem. Wayne Goodno would like an interpretation from the council and wanted to know if the sides of the building can be considered the front and the back. Councilman Ekberg noted that an environmental worksheet was not submitted along with the application for the building permit. The council agreed that there was no problem with the front, rear and sides, and the setbacks are agreeable.

ROBERT WHITMAN asked the council's consideration on a problem regarding his sewer assessment. He had been living in Tacoma and assumed that the assessment on his house here would appear on his tax statement. The assessment was never billed to him but went to the former owners who evidently threw them away. He has now paid off the LID but would like consideration on the interest and penalty that he feels wrongly accrued to him. Clerk Avery said that at no time did Mr. Whitman notify us that the liability on the sewer assessment had changed. The mayor said that it was not our obligation to check on changes of ownership. Attorney Johnson said the debt is valid. Mr. Whitman said the water records were rightly in his name but somehow the assessment records were wrong. Attorney Johnson said he will speak to the town's financial advisor and report back at the next meeting. Councilman Ekberg said it was an unfortunate circumstance and the man has a right to consideration.

**WASHINGTON SECURITY PATROL APPLICATION:**

Consolidated Security Patrol, licensed by the town, sold out to Washington Security Patrol and they want permission to operate within the town. They were told he will get his permit if he meets all the requirements of the town. The owner felt that the false arrest insurance was unfair.

**EDGBERT SHORT PLAT:**

The attorney had spoken to two other towns regarding their short plat regulations and our instructions seem to be sufficient. No other form seems to be necessary. If the council approves this plat so far as streets and all are concerned then they can pass on it and send it on to the county. Councilman Ekberg felt the plat should be checked out by the engineer and clerk before the council approves it. The Planning Commission had looked it over but felt that since it did not fall within a "sensitive area" it did not come under their jurisdiction and they forwarded it to the council. Although Mr. Edgbert said his time was short and he would

greatly appreciate it if the council could give approval subject to the approval of the engineers, Councilman Hanson said he would prefer that the engineers look it over and report on it prior to council approval. Glen Sherwood will be contacted tomorrow on this.

TOWN HALL PLANS:

Allan Bucholz had contacted a general contractor, a furnace company and a plumbing company. He had gone to a structural engineer and it would cost \$500 for a structural design on the building. Drawings would be made on his drawings only—not a new design. He had contacted a mechanical engineer who estimated \$40,000 for mechanical, electrical, heating, air conditioning and venting of the building. He felt this was much too high and has now consulted Western Furnace and they will have a report by Friday. He will get it all together with estimates from different manufacturers and hopes to submit a report with a couple of weeks with preliminary cost estimates.

REPORTS:

Street & Water - Jim Hibbs reported that the new apartments on Stinson, The Cedars, must install a hydrant back inside off the main line and the town will install one on the street. He said it would be best to get together with the contractor so there will be only one water outage when they cut the main line. Councilman Hanson asked him about the dip in Peacock Hill Avenue caused by the side sewer hookup there. Is the contractor obligated to repair the road? Jim will look at it and install a warning light. Jim was asked about the stop/caution light at the intersection of Grandview and Pioneer. Jim will check with the Light Company. Councilman Ekberg reported to Jim that a part of the fence around the Harbor Heights storage tank has been damaged.

Sewer Treatment - Gary said that today they smoke-checked some of the sewer lines. There is a great deal of infiltration of rainwater and they have found some downspouts that are hooked into the system, a broken side sewer, etc. He also spoke of the need for a second generator at the plant.

Police Department - Chief Calloway would like to go into the dog ordinances by the next meeting. He was asked to get together with Don Avery before the next meeting.

Attorney - Dave Johnson read the letter he wrote to Huber/Antilla about the damage to Foster Street. The council approved the sending of the letter.

Building Inspector - Councilman Hanson asked Wayne Goodno to have any future applicants fill out the environmental worksheets when applying for future multi-family use.

Councilwoman Bogue reported that she had attended the Planning Commission meeting when they received the letter concerning site plan review for B zones. She said they seemed reluctant to institute this at this time. She wondered if a moratorium might be in order at this time until the commission can initiate site plan review. It was discussed and agreed to institute the moratorium and this is considered the first reading of it. Motion made by Councilman Ekberg and seconded by Councilwoman Bogue. Carried. The clerk was asked to write to the commission notifying them of the moratorium.

OCCUPANCY ORDINANCE: Clerk Avery had contacted Dennis Clarke but has not received a copy yet.

PENALTY CHARGE ON OVERDUE BILLS: This concerns utility bills for apartment complexes. Clerk Avery said he had looked into this and the only answer he could come up with was a penalty charge. Along this line Mayor Bujacich went on to tell of a problem concerning the Hildebrand line. The Cascade Development Company owes them a pro-rated share of the line but have so far not paid. The attorney was asked to write to them.

FIRE MARSHAL INSPECTION: Mayor Bujacich feels that they are exceeding their authority in the town. Councilman Ekberg felt that a letter should be written from the attorney reiterating that they report infractions to the town.

SHORE ACRES WATER CONTRACT: Mayor Bujacich said that, regarding the paragraph where the town agrees to furnish pure water to the Shore Acres Water Company, that there should be a protecting paragraph concerning the flushing of their lines to maintain the purity of the water. This is in case a hydrant is opened on the supply line which would cause a surge of dirty water

Also, regarding the retroactivity of the cost of water, it should be made retroactive to the date the contract was due. Also, Councilmen Ekberg and Hanson would prefer alternates #4 & 7. Councilman Hanson and Attorney Johnson will go over it. Also, Councilman Ekberg wanted the standard overage charge of 30 cents per hundred cubic feet to apply here.

BUDGET REVIEW: First reading. Attorney Johnson was asked to see if council members can vote their own pay increases, who can partake of it and when do we have to budget for it?

SHORE ACRES PERMIT REQUIREMENTS: Mrs. Livingston had submitted a list of prospective hookups. Do they need to be approved by the council? Attorney Johnson will take it up with Attorney Alling but mention was made that a private water system can refuse hookups but a municipal system cannot do so. Shore Acres has the right to refuse.



SHORT PLAT AMENDMENT: Second Reading - Ordinance #227:

Amendment pertains to the mylar drawing that now need not be submitted until the final draft is accepted. Councilwoman Bogue moved that the amendment be approved. Councilman Malich seconded. Carried.

LOAN FOR DESIGN FEES FOR WATER SYSTEM IMPROVEMENTS: Attorney Johnson had looked it over. He sees no problem since it is a standard contract.

LIQUOR LICENSE TRANSFER FOR FINHOIMS MARKET: No objection.

G. O. BOND LEVY REQUIRING ORDINANCE PROVIDING FOR COLLECTION: First reading.


REQUEST FROM MARINA WEST FOR PARTIAL PAYMENT OF HEMLEY BILL:

Marina West had to pay Hemley \$420 for a French drain, part of their sewer hookup. They feel that the town owes half. Mayor Bujacich brought up the drainage problem behind the doctor's office and into the Baptist Church. There was a discussion of whose responsibility this is. Both concerns will be turned over to Glen Sherwood for recommendation.

Meeting adjourned at 12:35 p.m.

Tape #44, Side 2 - All, Tape 45, Side 1 - 0-392

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Assistant Clerk

COUNCIL MEETING - December 22, 1975

The meeting was called to order at 8 p.m. by Mayor Bujacich. Present were Councilwomen Bogue and Melton, Councilmen Hanson and Malich, Attorney Johnson and Clerk Avery.

BIDS - POLICE PORTABLE RADIOS

The bids were opened by the clerk and read as follows:

RCA	\$2707.38
GE	2617.00

Both bids contained essentially the same equipment. The representative from RCA was in the audience and said that their bid offered a year's complete maintenance free of charge and each succeeding year can be purchased for \$29.95 per unit.

The council said they would like to compare the bids a bit better since there is a 30-day acceptance period, and they would also like to hear from GE regarding their maintenance policy. Councilman Hanson moved to table the decision to the next meeting pending the written reply of GE. Councilwoman Bogue seconded. Carried. Sgt. Tomlin will contact GE.

BILLS: Approved upon motion of Councilwoman Bogue, seconded by Councilman Hanson. Carried.

MINUTES: Approved as posted.

CORRESPONDENCE:

Sewer Treatment Plant Supervisor Tannahill letter on result of smoke testing. Jim Iandon asked if something can be done about the discrepancies and also the Cig Harbor Villa. The Villa is hooked indirectly through their septic tank and it is putting a severe septic load on the system. Attorney Johnson was asked to write to each of the violators.

SPECIAL GUESTS:

Robert Nixon and Karen Neagant were present regarding rental of the former VFW Hall. Mr. Nixon would like to rent the building and use it for building wooden boats and for rebuilding large wood sailboats up to 32 feet in length. The building inspector had suggested they ask the council because the W-1 section does not include boat building. Since the building has been vacant more than one year and the sewer is not hooked up yet, there is no heat and the wiring is insufficient. Mr. Nixon said he agreed to have the building rewired and no fiberglass work will be done here--only wood. Some members of the council felt it was an oversight that boat building was not included in the W-1 section of the ordinance. It has come up before and they felt it was time that something was done about it. Attorney Johnson looked over the ordinance while the council went on to hear Mr. Edgbert's short plat.

EDGBERT SHORT PLAT:

Glen Sherwood said the main things at this time are only technicalities in regard to the ordinance and are being taken care of, being put on the tracing. The 60-foot street must be extended to the boundary of the plat. Mr. Edgbert would like to delete the North half of the boundary street. Mayor Bujacich did not approve. He said this part of the right of way is needed to extend the street over the water line easement. The sewers will come up from the middle of the property below. Dr. Hruza's recommendation was read. It also recommends extension of the 60-foot right of way to the boundary of the plat. Regarding the 30 foot dedication on the west boundary, Dr. Hruza recommends a one-foot reserve to the town which would guarantee the dedication of the remainder of the right of way as adjacent properties develop. Councilman Hanson moved that we adopt the short plat with the recommendation of Dr. Hruza on the access roads on the property. Councilwoman Bogue seconded. Carried.

VFN HALL: Attorney Johnson said the council can initiate changes in the ordinance without a public hearing at Planning Commission level. All that is required is a public hearing at council level since the ordinance change is instigated by the council. The council does, however, ask for a letter of recommendation from the Planning Commission and a hearing will be held on January 26 at 8 p.m. by the council.

REPORTS:

Street & Water - Jim Hibbs said the Light Company has promised to have the light up by the end of the year at the intersection of Pioneer and Grandview.

Sewer Treatment - No other report.

Police - Councilman Hanson asked why he was unable to reach the sheriff's office last week on the Divert-A-Call. The police explained that it had been out of order but was now rectified.

Building Inspector - Mayor Bujacich told him that the county would like to have building permits reported weekly.

Attorney:

1. Pay raises: Councilmen cannot participate in pay raises they vote themselves. The raises would not benefit those in office in that particular term except the mayor.

2. Monte Hester, attorney for Huber/Antilla, was awarded a judgement of \$1,000 on the injunction against the cutting of trees.

3. He had written to Huber/Antilla about the condition of Foster Street, to Cascade Development on the money they owe Fred Hildebrand, and to Shore Acres on the water contract. He has received no replies from any of these.

4. Regarding the interest rate on water bills, he had no information. Clerk Avery said he had been advised that Paul Flint and Jim Ellis have that information.

Regarding the damage to Foster Street, the claimant declares that the damage was caused by the sewer contractor. At any rate, he cannot get a cat in there now because it is too wet.

Regarding the Cascade Development bill owing to Fred Hildebrand, it was suggested that a lien be put on the Cascade property until the bill is paid. The attorney will look into this before the next meeting.

NICK MARKOVICH SEWER HOOKUP: Glen Sherwood had no report ready on this. He will have it by next meeting and Councilman Hanson asked that it be made available by the day the agenda comes out, which would be January 8.

TAX LEVY: ORDINANCE #228 - Second Reading:

Councilman Hanson moved that the ordinance be passed. Seconded by Councilwoman Bogue. Carried.

ROBERT WHITMAN SEWER ASSESSMENT INTEREST:

Paul Flint had been contacted by Attorney Johnson and did not feel it was his position to decide. Attorney Johnson said he feels that the obligation runs with the land. No action was taken by the council.

BUSINESS ZONE MORATORIUM - Second Reading:

The time limit extended in the moratorium was sixty days from passage. Dr. Hruza will have a suggestion for the Planning Commission's December 30 study session. They would like to have a study session with the council after the first of the year. Mr. Edgbert was concerned with the need for a moratorium. Councilwoman Bogue moved that the proposed ordinance be adopted. Councilman Hanson seconded for discussion purposes. Councilman Hanson wondered if the moratorium was necessary in view of the action on the part of the Planning Commission. Councilwoman Bogue said the council had requested revision of the B zones some time ago but action on it seemed to get shuffled to the bottom of the pile. If a building permit request comes in now there will be no controls, she said. A public hearing could be set now pending the recommendation of the Planning Commission. The hearing was set for January 12 at 8 p.m. The clerk will write to the Planning Commission requesting their recommendation as soon as possible. On this basis, Councilwoman Bogue withdrew her motion and Councilman Hanson withdrew his second.

BUDGET - ORDINANCE #229 - Second Reading:

This is the basic budget with fund totals. It does not include the pay increases for the council. Motion by Councilman Hanson, seconded by Councilman Malich, that the ordinance be passed. Carried.

DEMNIS CLARKE, representing John Holmaas, had prepared a letter in view of the fact that the issue on Holmaas's petition is quite a complex one. He had met with Attorney Johnson to draw up this letter. He explained that the petition is in two phases.

First, the decision of whether or not to annex, including notice of intent, formulation of comprehensive plan and preparation of Environmental Assessment. The Planning Commission held two hearings and the council hears the application of the comprehensive plan and passes on the annexation. This could be accomplished in two hearings and one of these has already been held. Then it goes to the Boundary Review Board.

Secondly, the process involves the Shoreline permit to authorize specific kind of construction, then Town Council review of permit, on to State review and finally the building permit.

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They propose to present an environmental assessment package consisting of the completed environmental assessment, a narrative in regard to issues brought up at the previous hearings, and an opportunity to contact members of the public who were present at the previous meetings. They hope to have all this culminate in a final hearing before the council on January 26. They wish this hearing to be considered the 2nd public hearing before the council. At this time they would like to clear up the discrepancy on median tide. They feel it should read "mean high water." The council then set the hearing for January 26 at 7 p.m.

SHORE ACRES WATER CONTRACT:

No action has been taken by the Shore Acres Water Company. The attorney will check on this.

Study session with Planning Commission set for January 5, 1976.

BLOCK GRANT PROGRAM:

Glen Sherwood said he had attended the meeting and felt it was rather fruitless. This year's allocation will be very small--only about \$7800. Regarding last year's grant on sidewalk construction, in order to protect the town's claim on this money, it would be helpful to authorize proceeding with plans and specifications on the project. The cost of engineering will run about \$6000. He can bring preliminary plans to the next meeting. Councilman Hanson moved to authorize this and Councilman Malich seconded. Carried.

Councilman Hanson asked what has happened to the bill from Marina West for the french drain. Glen did not feel the town really owed this money but it does benefit the town to some extent so he suggested payment of half of what they ask. No action.

Councilwoman Bogue asked if any other funding had been located for the design work on the high level system. Glen answered that there are no other funds at this time--only loans.

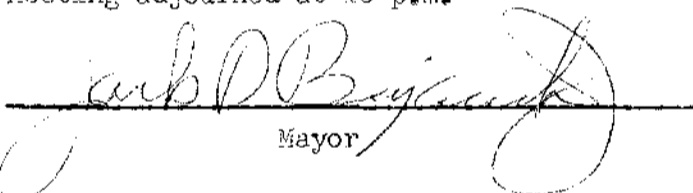
Mayor Bujacich appointed Councilman Malich to work on a dock study for the town under a grant for planning. He was told to pick a committee to work with him.

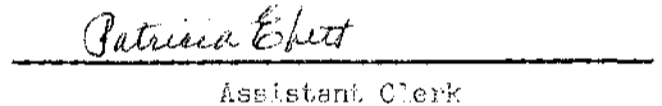
Councilman Hanson asked about the response from the Fire Marshal's office. Answer: None.

Councilwoman Melton asked if the pay raises can be voted in tonight. The ordinance must be amended. She proposes \$400 a month for the mayor and \$50 for each council member. Councilwoman Bogue said she had no objection to an increase for the mayor but opposes any for the council. In any case, this has been called the first reading tonight.

Meeting adjourned at 10 p.m.

Tape 45, Side 1, 392 to end.

  
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Mayor

  
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Assistant Clerk

TOWN COUNCIL MEETING - JANUARY 12, 1976

The public hearing was called to order by Mayor Bujacich at 7:30 p.m. and then recessed in order to administer the oath of office to Councilwoman Bogue and Councilman Malich. The hearing was reconvened with Councilwoman Bogue, Councilmen Hanson, Ekberg and Malich, Attorney Johnson and Clerk Avery present. Councilwoman Melton was not present.

HUBER ANTILLA APPLICATION OF COMPREHENSIVE PLAN:

The letter of recommendation from the Planning Commission was read. The mayor called for those in opposition:

HELEN WILKINSON, who has the property immediately below the property in question, said she is concerned about run-off, pollution and disturbance of the springs on her property. Her water system furnishes water to two homes.

RON LOPP said he would find the site very noticeable when he drives the highway. He said he is concerned about screening and would find the complex readily discernable since the major portion of the trees are deciduous and the project would be very exposed at least half the year. In addition he felt that single family use for the area would be more desirable. He was told that the question of screening would be taken care of when the site plan comes up for approval.

In favor were:

DONALD HUBER who wants to see the property developed as apartment land. It is a natural area for multi-family use. He felt that Miss Wilkinson's concern was unfounded because the drainage from his site is naturally taken care of under the freeway and to the west. The pollution would be non-existent and the water drain off would not affect her land.

ROY MYERS, neighbor, spoke as a concerned citizen since he and Mrs. Foster own the land next to the proposed project and they have no objection. The water drainage goes to the west and has for years.

GLENN SHERWOOD said he did not see how the property could drain as Myers indicates. At least quite a bit will drain toward Stinson Avenue. Even with catch basins and closed conduit only about 80% could be forced to drain to the west.

He went on to say that he talked with Tacoma City Light about the possibility of a road over their right of way. He was told that crossings of the right of way are permitted but not a parallel roadway. There is very little room for access from Grandview Street.

Regarding the sewer, there is no problem as far as capacity of the system. It would probably require easements to Stinson Avenue.

The water service is the question. The reserve capacity formerly discussed was allocated to the 32 unit complex now finished and we are now back where we were. The system is now loaded with those apartments now being rented. The only solution is a storage tank for the upper level.

The clerk read the letter from PCFD#5 regarding adding apartment construction at upper levels, and the insufficiency of water supply for fire protection.

Councilman Ekberg said he will abstain from voting. He felt it would be counter-productive at this point in view of the writing of the comprehensive plan. The area should be annexed but perhaps not under such a high use. He felt the council might be better advised to wait for the study forthcoming from the Planning Commission.

Councilwoman Bogue said her biggest concerns were land use and water supply. She asked that Huber and Antilla have a possible suggestion about water supply by the next meeting.

Don Huber said they would return to Pierce County for their approval if they are turned down here.

Councilman Hanson felt we had not fully addressed ourselves to the Planning Commission's stipulations nor to proper ingress and egress. His concern was how can we deal since the Planning Commission has raised more questions than we can answer.

Mayor Bujacich wished to clear up the questions raised by the Planning Commission letter. The town cannot supply the water because it is financially impossible to build the needed storage tank at this time and the sewer financing would not be shared by the town but would be wholly financed by the developer.

No decision is necessary at this time. The next public hearing was scheduled for February 9, with the second hearing on the application of the comprehensive plan at 7:30 p.m. and the annexation hearing at 8 p.m. Public hearing closed and regular meeting recalled to order.

PUBLIC HEARING - BUSINESS ZONE REVISION - First reading:

The letter from the Planning Commission was read and accompanying it was the total revision just furnished by Dr. Hruza. Mayor Bujacich read these revisions:

Councilman Ekberg had two suggestions:

Section 32.020 B (1) (a) All buildings...be changed to "All existing and proposed buildings."

and (f) add "as well as preservation of all existing natural trees and shrubs where practicable."

Councilman Ekberg moved that these corrections be made. Clerk Avery questioned the portion concerning performance bonds. How is this administered? Dr. Hruza answered that the burden would not fall on the clerk. He went on to say that only those portions different from the original ordinance need be published.

The second hearing was set for February 9 at 8:15 p.m. Public hearing adjourned and regular meeting reconvened.

Councilwoman Bogue asked Dr. Hruza to draw up a small amendment to the sign ordinance. This regards the directions signs which the Department of Highways said must be allowed to advertise those businesses whose names appear at freeway access points. State law decrees that our ordinance on signs is superceded in this regard.

BILLS:: Approved upon motion of Councilwoman Bogue, seconded by Councilman Ekberg. carried.

MINUTES: Councilman Hanson questioned the last paragraph on page 3 regarding the pay increases for mayor and council. He felt the mayor's salary increase was supposed to read \$100 not \$400 per month. There were no other comments on the minutes.

CORRESPONDENCE:

- 1. Planning Commission request for further information regarding John Holmaas's property that was recently heard in public hearing regarding application of the comprehensive plan. Dennis Clarke had referred to pages 72 and 73 of the Shoreline Management Plan and the commission's copies only went to page 45. Copies of the new plan will be made for all.
- 2. Planning Commission recommendation on the Hester application for rezone. Public hearing set for February 23 at 7:30 p.m. Councilman Ekberg asked that copies of the letter be furnished all council members.

REPORTS:

Street and Water - None

Sewer Treatment - Attorney Johnson had prepared letters to hookup violators and they refer back to Gary Tannahill. They will be mailed out by the town.

Police - Councilman Ekberg commended the department on the excellent job of checking on his residence while he was away.

Councilwoman Bogue reported that she had received an inquiry from the north end that the grounds around the laundromat building were left an unsightly mess as a result of side sewer construction. She said that she noticed a small building between Finholm's store and the laundromat and she wondered if it was covered by a permit. She was told that the building had been there for some time.

Glen Sherwood reported on:

Street Striping: He said he has found that this will not be a simple procedure at all. Bids must be called for. It is called a demonstration program and will bring all markings up to the standards of highway regulations. It is 100% federally funded. It is a two-year program with evaluation and follow up. The cost estimate will be \$12,000 initially and at the end of one year there is a possibility to restore the markings at a cost of \$7000. The council should authorize the mayor to sign the initial agreement and the agreement to allow the follow up evaluation. The markings will include edge stripes on all streets and buttons the entire length of Harborview Drive. Councilman Malich moved that the mayor be authorized to sign the document. Councilman Hanson seconded. Carried.

Water System Improvements: Councilwoman Bogue had asked if there was another source of money besides a loan. Glen had told her no, that there are only loans. On that basis does the council want Parametrix to go ahead? The council agreed.

Mayor Bujacich asked Jim Hibbs to check the drainage coming off the hillside onto the Gilich and Morin net sheds.

Mayor Bujacich read a letter from the Department of Ecology regarding the approval of a sewer line. Glen said that this is an extension of the sewer line from the end of the Stanich line to serve the Edgbert property and on to the frontage road. Mayor Bujacich was concerned that this sewer line would not proceed on projected dedication of roads. Glen said he would think a dedication of easements would suffice.

Reports of committees:

Mayor Bujacich had met with other mayors in the area regarding the county commissioners management of the HUD funding.

Paul Pazooki has not yet reported on the sewer contract.

Town Hall Plans: Allan Bucholz is getting bids on lighting fixtures. Clerk Avery went on to say that coming up in the next few months are approximately \$7000 in Revenue Sharing Funds. These funds either have to be encumbered or returned to the federal government. This is now referred to the next council meeting pending an approximate cost from Bucholz.

PAY INCREASES - First reading:

The town should pass an ordinance even if they plan that the pay remain the same because codification and state law have repealed what was previously on the books. Attorney Johnson said we should pass an ordinance decreeing the amount of salary since state law has been altered. Councilman Ekberg moved that the mayor be paid \$100 per month. Councilwoman Bogue seconded. Carried. Then Councilwoman Bogue moved that the council pay stay the same. Councilman Ekberg seconded. Carried. The attorney will check state law on the limit of the council's salary.

MARKOVICH SEWER HOOKUP: Parametrix will resolve it and the town will not be liable financially.

SIDEWALK PLANS:

Glen Sherwood had preliminary plans. The \$40,000 will not do all that were projected in the preliminary request. They were as follows:

Stinson Avenue - Harborview to Grandview  
Grandview St. - Stinson Avenue to Soundview Drive  
Pioneer Way - Grandview to Harborview Drive

Councilwoman Bogue suggested that Gary Williamson, principal of Harbor Heights School be contacted for his suggestions. It was not decided just which sidewalks to do at this time but the paving will be either concrete or asphalt connected to the paved street.

POLICE RADIOS:

The GE warranty policy was read but was not as good as the previously discussed RCA policy. Councilman Ekberg moved that the bid be awarded to RCA at the stated price of \$2707.38. Councilman Malich seconded. Carried.

SHORE ACRES WATER CONTRACT:

Attorney Johnson had contacted Attorney Alling and asked that the contract be ready today. The Shore Acres committee has taken the contract under advisement and have not yet returned it.

DEPARTMENT OF THE ARMY PERMIT ON TARABOCHIA DOCK:

Councilwoman Bogue explained that she conversed today with Warren Baxter of the Dept. of the Army. He informed her that they need a new letter from the town with additional in-

formation. They wish to know if a Shoreline Management Permit had been applied for and was it approved or disapproved. Had a building permit been applied for, and was it approved or disapproved? They also wish to hear from those who voted against the dock extension and to hear the reasons for their decision. The council asked Clerk Avery to write and ask for an explanation of their action.

CALL FOR NEWSPAPER BIDS:

Postponed to next meeting.

NOTICES OF OTHER MEETINGS:

January 26, 1976	7 p.m.	John Holmaas
	7:30 p.m.	R-2 "Detached" hearing
	8:00 p.m.	W-1 new boat construction hearing.

Attorney Johnson told the council that he had contacted Kjellesvik's attorney. They are in the middle of a lawsuit but their attorney instructed them to pay the contractor. This will be followed up with a letter.

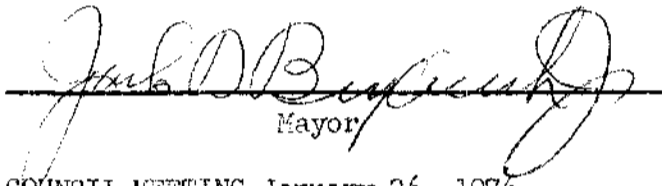
FIRE MARSHAL INSPECTION: Meeting set with mayor at 2:30 tomorrow.

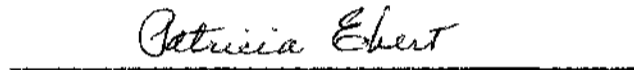
Councilwoman Bogue had received notice of a two-day conference on Public and Private Lands on January 30-31.

Clerk Avery said there is a little over \$10,000 in sewer construction money left. We should make plans for its use.

Meeting adjourned at 10:45 p.m.

Tape 45, Side 2, All

  
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 Mayor

  
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 Assistant Clerk

COUNCIL MEETING January 26, 1976

The first public hearing was called to order shortly after 7 p.m. by Mayor Bujacich. Present were Councilwomen Bogue and Melton, Councilman Malich, Attorney Johnson and Clerk Avery. Councilmen Hanson and Ekberg were unable to attend.

HOLMAAS APPLICATION OF COMPREHENSIVE PLAN:

This is the second hearing on the application of the comprehensive plan to the area Mr. Holmaas wishes to annex with a W-2 zoning. The mayor asked for comments from those in favor of the proposed use.

DENNIS CLARKE, 6011 Reid Drive, representing the property owner, said he realized that the council may take no action tonight since only three members are present. He had taken photos of the area and passed them around the table, telling some of the early history of the site. That portion of the bay was used as a log storage area and this property was the log dump.

In 1974 it was platted into three residential sites. Since the tidal area is shallow it is probably valued at about \$150 a front foot and would thus justify the building of only medium price homes. He spoke of the undesirability of building a house on the site nearest Vernhardson; the shape of this lot decrees bulkheading and filling nearest the bridge and only about 25 feet would separate this house from busy Vernhardson Street. So he looked for other alternatives. The original eight units planned for the area had more impact than the three houses that could be built there. They arrived at six units with 3000 to 4000 square feet on the ground. The site would pay its own way because it would not necessitate extension of utilities--they are already there. He went on to say that county zones have their undesirable aspects too. County zoning would permit industrial use as well as multi-family. The proposal of the six units would allow adequate parking and could utilize only one driveway which would lessen the impact on Randall Drive. A good buffer would be allowed on the street sides of the property. The town police presently patrol the area anyway and would not cause any drain on any town facilities. The property relates to the town and he feels that it belongs in the urban classification.

In opposition were:

BOB THORPE, 8020 Goodman Drive, who presented a petition in opposition that was signed by 101 east side property owners and residents. It is 76% of all who either own or live in the area. They are opposed to piecemeal annexation on the basis that it defeats comprehensive planning. He called Crescent Creek a natural and efficient boundary that makes it possible to keep the east side area intact. The real question tonight is how will annexation take place. He urged that the town maintain a policy position to stay on our side of the creek. The citizens of the county worked for three years to get a comprehensive land use plan. They are satisfied with that plan and with the rural character of their area. What would the character of the area be after five to 10 years of piecemeal acquisition.

DAVE WIDNEY, 7815 Goodman Drive, spoke on the position of taking the long look at the area and applying the comprehensive plan.

TOM WAGNER, 8920 Randall Drive, said he had attended several hearings at the Planning Commission level and felt that Dr. Hruza had spoken to the entire area and how it should be



annexed. He asked that the whole area be thought of. Also, he said he was encouraged by Kae Paterson's suggestion that there should be consideration for another Shoreline Management classification other than Urban. Then, the article about Cecil Root was in the paper and his explanation that he saw east Gig Harbor as a residential community.

MRS. WALTER NORTHEY, 8725 Randall Drive, said that eastiders feel threatened because they feel this is only the start of other annexation to come. It is an emotional thing, to her at least.

In rebuttal, Dennis Clarke answered the eastiders. He said that his clients went to a great deal of trouble with the 17 page study they prepared. He feels that consideration should be given in that this is a unique area--next to the park and abutting the town limits. He said it is a fallacy to feel that large portions of property should be the only properties to be annexed. The town cannot annex economically in large portions because the impact would be too great on their facilities. Also, it is best to annex before the property is developed so that the town can control the development. He reminded the audience that under county control the area could be put to much poorer uses, such as trailer parks, etc.

Mayor Bujacich spoke in order to clear up a misconception. He reminded the audience that the town cannot annex property with a petition. It is through just such a request that property is eventually made a part of the town. Property must be contiguous and the owner must petition the town.

TOM MORPHEE, who lives in Shore Acres but owns east side property, feels that Dennis misrepresented the picture. The county uses are controlled through the amount of impact on other properties. There is adequate protection through county agencies.

TOM WAGNER spoke of the Shoreline Management Plan which termed the area environmentally "fragile" and feels that if it were annexed to the town that a density lower than urban should be assigned. He had a prepared statement or document from Helen Engle, submitted for the record. He felt sure that Dennis's statement regarding bulkheads was incorrect--that a permit is required to bulkhead.

Dennis Clarke answered Wagner's statement. He said it is extremely clear that under Shoreline Management the law exempts bulkheads as they are common to adjacent single family residences. It may still require a permit from the Corps of Engineers but they cannot deny bulkheads. Councilwoman Bogue asked if a conditional use permit requirement in the SMP could not be used to prevent bulkheading and to control the density of building in this "fragile" area. Dennis answered that state law allows us to do what we want within that law but the law was silent on exempting bulkheads. Shoreline Management has the possibility of superseding the zoning.

TOM KRILICH, Tacoma attorney representing Mr. Holmaas, answered the council's question. The Shoreline Management Act can exceed city zoning but Mr. Holmaas would agree to negotiated covenants. He went on to say that, so far as the welfare of the town goes, W-2 provides more inherent controls than W-1. "In making decisions, look not at what is in the best interest of the residents of the east side, but the law compels the legislative body to consider the best interest of the town, what will best serve the welfare of the town."

ELIA MARY THORPE, 8020 Goodman Drive, asks that the town have a master plan laid out. Then there would be no difficulty when future requests come up.

It was agreed that a further meeting would be necessary to hear the annexation. Councilwoman Melton moved that the decision on the application of the comprehensive plan be postponed until all members are present. Councilman Malich seconded. Carried. Hearing continued to February 9, 1976.

Councilwoman Bogue had injected one comment. She said it is possible for the legislative body of the town to initiate annexation. This would be the election method described in the RCW. Public hearing adjourned and regular meeting convened and then recessed for:

PUBLIC HEARING - R-2 DETACHED AMENDMENT - First Reading:

The Planning Commission recommendation was read. Councilwoman Bogue mentioned that this is more in the nature of a housekeeping amendment. She moved that the appropriate changes be made and that this be considered the first reading of the ordinance. Councilwoman Melton seconded. Carried. Public hearing closed and regular meeting reconvened. Regular meeting recessed for:

PUBLIC HEARING - W-1, NEW BOAT CONSTRUCTION AND SALES: FIRST READING:

Councilwoman Bogue moved that it be approved to add to W-1 zone and considered this the first reading. Councilwoman Melton seconded. Carried. Public hearing closed and regular meeting reconvened.

BILLS: Approved upon motion of Councilwoman Bogue, seconded by Councilwoman Melton. Carried.

MINUTES: As there were no corrections or additions the minutes stood approved as posted.

CORRESPONDENCE:

1. Mrs. Ben F. Thomson wrote complaining of noise from the deck of the Tides Tavern. Peter Stanley, in the audience, said he had been lax about closing the deck this winter. He will see that the problem is corrected and the clerk will answer Mrs. Thomson that Stanley will personally police it.



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2. Planning Commission recommendation on acquisition of rights of way.
  3. Rotary Club letter proposing the donation of a flag pole and bronze plaque at the dock site on Harborview Drive. This is part of the Bi-Centennial. Mayor Bujacich told of the conflicting plans on the part of the Historical Society, and asked that the letter be given to Allan Bucholz to see if he can design something incorporating all three proposals. The clerk was asked to answer the Rotary Club letter.
  4. Harbor Holidays letter requesting town approval of the June 5 date. Okayed by council.
  5. Pierce County Fire Prevention Bureau letter to Stutz regarding painting of loading facilities. Stutz's answer was enclosed also. It was agreed that the plan will be tried for 90 days and they ask the town's cooperation in impounding parked cars.
  6. Hagestad letter on sewage general plan.

#### SPECIAL GUESTS:

Norm Hemley had applied for a building permit on the site of the former Pete's Machine Shop. Wayne Goodno explained that it is in the B-2 zone and asked if he can issue a permit. The council will review the site plans and visit the site before the next meeting.

#### REPORTS:

Street & Water - Jim Hibbs said, regarding the erection of a flag pole in the park by the Cub Scouts, that the pole should go in the middle of the lower park and provision can be made for lighting the pole. He went on to ask that he be permitted to cover a ditch on Harborview Drive near the Coast Guard Station. He said it is now a hazard and will cost between \$800 and \$900 to cover it. Okayed.

Sewer Treatment - Gary Tannahill reported that a motor in the plant blew last week. When he went to have it repaired he was told that it was not designed to do the job assigned to it and he has turned it over to the engineers. Regarding the smoke testing, most of those contacted have corrected the problem. One did not get the letter and one would like permission to wait for drier weather. He did say that he would like to take action to force Peter Darrah to hook up. The mayor agreed and told Wayne Goodno to enforce the hookup of all who have not yet done so.

Police Department - They pointed out the Bi-Centennial calendars and said they are now distributed through the town. He wished to thank the sponsors.

Attorney - He had a new letter from Shore Acres Water Company and a new contract. The clerk will copy them for the council.

COMMITTEES: Councilman Malich reported on the dock progress. He had contacted property owners and would like to make a survey to determine fishermen's needs. He was told he could go ahead with interviews but they are waiting for the grant before they can proceed with plans.

The mayor told Councilwoman Bogue that they can start on the memorial in the park to the Smith boy. About \$500 has been donated and the town can add some. So Councilwoman Bogue will go ahead with plans and contact the Big Toy representative.

#### MAYOR AND COUNCIL SALARIES: Second Reading - Ordinance #230

Councilwoman Bogue moved that the ordinance be adopted. Councilman Malich seconded. Vote carried with two ayes and one nay.

#### USE OF REVENUE SHARING FUNDS:

Mayor Bujacich said that in addition to Town Hall financing he would like to see it used to buy property for the town equipment and machinery storage, but it would require an ordinance to allow the setting aside of funds for property acquisition. Councilwoman Bogue moved that \$4000 in Revenue Sharing Funds be designated to the Town Hall Building Fund. Seconded and carried.

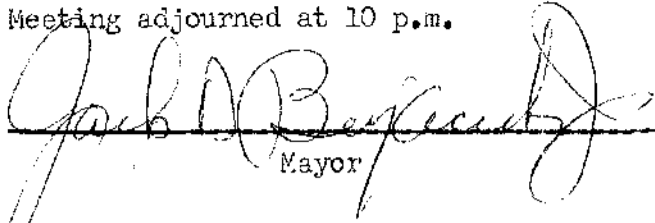
BID FOR NEWSPAPER ADVERTISING: The Peninsula Gateway bid \$4.20 per 100 words and an additional word charge. Councilwoman Bogue moved that we accept the Gateway bid. Councilman Malich seconded. Carried.

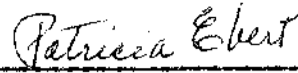
Mayor Bujacich had received a letter from Governor Evans urging the appointment of a Bi-Centennial committee. Mayor Bujacich asked the council to designate the Historical Society. Okayed.

Glen Sherwood reported that Wednesday the advisory committee on Block Grant funds is meeting and Glen will attend as advisor. The funds asked for will be Water Improvement, \$70,000 and Sidewalks \$20,000.

Regarding the Department of Ecology letter received last meeting on the sewer extension to the Edgbert property, Glen said he had reviewed it and included is a 20-foot permanent easement to the regulation 60-foot right of way on the Edgbert property. Mr. Edgbert would like a contract for reimbursement from late-comers. Sherwood felt there was no serious objection to it if the easement exists prior to development. The main objection to following the right of way along the edge of the Babich property is the great depth (over 20 feet) of the sewer if it follows the north/south property line and also there would be a much greater realization of reimbursement if it bisected the Babich property. Gary Tannahill suggested a 60-foot utility easement. The decision was postponed to the next meeting and the owners will be contacted in the meantime.

KJELLESVIK REIMBURSEMENT OF HILDEBRAND: No money has yet been paid to Hildebrand although the Kjellesvik attorney had advised it be paid. Attorney Johnson will contact Kjellesvik.

  
Mayor

  
Assistant Clerk

**TOWN COUNCIL MEETING - FEBRUARY 9, 1976**

The first public hearing was called to order by Mayor Bujacich at 7:30 p.m. Present were Councilwomen Bogue and Melton, Councilmen Malich, Hanson and Ekberg, Attorney Beecher and Clerk Avery.

**HUBER/ANTILIA APPLICATION OF COMPREHENSIVE PLAN:**

This was the second hearing on the application of the comprehensive plan to the area on which annexation has been requested. The principals request the application of an R-3 zone to area in question. In favor were:

**ROY MYERS**, who felt that the apartments would have a minimum adverse effect on the adjacent property. He recommended approval of the project subject to adequacy of the water supply.

**DONALD HUBER** spoke again on drainage, water supply, etc. He said he had a letter in his possession where the council gave permission for water and sewer service on April 17, 1975. The fire marshal approved the 42-unit apartment and he had an engineering report on the minimal disturbance of the springs below the property.

Glen Sherwood had previously said that portions of the property are below the culvert beneath Highway 16 but if they can collect all of the water that falls on hard surfaces in the project they can get rid of all this water through the culvert to the west. He agreed that the project would have a minimal impact from the highway as there would be a sixty-foot screen of alder trees between the freeway and the complex. The soils report is correct and the springs below the property cannot be affected by the project. The water main could be extended from the Cooper Apartments. There would have to be a booster pump and tank but there is plenty of storage on the lower system and this would cause no drain on the upper level water storage. Huber and Antilla should have to pay for the improvements but should be in the position of being able to be reimbursed under a future water improvement project.

**In opposition:**

**HELEN WILKINSON** was still opposed on the basis of her own water supply.

**RON LOPP** questioned the right to use the Highway Department's drainage ditch under the freeway. He also had questions concerning the town's comprehensive plan and the county's 100-foot right of way abutting the freeway.

**COUNCILMAN HANSON** was concerned with facing another petition for annexation without completion of the new comprehensive plan but felt it would not be fair to hold up the petition on this basis. He was concerned with the water supply, both domestic and fire flow, overloading our system, and was concerned with the health safety and welfare of the town; he felt we must keep the balance of land use in the town.

Then he moved that, based on information submitted both verbally and in writing, the comprehensive plan use be R-1. Councilwoman Bogue said she shared his concern with the character of the town and the water supply and she seconded the motion. The motion was carried with one nay and one abstention and three ayes. Councilwoman Melton voted no because she did not approve of the complete disregard of the recommendations of the Planning Commission and their planning consultant. She also felt that it had been agreed that the higher areas should be set aside for apartment use.

The public hearing was closed on the application of the comprehensive plan and the principals withdrew their application on the grounds that they did not wish R-1 use for the area in question. Don Huber said he felt that they had been done a great disservice in being told (in the letter of April 17) that the town granted them water and sewer service. He expressed frustration with the council and felt the fact that two council persons living near the apartments had a bearing on the decision.

**PUBLIC HEARING - BUSINESS ZONE SITE PLAN REVIEW:**

Tom Galbraith asked if a public hearing will be required for site plan review of any business use. The mayor felt that it did not require a public hearing but Councilman Hanson read the recently prepared amendments and they do decree public hearings on site plan review. Councilwomen Melton and Mayor Bujacich both felt that it did not justify a public hearing—that it would be too time consuming and needless. Councilwoman Bogue approved of public hearings provided they do not delay the process too much. Councilman Ekberg moved that we adopt the amendment as submitted. Councilman Malich seconded. Motion carried with four ayes and one nay. Public hearing closed.

The regular meeting was called to order and the bills were approved upon motion of Councilman Ekberg. Seconded and carried.

The minutes stood approved as posted.

**CORRESPONDENCE:**

1. Pierce County Fire Prevention Bureau inspection on Gig Harbor Lanes.
2. Pierce County Planning Department notification of hearing on Jehovah's Witnesses short plat application. They requested the town's comments prior to the public hearing. Councilman Ekberg moved that we thank the County Planning Department but the town has no interest. Seconded and carried. The clerk will write.

**ROBERT DUNN SHORT PLAT:**

The entire lot has about 22,000 square feet and the plat has been surveyed and the mylar drawing notarized. The approval was tabled until the 23rd pending reports from the planner, the engineer and the building inspector. They would like comments prior to the meeting. Mr. Dunn requested copies of these comments also.

**REPORTS:**

Street and Water - Butler Street is finished and also Harborview Drive near the Coast Guard station. The concrete gave way on Soundview and the engineer recommended patching with black top for the present. Mayor Bujacich told Jim Hibbs to look at the Skrivanich stub on Woodworth that has collapsed. Jim Hibbs brought up the needed work on the #72 dump truck. It needs front-end work (238.) and tires (\$373). Both were okayed. Jim was instructed to look for another truck at one of the sales.

Police - presented spec sheets on a new patrol vehicle. The only difference would be a change in engine size from a '6' to an '8'.

Building Inspector - Building permits issued in 1975 totalled \$2,924,811.50.

Sewer Treatment - All problems relating to connection of downspouts have been corrected but two. One contractor refuses to correct the hookup because he claims the downspouts were connected prior to the stub. The attorney was instructed to write citing the provisions of the ordinance.

Gary Tannahill went on to say that Pat Faker has passed his Class 3 tests. He then went on to ask for permission to purchase a pressure washer. It could be used on all town equipment and to wash the insides of the water tanks. The price is about \$2100 and would need a trailer at about \$150. Gary was told to draw up a spec sheet because it must go up for bid.

**COMMITTEE REPORTS:**

Councilwoman Bogue had contacted the Big Toy manufacturer and they will meet this week. Mayor Bujacich said that Charles Odgaard, director of state Parks and Recreation Commission, was in town last week to look over the park site at the Rosedale Street site. A discussion had also taken place about the flagpole and the plaques. A bid was made by Spadoni for \$2000 for a bulkhead and a stairway down. Clerk Avery said the existing SM permit must be extended.

**REVISION TO R-2 and W-1 TABLED TO NEXT MEETING.**

**HEMLET SITE PLAN REVIEW:** Bill Andrea explained that they plan to erect a prefabricated steel building behind the former Pete's Machine Shop. They purchased the O.W.Hanna and the Brous properties some time ago and they need the new building in order to continue the septic tank manufacturing business that must move from the Peacock Hill location. They have enough property for the new building on the Hanna property but it will be 17 feet high and they were instructed to apply for a height variance.

**EDGHERT SEWER PLANS:**

Peter Babich, the other affected property owner, was present in the audience. He explained that he would like to install the stubs at the same time the line is laid. There was a question of depth of main line versus the width of easement needed. Since the town is obligated to maintain the line Councilman Hanson felt that we should require a wider easement. He then moved that the line be laid either in a 60-foot dedication of a right of way or a 60-foot easement. Seconded and carried.

**HOLMAAS APPLICATION OF COMPREHENSIVE PLAN:**

This was continued from the meeting of January 26 so that the entire council could be present to vote on the issue.

Dennis Clarke had had a conflicting meeting with the Town of Stellacoom and thanked the council for delaying the hearing. He recapped what he had previously told the council but added that his client would agree that there would be no bulkheading if the apartments were allowed and it was annexed to the town. He would maintain a 45-foot setback from Vernhardson Street. He went on to read a letter from the Carneys, owners of the former Miller property across the creek, who approve of the prospective use of the property and of the annexation.

Councilwoman Bogue said she was somewhat uncomfortable with some of the uses in the W-2 zone.

**MARSHALL VAN OSTRUM:** 8104 Goodman Drive, N.W., said he owns three lots in the town adjacent to the park. He said he bought the property to maintain the natural beauty of the area. He said he and other east side residents will not see any further development like the Dobler apartments. He seriously objects to any such development as the six units also. If this area is annexed and developed he would apply for disannexation on a piecemeal basis.

Councilman Hanson felt the council was at a disadvantage with a still uncompleted comprehensive plan. He noted that it is all single family residential around the Holmaas property. He moved that the property be designated R-1 in its application to the comprehensive plan.

Councilwoman Bogue seconded. The motion was carried with 3 ayes, 1 abstention and one nay. The annexation hearing was then opened.

In behalf, Dennis Clarke said that the town is going to have to annex this property if they are going to annex any of the east side.

Robert Thorpe reiterated that the creek is a beautiful natural boundary. He pleaded for a bridge of understanding until both sides are ready to consider the whole picture.

Attorney Beecher said he had word to pass on from Attorney Johnson. "The sewer extension provides service to certain adjacent boundary and the effect of denying the annexation might prevent service to the proposed site. There is an outside chance this could involve some litigation—I don't know what form or nature it could take or the extent of any consequential damages, but it is something that the attorney should advise the council about in making any deliberations. What I'm saying is that the sewer service has been extended at least to the park and perhaps by denying the annexation you're in effect denying service to that parcel of land. It is perhaps implied by the town's policy of extending it as far as they did that service would be provided to all adjacent properties."

Dennis Clarke suggested a means of hooking up the Holmas property along the water side to the existing line near the park. Otherwise, the property owner would have to pay for extension of the line down Randall Road.

Councilman Hanson moved that the proposed parcel be annexed to the Town. Councilman Malich seconded. Councilman Hanson felt that the council's responsibility was the best interest of the town and this was in the best interest of the town. Councilwoman Bogue felt there are implications to the annexation of this one lot. There will likely be several requests for annexation after this and how do we handle them?

Councilwoman Melton felt that it was wrong of the council to ignore the recommendations of the Planning Commission and the planner. Also, as a single-family residential area this would be a considerably smaller tax base. It should have been zoned R-2 or W-2.

IRENE WIDNEY, 7815 Goodman Drive, said she realizes the town is under tremendous pressure and that they have no policies set down in black and white by which to make judgements. She asks that the town consider the overall ramifications of their actions.

The vote was taken. Councilman Ekberg abstained from voting—he had previously stated that he would vote on no more annexation issues until the comprehensive plan was finished. The vote was two ayes and two nays. This necessitated the vote of the mayor to break the tie. Mayor Bujacich said he felt that since the sewer and water are there they should be made available. He said he is opposed to the annexation at this time because he did not feel it was in the best interests of the town to annex the property as R-1. He voted no and said he hoped that the county sewer contract could be completed and signed promptly to enable Holmas to hook up to county sewers. Public hearing adjourned.

**WATER PENALTY ORDINANCE:** To next meeting.

Paul Pazooki will be contacted and asked to return the contract so that it can be turned over to some other engineer.

**DISPOSITION OF PROPERTY NOT YET CONNECTED TO SEWER:** Postponed.

**SHORE ACRES WATER CONTRACT:**

Councilman Hanson asked if we had replied to their January 26 proposal. This came in too late in the day and could not be taken care of at that night's meeting. Attorney Johnson will be contacted.


Councilman Hanson asked about the Army Engineers letter on the Tarabochia dock. The clerk had a copy of a letter that said the town must act on a Shoreline Management permit for the dock. The clerk will make copies of this letter for all council members.

Councilman Hanson went on to ask if the Olympic Village annexation request can be reconsidered at this time. Attorney Johnson will be contacted to see if the request is still legal.

Councilman Ekberg would like to see the town set up a policy on short platting. He thinks that copies should automatically be distributed to the planner, the engineer and the building inspector so that answers can be ready for the council and the applicant is not unnecessarily delayed.

Meeting adjourned at 11:45 p.m.

46  
Tape 46, Side 2 - All  
Tape 46, Side 1 - 0-296  
47

  
Mayer

  
Assistant Clerk

TOWN COUNCIL MEETING - February 23, 1976

The public hearing was called to order by Mayor Bujacich at 7:30 p.m. Present were Councilwoman Bogue, Councilmen Hanson and Ekberg, Attorney Johnson and Clerk Avery. Councilman Malich was ill and Councilwoman Melton arrived late.

**PUBLIC HEARING - HESTER REZONE REQUEST:**

Mayor Bujacich read a letter from the applicant asking for rescheduling of the hearing because he had a conflicting meeting. March 8 at 7:30 p.m. was set. Public hearing closed. Chapel Hill Church had been represented tonight and they asked to be notified of the rescheduling.

The regular meeting was called to order at 8 p.m.

**BILLS:** Approved upon motion and seconded. Carried.

**MINUTES:** These stood approved as posted.

**CORRESPONDENCE:**

1. Planning Commission recommendation on Glenn Behnke variance application.
2. Planning Commission recommendation on Ed Bunch variance application.
3. Camp Fire leader letter regarding proposed clean up project by the Bluebirds on 3/13.
4. Harbor Holidays committee request to allow buses to be parked alongside the Town Hall on the day of the celebration. They plan to locate all the booths along Harborview Drive. The council okayed the request and the clerk will write a letter.
5. Washington State Parks and Recreation letter. Councilwoman Bogue suggested that a copy of the letter be sent to Keith Lyle.
6. City of Homer, Alaska would like to purchase 16 copies each of the comprehensive plan and the zoning ordinance. Councilwoman Bogue suggested they be sent copies of the survey and the newspaper and that we keep the city of Homer advised as to the progress of the updating of the comprehensive plan. Mayor Bujacich said to send them a copy of the zoning ordinance and of the Shoreline Management Plan and quote them prices.

Regarding the Camp Fire and Bluebird cleanup, Chief Galloway said the streets are safer on Saturday morning or on Sunday. The town will pick up the filled plastic bags.

Public hearings were set as follows:

Behnke	7:30 p.m.	3/22/76
Bunch	7:45 p.m.	3/22/76

**SPECIAL GUESTS:**

John Holmas asked to be hooked up to water and sewer at his property by the park. Mayor Bujacich said that, regarding the county contract, Paul Pazooki has been working on it and will set a meeting date with the two county men, himself, and the mayor and will notify him some time next week. John Holmas said he is willing to accept any reasonable solution.

Councilman Hanson said he had felt the property should have had sewer and water service—that was why he had voted FOR annexation but that his opinion was to not serve any area outside the town. Councilman Ekberg also felt the town should not serve areas with water and sewer outside the boundary. Councilwoman Melton felt that we should wait for word from the county. Mayor Bujacich said we should have some answer in a couple of weeks.

Robert Dunn asked for consideration of his short plat. Clerk Avery read letters from Glen Sherwood and from Dr. Hruza. Glen's letter had suggestions regarding designation of street, location of the house, location of service, etc., and the new mylar drawing now furnished by Dunn complied with these suggestions. Dr. Hruza's letter suggested no additional dedication of roads, only a utilities easement written up and recorded.

Councilwoman Melton moved that the short plat be accepted if the utility easement is recorded and the house meets the specs in the building code and Glen's letter. This was seconded by Councilman Ekberg. Wayne Goodno said the sewer line is already in and cannot be built over. The new drawing covers this. Glen asked that the drawing state Soundview Drive, in parentheses after Wickersham. Motion carried.

**REPORTS:**

**Street & Water** - Jim Hibbs said he and Gary Tannahill will attend the DNR sale in Olympia on Wednesday; they will look for used trucks. A discussion followed on the repairs to Butler.

**Sewer Treatment** - Regarding the pressure washer, the council now authorized the call for bids. Gary explained that they had already published this to save a little time. The bids will be opened 3/8/76.

**Police** - Regarding the bid sheets on the new patrol car, they will be published to ask for both the 308 and the 350 (police package).

**Building Inspector** - Wayne Goodno had received an application for two fourplexes from Huber and Antilla. Included was the environmental impact worksheet. Councilman Ekberg moved that we respond to the question next meeting after we have had a chance to study the worksheet. Councilwoman Bogue seconded. There was some discussion with Councilwoman Melton feeling it was unfair to hold Mr. Antilla up since the worksheet was not very lengthy. The above motion was then carried.

**Attorney** - Dave Johnson said he had received a court order to pay \$2200 on retainage. If this is approved by everyone he will send it on. He went on to say that he had prepared letters to all property owners who have not yet completed their sewer hookup. He would like to have the mayor and council go over these letters before they are mailed. The council approved with the stipulation that the property owner is given five days to report to Wayne Goodno. He will then be allowed 20 days to actual completion of hookup. Regarding the rehearing of the Olympic Village annexation, he believes it is permissible. Also, he is



checking with Hogan's attorney to see if Hogan still wants to go ahead. We should at least re-publish notice. Councilman Hanson thanked him and said he wants to wait for the completion of the comprehensive plan and it can be handled in one meeting then.

Councilwoman Bogue asked attorney Johnson about Attorney Beecher's statement at the last meeting regarding the denying of sewer and water service to the Holmaas property. Attorney Beecher had stated that the town could be letting itself open to litigation. Attorney Johnson said that he disagrees with what was said and will go over the statement in detail.

Councilwoman Bogue reported on her meeting with the Big Toy representative. He suggested two smaller models of the Big Toy equipment. One, about \$500, could be totally dedicated in Jeff Smith's memory. He was to have furnished the models for tonight. It would take about two months to complete them.

SHORE ACRES WATER CONTRACT:

Mayor Bujacich felt their counter offer was not good. He felt they should either accept our last draft of the contract or renegotiate completely. The attorney will write and tender the last contract drafted by the town.

R-2 AMENDMENT - ORDINANCE #232 - 2nd Reading:

Motion by Councilwoman Bogue to accept, with second by Councilman Ekberg. Carried.

R-2 AMENDMENT - ORDINANCE #233 - 2nd Reading:

This was approved upon motion of Councilwoman Bogue, seconded by Councilman Ekberg. Carried.

W-1 AMENDMENT - ORDINANCE #234 - 2nd Reading:

This was approved upon motion that was seconded and carried.

WATER PENALTY ORDINANCE - 1st Reading:

Councilman Ekberg suggested an interest rate of 12% instead of the 8% suggested. Clerk Avery would like to see a one item charge. Also, a change from due to billing date. The RCW permits only an 8% charge on the sewer so Councilman Ekberg withdrew his suggestion. It will be a 10% delinquent charge and an 8% interest rate. They asked Attorney Johnson to check the RCW's to make sure it is appropriate.

SHORELINE MANAGEMENT PERMIT EXTENSION FOR THE TOWN PARK:

This is permit #73-003. Councilwoman Bogue moved that the Shoreline Management permit for the park at the foot of Rosedale be extended for 180 days. Councilman Hanson seconded. Carried.

COPY MACHINE: Clerk Avery explained that our old copy machine is no longer economically feasible to operate. The paper originally cost much less than it now does. He had quotes on leased machines as follows:

Royal	\$170 per month
Xerox	\$158 per month, based on 3300 copies.

Councilman Hanson suggested that the clerk get more proposals and he suggested he contact IBM.

OTHER BUSINESS:

Councilman Hanson would like copies of pertinent material placed in the council's mailboxes as soon as it comes in. He would like copies of the minutes sent to the attorney.

Councilman Ekberg asked if the town can take steps to take the Harbor Heights park back into town ownership.

Councilwoman Bogue asked if the Cedars Apartments could please shade their lighted sign better. It glares in driver's eyes. Wayne will talk to the manager.

Concerning the Planning Commission survey, Mayor Bujacich said that Dr. Hruza's college class will collate it. Kas Peterson had asked that surveys be made available to those that live outside the town. They will be labeled non-resident and counted separately.

Meeting adjourned at 9:45 p.m.

Tape <sup>47</sup>~~46~~ - Side 1, 296-1004

  
Mayor

  
Assistant Clerk

REGULAR TOWN COUNCIL MEETING, MARCH 8, 1976

PUBLIC HEARING - HESTER REZONE REQUEST: Mayor Bujacich called the public hearing to order at 7:30 p.m. Present were Councilwoman Bogue, Councilmen Ekberg and Malich, Attorney Johnson and Clerk Avery. The mayor read the notice of public hearing and pointed out the property on the map. Clerk Avery read the letter of recommendation from the Planning Commission.

In favor were MONTE HESTER, applicant, who said he had originally applied for R-3 zoning but at the first meeting the Planning Commission did not feel that R-3 was the proper zone and could be a precedent-setter. They felt that R-2 was more suitable and he amended his application. About 1/8th of the property falls in the General use zone. It sits on a hillside and would be developed toward the middle of the property. He had furnished plans on a storm drainage system recommended by Pazooki and McMensin that would collect storm water run off and store it to

release it slowly. It would be a medium rent complex. Traffic would not be generated through the town because there is an easy access to the freeway from 46th Avenue. Regarding the availability of water, this would be on the high level system and the solution is to use water from Harbor Pump. They have sufficient supply but Hester would agree to connect to town water when it is available. The area is in some ways non-residential with the telephone company, Harbor Pump and the Presbyterian Church nearby. He would leave all the natural growth possible. He did not feel it is desirable for R-1 use.

Councilwoman Bogue said she had visited the site and noticed it is well advertised with "For Sale" signs. She asked Mr. Hester if he now owns it. Mr. Hester said he did not feel this was an appropriate question but answered that he does have the property.

JOHN NICHOLS, of Chapel Hill Church, was concerned about relevancy of the proposed changes. The church is mostly interested that it improves and not deteriorates the property.

TOM MORFEE of Shore Acres asked about Town policy. Did the fact that he does not live in the town limits prohibit him from presenting his views? Mayor Bujacich said he felt that if the question concerns property wholly within the town then he discourages input from outsiders, but if it is town and county business, yes, he will encourage the input.

Councilwoman Bogue asked Dr. Hruza how he felt about it. He said he had told the Planning Commission that this could establish precedent and the commission felt that since this was located near commercial development that this would be an appropriate buffer use and in addition they expressed the opinion that R-2 could be an appropriate category over a much larger area on that side of the highway.

Councilman Ekberg moved to table action until the next meeting, to allow further study and to allow those not here to give their input. Councilman Malich seconded. Carried. The public hearing will be continued to March 22 at 8 p.m. Public hearing closed.

The regular meeting was called to order with the opening of the bids.

BIDS ON PRESSURE WASHER:

Only one bid was received. Zep Manufacturing Company bid \$2530.26. This figure does not include the trailer that Tarnahill mentioned. The washer will be paid for with excess funds from the Sewer Construction Fund. Councilman Malich moved that the bid be accepted. Seconded by Councilman Ekberg. Carried.

BILLS:

Councilman Ekberg moved that we accept the bills with the stipulation that the town sells the red pickup, the green utility truck and the backhoe at the next auction. Councilman Malich seconded. Carried.

MINUTES:

The minutes stood approved as posted.

CORRESPONDENCE:

1. PAC letter requesting Town's intent on providing water and sewer to the Huber/Antilla site.
2. Planning Commission letter on the Burg short plat.
3. Planning Commission letter on the Hemley variance request. Public hearing set for April 12 at 7:30 p.m.
4. Planning Commission recommendation on Gig Harbor Texaco variance request. Public hearing set for April 12 at 7:45 p.m.
5. Planning Commission letter on Marion Stancic request for 2-unit apartment. April 12 at 8 p.m.
6. Pierce County Fire Marshal's inspection on Gig Harbor Lanes. The building inspector said that Uddenberg has applied for a permit to accomplish the job but the work has not yet been done.

SHORE ACRES WATER CONTRACT:

Attorney Alling said he had discussed the proposed contract with the Shore Acres Company. They agree to the 25% on the basic fee and 25% on the excess fee. They would like two changes in the contract. They want the area of service to exclude a small area. Also, they would like to eliminate the five-year clause—they feel that it is a built-in clause for litigation. Since the town is acting as a public utility they cannot refuse service to Shore Acres. They would like a continuing contract based upon the same terms—one that would not have to be renegotiated every five years—simply that they would pay the 25% additional. Mayor Bujacich said he would not support the straight 25% clause. This would be tying future councils up to the 25% maximum and they might want to raise the out of town rate to 50%. Councilman Ekberg moved to table the approval to the next council meeting. Attorney Alling will bring the contract back then.

BURG SHORT PLAT:

There was a question of appearance of fairness. Councilman Malich felt that he should not vote on this issue because Purdy Realty is involved in the approval of this plat and they employ him to manage the apartments where he lives. Attorney Johnson said it was probably better that he not vote on it.

Dr. Hruza was present and explained the letter that he had written. He said that there are



now four homes using the driveway as an access. If the Burg's build another that will be five and the Huber/Antilla four-plax will add four more. He had questions concerning the easement of record. Would it be wide enough for emergency use? Mrs. Burg said the driveway is their own property--not an easement. There are no utilities in the area at the present time. Mrs. Burg said that Proc Peacock has worked on a proposal for a sewer line. She was told that the line must be engineered and the mayor asked Glen to work on it.

Glen Stenbak of the Fire Department spoke on the difficulty of fire protection in that area where so many buildings are being developed in such a small area. There is not much fire flow down inside the area, and the accesses continue to be a severe problem.

The council wished to table the discussion. Councilman Ekberg said he would like the easements pointed out.

**REPORTS:**

Street & Water - Jim Hibbs said they have been working on Wheeler Street. He feels that the problem arose because of the use of the well points in the area.

There were no reports from Sewer Treatment, the police or the Building Inspector.

Attorney - He said he talked with the county on release of interest in the park. He will prepare a quit claim deed. Regarding the interest rates on water bills he found no authority. The clerk said he did check with Paul Flint. The upper limit is 12% but that 10% is usually used for simplicity. Attorney Johnson said he did not get to review the passage in the minutes that Councilwoman Bogue brought up but he will do so. Regarding the hookup letters, no one has requested additional time. By the next meeting he will take care of the next step.

Engineer - Glen had plans showing the proposed location of the sidewalks. Would like the council to look them over and give their approval or disapproval by next week. He will then finalize the plans by next meeting.

**BIG TOY PLAYGROUND EQUIPMENT:**

The models are here and Councilwoman Bogue said the big model runs about \$1500 and the small one, \$500. She would like Mrs. Smith's approval of the model and the location. Clerk Avery was asked to write to her. Councilwoman Bogue also said she had a call from the Methodist Church and they would like to help get a basketball practice area set up in the park.

**HUBER/ANTILIA environmental worksheet;**

Councilwoman Bogue moved that it does not constitute a major environmental impact. Councilman Ekberg seconded. Carried. The Building Inspector was ordered to issue the permit.

**WATER PENALTY ORDINANCE - #235 - Second Reading:**

A penalty of 10% and interest of 8% was instituted and motion was made by Councilman Ekberg for its acceptance and seconded by Councilwoman Bogue. Carried.

**SEWER PENALTY ORDINANCE - #236 - Second Reading:**

This was approved upon motion of Councilman Ekberg with second by Councilman Malich. Carried.

**PAC LETTER:**

Councilman Ekberg wished a letter written to the Peninsula Advisory Committee that we do not service areas outside the town with sewer and water.

Mayor Bujacich brought up a problem with motorcycles ridden by children in his neighborhood. He asked Attorney Johnson to look into the RCW's for an answer to the problem.

Councilman Malich registered a complaint about dogs. Mrs. Sharpe, in his neighborhood, would like the town to institute a leash law. We cannot impound dogs as we have no facilities and Mrs. Sharpe should be advised that the complainant can file charges against the owner of the dog.

Meeting adjourned at 9:45 p.m.

*Tape #1, Side 1, 1066-ENO  
+ Side 2 - D-475*

  
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Mayor

  
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Assistant Clerk

REGULAR COUNCIL MEETING - MARCH 22, 1976

The first public hearing was called to order at 7:30 p.m. by Mayor Bujacich. Present were Councilwomen Bogue and Melton, Councilmen Malich, Hanson and Ekberg, Attorney Johnson and Clerk Avery.

**PUBLIC HEARING - BEHNKE VARIANCE REQUEST:**

The public notice was read and the Clerk read the letter of recommendation from the Planning Commission. There was no indication in any of the material just how much of a variance is requested and no idea of how much it might decrease the setback. Wayne Goodno judged the distance at about 15 feet, measured from the water box. There were no voices in favor or in opposition and Councilwoman Bogue opposed granting the variance when no specific distance is given. Councilman Ekberg moved to table the action to the next meeting. Councilwoman Bogue

Seconded. Carried. Public hearing closed.

PUBLIC HEARING - BUNCH VARIANCE REQUEST:

The notice was read and the site pointed out. The Planning Commission recommendation was read by Clerk Avery. There were no voices in opposition.

Ed Bunch was present and said he would answer any questions. Clarence Carroll, on the other corner of Benson Street, saw no reason why the variance should not be granted. Councilwoman Bogue moved that the variance be granted. Councilman Malich seconded. Carried. Hearing closed.

The regular meeting was called to order at 8:00 p.m with the opening of the bids.

BID OPENING - POLICE CAR:

Only one bid was received, that of Boyles Chevrolet: \$4397.00  
sst 219.85  
\$4616.85

The bid for the 1976 Nova had a 350 cu.inch engine and there was a choice of engines on the police package.

McCallum Ford of Spokane offered to sell a vehicle at the same price they sell to the Sheriff's Department.

Mayor Bujacich suggested that it be tabled to the next meeting to let the Chief look over the bid for completeness as to advertised specifications. The council agreed.

PUBLIC HEARING - HESTER REZONE:

In behalf, Mone Hester commented for the benefit of the members of the council who were not present at the last hearing. He told of the plans for storm runoff, traffic flow and water availability from Harbor Pump. The mayor called for voices in opposition:

MARY MARSHALL, who lives off 46th Avenue in the county, wanted to know the exact location. She then said she was opposed to the development.

HORACE RAWLS said he was opposed. He found the area eminently suited for single family use. He was opposed to more traffic and would like it to remain single family.

SHIRLEY WHITLEY - 46th Avenue - asked about the water table. She was afraid that granting this multi-family would proliferate more apartments and may put the water source in danger. She went on to ask if the approved design must be followed and asked if changes could be made in their plan after the plans are approved. The mayor assured her that the ordinance controls the density. Councilman Ekberg told her that only the land use is under consideration tonight. The site plans must be approved at a later date.

JIM MARSHALL - 46th Avenue - told the council that 46th Avenue is a main feeder to the free-way approach and 46th would become a deadly street with the increased traffic produced by more apartments.

Councilman Hanson found inconclusive reasoning in rezoning, regarding the balance of land use in the town. He felt there was already a substantial amount of unused multi-family land zoned in the town. Councilman Ekberg said he agreed and felt that approval of this rezone could open a gigantic area. We already have enough property zoned multi-family and approval of this rezone could damage the entire area. Councilman Malich moved that we disapprove this request for rezoning to R-2. Councilman Ekberg seconded. Carried with Councilwoman Melton voting no. Hearing closed.

The bills were approved upon motion of Councilman Ekberg, seconded by Councilman Hanson. Carried.

The minutes were approved as posted except that Councilwoman Bogue asked that the tape be checked concerning her question to Attorney Hester. She felt it was important to know if he owned the property or was asking for rezone for merely speculative reasons. Mrs. Bogue said "I looked over the property and noticed it was dotted with 'for sale' signs. This indicates to me that you do not own the property or that you have it for sale?" Mr. Hester's answer was, as previously written in the minutes, that he does have the property.

CORRESPONDENCE:

1. Earl Fraychineaud wrote, as advised by Clerk Avery, to ask about buying the property behind his house which lies alongside the Sewer Treatment Plant. Gary Tannahill pointed out the location and told the council that a 14-foot deep gully separates the property from that of the plant. Councilwoman Bogue said she would like to look it over and asked that the decision be postponed to next meeting.

REPORTS:

Street and Water - Jim Hibbs said the fence behind the park needs repair. He will check on prices. He sent on to say that, in accordance with state policy, he will put decals on all town equipment. He got a price of \$5 to \$6 per decal and was authorized to order 30 of them. Councilwoman Bogue asked Jim to look into extending the fencing along the road to the area where the Big Toy apparatus will be placed. Small children will be playing there.

00000  
Councilman Malich asked what happened to the water last week. Jim answered that a check valve apparently stuck open,

Sewer Treatment - Gary Tannahill got a proposal from Chemethon to replace the pump on pump station #6. He said the problem will be taken care of. He went on to say that they have had their first yearly inspection from the Department of Ecology of the Treatment Plant.

Councilman Hanson asked Jim the status of repairing the bad places on Peacock and up on Woodworth. Jim answered that they are repairing them as they get to them and they will patch properly in better weather.'

Councilman Hanson asked Glen Sherwood what is the status of street striping and putting more shoulders on the asphalt streets. Glen said the striping program is in the hands of the federal agency for approval. Councilman Hanson said he would like to see the legwork done as far as the shoulders go and Glen will get bids on Harborview.

Inspector - Wayne Goodno presented the list of 18 property owners not yet hookup up to the sewer. Of these, Mrs. Raymond Frank has purchased her permit and is waiting for Hemley. Parametrix and Markovich will work together on that stub. Roy Jones, in the audience, told the council that he had a great many problems with his sewer hookup but he thinks he has a solution. That is to hook up to the Huber/Antilla fourplex line when it is completed. They have not yet designed the line nor submitted it to our engineers but they have been directed to contact Parametrix. Councilman Ekberg moved that Mr. Jones be granted a 30-day extension because of his particular circumstances. Councilwoman Bogue seconded. Carried. Mr. Jones is to report back in 30 days.

Attorney Johnson had had a letter from Mr. Stein's attorney that indicated that Mr. Stein would also be present tonight but he was not here.

Councilman Ekberg moved that the balance be turned over to Attorney Johnson for prosecution. Seconded and carried.

Attorney - Regarding the Harbor Heights park, the attorney has prepared the deed and it is in the hands of the county who will write a resolution. Regarding the statement in the minutes of February 9 by Attorney Beecher, Attorney Johnson felt his statement was not worth worrying about. It was not his intent. Councilwoman Bogue said she would like him to write a letter to the town to this effect.

Engineer - Glen Sherwood asked the council if they had looked over the sidewalk plans that he left. Councilman Ekberg said he did not approve of the open ditches and felt they should be covered as much as possible. He urged that the job should be done right. No all the council has looked at the plans. As soon as he has approval from the council he will take them to the school for the principal's approval. He wants the council's comments before he makes the cost estimates.

BIG TOYS: Mrs. Smith has not yet approved the model. Councilwoman Bogue moved that the large model be purchased for the lower area. Councilman Ekberg seconded. Carried. Mrs. Bogue will take care of it.

Mayor Bujacich asked that Allan Bucholz come back and report to the council regarding the plans for the Town Hall.

Regarding the county sewer contract, Paul Pazooki was supposed to be here tonight with a report for the council. The mayor will contact him tomorrow.

BURG SHORT PLAT:

Mrs. Burg had dropped off the recorded easements last week. Glen Sherwood said the title company has not yet returned the title report.

Mrs. Burg said that Thornton had prepared a sketch of the proposed location of the house on the lot and she presented the sketch.

The Huber/Antilla fourplex will use the existing 21 foot driveway for access to their building although they would have a 30-foot easement of their own but they wish to avoid cutting trees unnecessarily. It was determined that the short plat ordinance does call for a 30 foot road or easement to serve the plat.

PEGGY OZORT, in the audience, said she was very concerned about the congestion existing in the area because this same 21-foot road gives access to the lower part of her property as well as to the Babich property. She said that over half of her property has yet to be developed and she would like to short plat some day but would like to do it right.

Councilman Ekberg asked if the original house would not be in violation of the ordinance. It was determined that if you short plat you do divide the property so one of the Burg's parcels would be served by an easement. Councilman Ekberg did not want to agree to a short plat without proper access or proper setbacks for the proposed dwelling. He asked the petitioners if they can work out compliance with our ordinance. He moved that action be

postponed to allow the Burgs to work out this compliance. Councilman Hanson seconded. Motion carried with Councilman Malich abstaining.

CABLE-TV RATE INCREASE:

Mr. Irwin, president of Cable-TV, explained that, although the lines have not yet been installed in the town, all preparations are made including the mapping and design work. They plan to build this year but have run a bit short of money. Probably the first phase of the work will be complete by July first. There will be some changes in the service--some channels were added from Canadian stations.

Regarding the rate increase, rates are based on service provided. Now there are late night Canadian stations. They are, however, showing only a 1.3% return on their investment, and they wish to expand the service to more outlying areas. They already sent letters to their subscribers explaining the rate increase, from \$6 to \$7.45 per month, and they got very few cancellations--instead subscribers asked when they can expect to receive pay TV. Anyway, a public hearing is required and the council decided on April 26 at 7:30 p.m.

STREET VACATION REQUESTED:

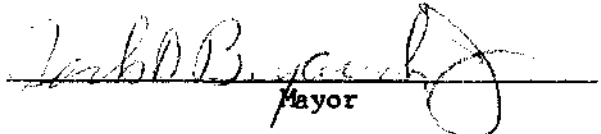
Calvin Hanson, 9508 N. Harborview Drive, asked the council to vacate a portion of Rust Street which he now uses for a driveway. He would like to build a garage and this would allow no setback at all from the street. Attorney Johnson will check on the possibility that the RCW's allow no vacation of streets. Also, Wayne Goodno was asked to check into the possibility of a variance for Mr. Hanson.

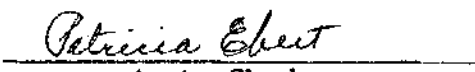
Councilman Hanson brought up the Shore Acres Water Contract. The contract was due to be completed tonight but Attorney Alling was not present. Attorney Johnson will contact him.

Councilwoman Bogue said that signs are proliferating again at the corner of Grandview and Pioneer. This will be taken care of. Councilwoman Bogue went on to ask that Dr. Hruza be contacted regarding the rewriting of the portion of the sign ordinance that pertains to highway direction signs.

Meeting adjourned at 10:15 p.m.

Tape 47, Side 2, 475 to End and Tape 48, Side 1, 0-79

  
Mayor

  
Asst. Clerk

REGULAR TOWN COUNCIL MEETING - APRIL 12, 1976

The first public hearing was called to order by Mayor Bujacich at 7:30 p.m. Present were Councilwomen Bogue and Melton, Councilmen Malich, Hanson and Ekberg, Attorney Johnson and Clerk Avery.

PUBLIC HEARING - HEMLEY VARIANCE REQUEST:

The Hemley Septic Tank Company had requested a height variance of two feet on a pre-fab building they plan to erect on land now occupied by the former Pete's Machine Shop. The mayor read the notice of public hearing and the favorable recommendation from the Planning Commission. There were no voices in favor or opposition. Councilwoman Bogue felt it should come under the site-plan review requirements of the B-1/B-2 amendment. Regarding the height regulations in the code, height is referred to only so far as houses are concerned. Is this something we should look into? Councilman Ekberg noted this for future reference. Mayor Bujacich said there are other points that should be taken into consideration and perhaps next Monday night, April 19, the Planning Commission, Dr. Hruza, and the council could hold their joint session. It was agreed that the meeting should take place at 7:30 p.m. Regarding the above variance, Councilman Ekberg moved that a two-foot variance in height be approved. Councilman Malich seconded. Carried. Hearing closed.

PUBLIC HEARING - STONE VARIANCE REQUEST:

The mayor read the notice and the favorable recommendation of the Planning Commission. The original request, although not the public notice, asked that one island be changed to self-service. No one appeared in favor or in opposition. Councilman Ekberg moved that the variance be approved as designated--that one island may be changed to self-service. Councilman Hanson seconded. Carried. Hearing closed.

The regular meeting was called to order at 8 p.m. and then recessed for the Stancic hearing.

TRANSITIONAL USE PERMIT OF MARION STANCIC:

Mr. Stancic had requested permission to add a duplex to his existing tri-plex. The notice was read and the recommendation of the Planning Commission. Councilman Hanson disqualified himself and left the table. There were no voices in favor or opposition. It was felt that transitional use did not fit at all because the property does not abut or lie across the street from any other uses. The Planning Commission, too, had felt that this request did not fit and had suggested conditional use for the request. Councilwoman Bogue asked if there was sufficient square footage to build the duplex to stand alone. Wayne Goodno did not know how much land was originally allotted to the triplex. Mr. Stancic assured the council that there was sufficient square footage for both. There was other discussion and then Councilman Ekberg moved that the permit be denied, in keeping with the fact that it is R-1 property and the permit is not within the R-1 intent. Councilwoman Bogue seconded. Carried.

Hearing closed and regular meeting resumed.

**BILLS:** There were questions concerning the bills. Councilman Ekberg wanted to know if it was the policy to allow collect calls. In question was a call from Reno, Nevada, on March 2. This proved to be the Mayor's credit card call. Councilwoman Bogue asked about the 1968 reference on the warrant to Fred Hildebrand. Mayor Bujacich answered that it was a pro-rated share on the Hildebrand line that was due him. She also questioned the Donworth Taylor bill. This deals with the union contract with the police department. Mayor Bujacich said it is signed and sealed. A motion was then made by Councilwoman Bogue to accept the bills. Seconded and carried.

**MINUTES:** As there were no corrections or additions the minutes stood approved as posted.

**CORRESPONDENCE:**

1. Planning Commission request for a joint study session. This was previously set for April 19 at 7:30 p.m.
2. Planning Commission recommendation on George Ancich public hearing. The hearing was set for May 10 at 7:30 p.m.
3. Pierce County Fire Marshal's inspection at the Cedars Apartments. Automobiles are being parked on the road into the complex and these are to be removed as well as a fire lane is to be installed immediately.

**SPECIAL GUESTS:**

Denton Andrews, representing Mr. and Mrs. Stein, presented their problems attendant to hooking up to the sewer. He showed a sketch of the area. The problem lies in tearing up their concrete slab and the expense of installing a pump. The only alternative is to run a line around the house. The cost had been estimated at \$1050, and the Steins are retired and living on a fixed income. Since it is quite an expense, they are asking for a six month extension. Either that or a variance that would permit them to wait until the line extends further down the hill thus allowing them to hook up with gravity flow.

Councilman Ekberg asked Attorney Andrews what a further six month extension could do that the last six months could not. It would give them additional time to find financing and Andrews went on to say that the Steins were told by Clerk Avery that if they would just pay off the assessment they would not have to hook up now. Clerk Avery said this was not true; he has never made such a statement to any one. Mayor Bujacich said he could not believe that Mr. Avery would say that. It is the law that everyone within 200 feet must hook up and besides there are many people on a fixed income that paid both the assessment and the hook up fees.

Glen Sherwood said, regarding the extension of the sewer on down the hill, this would not be possible with gravity flow and extension of the line would necessitate another pump station down there. This would not be feasible since it would mean serving only one more hook up. There are no plans to extend the line farther down the hill.

Councilman Hanson moved that the Steins be granted a 60-day extension, providing the hookup is completed within the required 60 days from today. Councilwoman Melton seconded. Attorney Johnson said that if we have their assurance they will proceed he would not proceed with the lawsuit. The mayor declared a recess while the attorney conferred with his clients.

Attorney Andrews said his clients will be willing to make every effort to connect within sixty days. Since there will be many shrubs that need to be moved and the ground is very wet at this time it was felt that June would be a much better month for moving shrubbery. Motion carried.

David Skrivanich asked for the town to extend water to Lot 13 on Chinook Avenue. Mayor Bujacich said that extension of lines is up to the property owner.

**REPORTS:**

**Street & Water** - Jim Hibbs said that Harbor Pump has offered to buy some of the hold town equipment and material that is no longer needed. He had gone over the list with Sherwood and it cannot be used anywhere. It was determined that the material must be offered for bid and Councilman Malich moved that it be so advertised. Seconded and carried.

Jim went on to ask the council's opinion on the fencing of the park. He had prices and had asked for bids in sections. He said that \$400 could be saved if the town does the work. Councilwoman Bogue moved that the 130-foot and the 200-foot sections for the problem areas be purchased. Seconded and carried.

**Sewer Treatment Plant** - Gary Tannahill said that three dehumidifiers have been installed in the pumping stations.

**Police** - Chief Galloway had another bid to add to the previous list. It is a state bid for a Dodge Dart. This would be his recommendation since it uses leaded gas. Mayor Bujacich felt we should table the purchase of another vehicle in view of the big repair bill just paid on the Plymouth. Galloway said he would willingly keep the fixed-up car and would get rid of the Nova. He said it is underpowered and has trouble on the hills. There is only 18,000 miles on the Nova, however, and Councilman Ekberg moved that we reject all bids. Seconded and carried.

**Attorney** - Furnished copies of the current material on street vacation. He has also been working on previously-discussed slide areas and will bring all the information he can find on

this to the next meeting.

Engineer - Glen asked the council their opinions on the sidewalks proposal. Councilman Ekberg suggested establishing priorities. Councilwoman Bogue asked if a short sidewalk can be put in on the west side of Stinson from the apartment complexes to Grandview. She had been told by Kae Paterson of the danger from children crossing that busy street from the Cedars Apartments. The school crosswalk was discussed. The engineers felt it was placed in the safest place but Glen said he will contact Gary Williamson. He will make rough estimates and return the plans to the council next meeting.

Concerning the overlay of Harborview Drive, the plans are basically complete. We can call for bids and they can be opened at the second meeting in May. He went on to say that no word has been received from the federal review group on the striping program.

Mayor Bujacich told Glen that he was concerned about the sewer hookups in the R-2 area at the lower part of Soundview Drive. There are no sewer lines within the area and there are only easements which are not wide enough for sewer construction equipment. The first building to be completed, Ron Ray's triplex, has a sewer stub but none of the rest of the multi-family construction has access to the sewer, nor has the residences of the Burgs, the Peter Babiches, and the Jones. The mayor felt the town should control the manholes and the lines. Councilman Hanson moved that a letter be written to each property owner that the lines are to be brought up to town specifications and approved by the town prior to acceptance. The motion was seconded and carried. There is no need to LID—just pro-rated per living unit. The attorney and Glen will get together to write the letters. Councilman Hanson specified that the letters be multi-addressed in such a way that each property owner knows who else got the letter.

COMMITTEE REPORTS:

The Big Toys arrive next week. Regarding the basketball practice courts and additional tennis court in the park, Councilwoman Bogue would like a committee to lay out the area prior to the installation of the Big Toys. Councilman Ekberg was appointed. The Rosedale Street park bulkhead was nearly completed last week. The contractor, Hemley, reported that the tides were right and the work was done at that time because he had some free time. The project was completed other than the steps. The cost is \$2300 plus tax and will be paid for out of special funds.

Allan Bucholz was not present with the Town Hall plans. He had received bids on everything but the Borgen bid. Paul Pazooki had promised to be here tonight. Mayor Bujacich was very concerned because it looks like present sewer rates cannot carry the system. He will contact Pazooki tomorrow.

TREATMENT PLANT PROPERTY:

The council felt that they were not ready to make a decision. The property would have to be declared surplus and put up for bid anyway. This was tabled for further study.

BEHNKE VARIANCE HEARING, continued:

Councilman Ekberg had spoken with the man who would do the work for Behnke. He felt the variance could be granted with the proper wording even though the owner is not available with the correct dimension. He felt that it could be stipulated that the carport be constructed only over the existing concrete slab. He said he has no objection to the variance at all but did not like the fact that the footage was not labeled. The hearing was continued.

SHORE ACRES WATER CONTRACT:

Mayor Bujacich said a copy was sent to the town with the signatures of those responsible. He refused to sign it because they had failed to eliminate the clause pertaining to limiting the rate to 125%. He asked our attorney to draw up a contract that he would find agreeable.

There was a great deal of discussion. Motions to change the agreement were: Councilman Hanson moved that "agreement as drafted on March 10, 1976," be changed to terminate in 1978; change from 5-year period and add terms of two-year periods to Section 8 and the second paragraph be deleted and that the revised agreement be drafted and submitted to Shore Acres Water Company for their approval. Councilman Ekberg seconded. Councilwoman Bogue suggested adding "or the seller" have the 180-day option. Councilwoman Melton amended this to read purchaser and/or seller. Councilman Malich seconded. Councilwoman Bogue asked "purchaser or seller" corrected to read "purchaser or town." When the time came to vote the issue was clarified. Councilman Hanson said his motion was to have the agreement drafted and submitted to Shore Acres Water Company for signature. The amendment by Councilwoman Melton, clarified by Councilwoman Bogue, was carried. The original motion then carried.

ENVIRONMENTAL IMPACT WORKSHEET - HILDEBRAND:

Councilwoman Bogue suggested that Hildebrand be provided with a copy of the updated B-1/B-2 ordinance. Councilman Ekberg moved that the council feels this action has no significant environmental impact and the application should be processed. Seconded and carried with a no vote by Councilman Malich.

DAVID SKRIVANICH ENVIRONMENTAL IMPACT WORKSHEET:

Councilman Ekberg felt that he was not prepared to take any action on this tonight since he had not received it in time to study it. He moved that it be tabled for proper consideration.



Seconded by Councilwoman Melton. Carried with Councilman Hanson abstaining. Councilman Ekberg felt that it should be made clear to prospective petitioners that their material must be in the office by the Thursday prior to the council meeting.

Councilman Hanson questioned the material from the King County Council addressed to Pat Gallagher. Are we going to do anything about it? Mayor Bujacich said the issue is cloudy and confusing. He did not know if we should get concerned with the council of governments.

Councilman Ekberg asked the status of Harbor Heights Park. Was there any action taken on the county resultion? Attorney Johnson will find out.

Regarding the inspection at the Cedars Apartments, their parking plan was not aligned with the site plans. Councilman Ekberg would like the attorney to check to see if they have violated the ordinance and if they have what penalty the town could assess.

Councilwoman Bogue asked if Dr. Hruza has been contacted regarding the follow-up signs for the highway department. She asked that he be contacted prior to the Monday night study session.

G.O. BOND INTEREST: Clerk Avery said that in February 1975 we sold the General Obligation bond issue. We have had to pay off the interest out of other funds and now that we are recovering the money through taxes it is suggested that we pass an ordinance to this effect. This is considered the first reading.

VACATION OF STREET: The street can be vacated only for public purpose. The attorney cited cases of what public purpose constitutes. The attorney suggested that the council take time to review the information he provided. The decision is tabled to the next meeting.

Meeting adjourned at 11 p.m.

Tape #48, Side 1, 82-End  
Side 2, 0-29

  
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Mayor

  
\_\_\_\_\_  
Assistant Clerk

REGULAR TOWN COUNCIL MEETING - APRIL 26, 1976

The public hearing was called to order by Mayor Bujacich at 7:30 p.m. Present were Councilwomen Bogue and Melton, Councilmen Malich, Ekberg and Hanson, Attorney Johnson and Clerk Avery.

CABLE-TV RATE INCREASE REQUEST:

It had been published in the newspaper and no one was present in opposition to the request. Mr. Irwin explained that the present rate is \$6.00 here and they request an increase to \$7.45. Only Gig Harbor, Puyallup and Steilacoom have not been raised to the \$7.45 rate. As of last week they had only 95 subscribers cancel because of the rate increase--only about 1% disconnects. Councilman Ekberg moved that the rate increase be approved. Councilman Hanson seconded. Carried with three ayes and Councilman Malich voting no. Public hearing closed at 7:40 p.m.

The regular meeting was called to order at 8 p.m. with the opening of bids for surplus town property. Only one bid was received.

Harbor Pump and Drilling: \$1480.00

This approximates the price discussed with Glen Sherwood. Jim Hibbs assured the council that the town no longer has any use for the property. Councilman Hanson moved that the bid be accepted. Councilman Ekberg seconded. Carried.

BILLS: The bills were approved upon motion of Councilman Ekberg, seconded by Councilman Malich. Carried.

MINUTES: Approved as posted.

CORRESPONDENCE:

1. Col. Robert Angster, chairman of the Bi-Centennial Commission, asking that flags be flown, signs placed, etc. Referred to committee reports.
2. David Morris, Purdy Realty, asking for water service to land behind Willock property. To new business.
3. Pierce County Fire Marshal recommendation on enlarging of the complex. To old business.

SPECIAL GUESTS:

Dave Bishop of the Health Department, gave a brief overview of the services offered by the Tacoma, Pierce County Health Department. Several speakers gave resumes of the specific services offered and distributed pamphlets. They are asking for \$1.25 per capita. In the past they had requested participation from the town at \$1.00 per capita but Mayor Bujacich said he would like to be informed what the town could be provided for the fee. Now they are calling on all the town councils in the area and told the council that most towns do now subscribe.

ENVIRONMENTAL WORKSHEETS:



Wayne had reviewed the applications and recommended that both be accepted as proposed.

SHULICH - Councilman Hanson moved that the environmental impact worksheet be accepted stating that there is no significant environmental impact and recommending that the application be processed. Councilman Malich seconded. Carried.

SKRIVANICH - Councilman Hanson disqualified himself. Wayne said this one has even less environmental impact than the Shulich fourplex. Councilman Ekberg moved that the town accept the worksheet. There is no significant environmental impact and he moved that the application be processed. Councilwoman Bogue seconded. Carried.

#### REPORTS:

Street and Water - Jim said all the fences have been installed at the park. The Big Toys have arrived and they are working on them.

Sewer Treatment Plant - They have had pump trouble but Pacific Pumping will take care of the problem.

Building Inspector - Mayor Bujacich brought up the Fire Marshal's letter concerning the Cedars Apartments. It is not understood how the owners felt they could build two more units until the water supply is more plentiful but they had applied to Pierce County for the building permit, were referred to the Fire Marshal's office, and thence back here. Although the parking problem is being solved to some extent Councilman Ekberg felt the parking is still in violation of the ordinance. He moved that they either get a variance on the parking situation; that is, the site plans we approved, or remain in non-conformity with the ordinance. "I think we should direct the attorney to check into this. Since they are in violation we should notify them of the regulations we have concerning penalties." The attorney will write them a letter informing them of the infractions.

Attorney - Told Councilwoman Bogue that he had submitted the letter on the Holmaas situation. Regarding the selling of real or personal property it can be done with a resolution to declare the property surplus. The quit claim deed on the park has come through from the Prosecutor's office.

Engineer - Paul Pazooki was present at Mayor Bujacich's request. He had prepared an advisory letter and proposed three alternatives regarding the sewer system:

1. The town extend the lines and service the area. The town would own and operate the line and have no agreement with Pierce County. This is the most desirable alternative. The mayor felt it was not feasible because it would require approval of the Boundary Review Board to extend the ULID and they are not likely to give such approval being under the control of the commissioner's office.

2. Rent capacity to county. This would be undesirable only because the town needs the money now.

3. Sell capacity right to county. This would be the least desirable method since the county could end up owning a major portion of the treatment plant.

A joint meeting will be held on May 17 at 7:30 p.m. Also the council would like a study session for the council only and this will be held on May 10 at 6:30 p.m. Councilman Malich would like the opinion of Dr. Hruza and he will be asked to attend the meeting on May 17.

#### COMMITTEE REPORTS:

Councilman Ekberg had attended the Bi-Centennial meeting referred to in Colonel Angster's letter. The council should approve the Bi-Centennial flag and the posting of small metal signs. All the requests were agreed to except the changing of the town's letterhead.

Regarding the proposed flag pole at the new Rosedale park, it was agreed that it should be submitted to Allan Bucholz for approval. The Rotary Club proposes a pole of "substantial size" but it was felt that a pole of smaller dimensions would blend in better with the small size of our park. Mayor Bujacich asked that a letter be written to them by their Wednesday morning meeting.

Additional courts at town park: Plans were drawn by Roy Anderson. This includes a basketball practice court, two four-square courts, space for the Big Toy and space for a second tennis court. Jim Hibbs was asked to get figures on asphalt paving of the basketball and four-square courts.

No bids have been submitted yet on the Town Hall. Mayor Bujacich will get a letter to Allan Bucholz.

#### GLENN BEHNKE VARIANCE REQUEST - continued:

Mr. Behnke was present. He said the carport concrete pad sets 12 feet from the Shyleen Street right of way. The carport would be that same measurement with no overhang or roof beyond the 12-foot dimension. Councilman Ekberg moved that a variance of 12 feet be granted. Councilwoman Melton seconded. Carried.

SHORE ACRES WATER COMPANY CONTRACT: The attorney will make a small change and return the contract at the next meeting.

#### INTEREST PAYMENTS ON G. O. BOND ISSUE - ORDINANCE #237 - Second Reading:

Councilwoman Bogue moved that the ordinance be approved. Councilwoman Melton seconded. Carried.

Councilman Hanson had a question concerning the sewer treatment plant expense. It appears that expenses are running about 10% higher than budgeted. Why is that? Clerk Avery said he would research the question.

STREET VACATION:

Councilwoman Bogue felt it should need a public benefit reason before approving vacation. She did not particularly want to give the street away mostly because green belting benefits the area. Mayor Bujacich felt the street might be necessary for utility service in the future. Councilman Ekberg could see no benefit to the public at large. He felt that Mr. Calvin Hanson could seek other options in building his garage. Councilman Malich moved that we deny the request and Councilman Ekberg seconded. Carried.

REQUEST FOR WATER SERVICE PRIOR TO ANNEXATION:

Regarding the request from Purdy Realty, David Morris's letter refreshed the council's memories. Mr. Ragnar Lovall had requested water prior to annexation on this same piece of property. The council granted the request provided the petition for annexation was submitted within six months. Mr. Lovall never exercised his option and now the property is in the hands of others who wish the same advantage. They did, however, submit their intent to annex petition. Councilman Ekberg asked that copies of the Purdy Realty letter be placed in the council's mailboxes prior to the next meeting. It was agreed that water could be supplied after the annexation petition has gone through regular channels. Jim Hibbs said that the water service that would have gone to Lovall has been used for a house currently under construction and is no longer available. Councilman Hanson said he was against furnishing water service prior to annexation and suggested that the petitioner wait.

CLASS H LICENSE APPLICATION FOR DROHAN:

Councilman Ekberg moved that we approve the application. This is merely a resubmission of the application since the first request was turned down. Councilwoman Melton seconded. Carried.

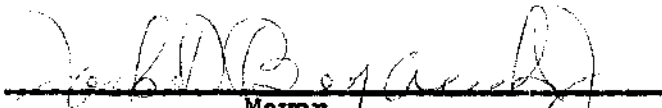
Mayor Bujacich brought up the proposal of Sam Granberg. Councilman Hanson explained that it is a method of paying off the bonds sooner and it will be presented at the next meeting.

Councilwoman Bogue will not be able to attend the meeting of May 3.

Councilman Hanson brought up the Fish program. It is an emergency service program and they would like the support of town government to help publicize it. There will be meetings on May 20 and 26 in the Catholic Church.

Meeting adjourned at 10:05 p.m.

Tape 48, Side 2 - 29-851

  
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Mayor

  
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Assistant Clerk

TOWN COUNCIL MEETING - MAY 10, 1976

The public hearing was called to order by Mayor Bujacich. Present were Councilwoman Bogue, Councilmen Malich, Ekberg and Hanson, Attorney Johnson and Clerk Avery.

PUBLIC HEARING - GEORGE ANCICH VARIANCE REQUEST:

Mr. Ancich had requested a variance of 20 feet in front yard setback in order to construct a drive-through carport within five feet of the front property line. Letters of recommendation were read from Goldie VonSalzen, J. Kenneth Hore, Helmi Komulaine and Ida Overly. Mrs. Betty Northey also had no objection. The Planning Commission had recommended approval. There were no voices in opposition.

Councilwoman Bogue pointed out, on the aerial sewer map, that other homes on the street have carports or garages closer to the right of way than this one. She said that she was not ordinarily in favor of such an extreme request but this was not an unreasonable request in view of other construction on the same street. It will only partially obstruct the view of Mr. Moblo who was present at the last meeting to speak in opposition. Councilman Hanson moved that the variance be approved and Councilwoman Bogue seconded. Carried. Hearing closed.

The regular meeting was called to order at 8 p.m. The bills were approved upon motion of Councilman Ekberg, seconded by Councilwoman Bogue. Carried.

As there were no corrections or additions the minutes stood approved as posted.

CORRESPONDENCE:

1. Planning Commission recommendation on Hildebrand site plans. The commission said a variance would probably be necessary since the building is larger than is permitted in the code. Fred Hildebrand was present. He said the plans were drawn before the code was amended—the amendment limited the square footage—and that is why the building is larger than allowed. He said there is a 25 foot buffer between his building and the Harborwood West apartments, and he has spoken with Carini Nursery and could plant a fast-growing vine that would quickly cover the concrete block walls. He feels that it would not be readily visible from any direction with proper buffering. Councilman Ekberg moved that we hold the hearing at the earliest possible date and wondered if a variance could be granted concurrently. Also, if it is necessary, could conditional use be granted? Attorney Johnson felt it should follow the regular

variance procedure at Planning Commission level but that the council can grant conditional approval at their level. The mayor said the Planning Commission could advertise and hold a hearing at their level right away and have the recommendation ready for the council hearing to be held on June 14.

- 2. Pierce County Fire Marshal letter to Sheldon Stutz on corrections needed.
- 3. Pierce County Fire Marshal letter on Huber/Antilla discrepancies.

SPECIAL GUESTS:

Daryl Hedman told the council of the property he is developing in North Gig Harbor. He said it is 240 x 400 feet. It is a plat surrounded by dedicated but undeveloped streets and he asked why laterals were not brought up the platted streets at the time the sewer plans were drawn. He felt it was unjustifiable to have to meet the expense of digging 12 feet to the main. He asked to use the existing 6" stub for about 8 more homes.

Glen Sherwood said he had done some research on it. As to why the stubs were not put in at the time of sewer construction, it is no difference from other property in town. This was a basically undeveloped piece of property with only one house on it. Glen went on to say that he recommends that Hedman's proposal not be approved. Any eight-home development should be required to extend the system in a standard manner with manholes and bring it up to town specs. He defended the lack of an 8" stub or more stubs. He said that a year's notice had been given to property owners requesting the addition of more stubs. Mayor Bujacich felt otherwise—he felt that every platted lot should have been furnished a stub. It was agreed that a 6" stub could handle eight homes but it is not a good policy to allow eight different property owners the use of only one stub. Councilman Ekberg moved that we accept the engineer's recommendation. Councilman Hanson seconded. Councilwoman Bogue asked if the principals could get together and come up with a mutual agreement. She then amended the previous motion to table the motion until after the above meeting. Councilman Malich seconded. Amendment carried.

REPORTS:

Street and Water - Jim Hibbs brought up the paving of the basketball and foursquare courts in the park. Mayor Bujacich went on to ask him about the sculpture in the park. It is collecting water and asked if a hole couldn't be drilled in it. Councilwoman Bogue felt it would be better to advise Anita Kirk by letter as to the drain and the fact that the inside of the sculpture was never finished.

Jim went on to tell the council of the needed repairs at the foot of Rosedale Street where a main break had severely damaged the street. There are two different proposals from Spadoni. It was decided to call for bids and then the council can pick the best proposal. The mayor would like the attorney to write to the Fire Department regarding their use of the lower level system to fill their tanker. Councilman Ekberg moved to call for bids and have the engineer draw specs on estimate #2. Councilman Hanson seconded. Carried with Councilman Malich voting no.

Jim said the Harborwood West Apartments need a small booster station to serve their top 60 units. He had a proposal with letter from Glen Sherwood and it is feasible as long as they don't cause the Villa any problem. Councilman Ekberg asked that Jim and Glen draw up a formal agreement with Harborwood West. Mayor Bujacich said it should be a written contractual agreement with a hold-harmless clause.

The telephone company and the light company have removed the pole at Jerisich Park. It took about 100 hours and he would like a letter of appreciation.

Jim went on to ask for a weed eater for cleaning around posts, poles and fences. They asked him to make further research into a gas-driven model.

Sewer Treatment Plant - Gary Tannahill said they received their pressure washer and it works very well. He will get it moved on to the trailer. He went on to say that the Pierce County Water Pollution Control people will be meeting at the Shoreline Restaurant and at the plant on Wednesday.

Police Department - The new portable radios arrived today.

Engineer - Glen Sherwood had plans and specifications for the overlay of Harborview Drive. The opening of bids will be advertised for next meeting. The council discussed combining this work with the Rosedale Street repair. Councilman Hanson suggested overlaying shorter sections each time but edge to edge. Glen Sherwood said the excess in the Sewer Construction Fund would pay the major portion and it was suggested that Arterial Street Fund monies pay the balance. It was felt that it was better to tie Rosedale Street repair in with this. Also, they would like it paved from sidewalk to sidewalk to keep the street edges from breaking down.

They went on to discuss the pavement marking program. The state has called and plans and specs are approved for bid call, reported Glen. Since we have not yet received written approval we could go ahead and advertise the bid opening for June 14 with two weeks to receive the written notification. The advertisement must be submitted by May 19. Okayed.

Regarding the TV inspection by Nelson Construction Company, Glen asked Attorney Johnson to check into this and recommend action necessary to protect the town's interest in case the year's guarantee period runs out before they get here to perform the inspection.

Glen went on to discuss the site for the water tank. We cannot proceed with water improvement design until the tank and well sites are settled. They are trying to find the best site but there is not much success in the south end and we could go ahead and use the Foster Street site. It is not the best but would suffice. Mayor Bujacich said we should have bought the Hildebrand site when it was offered.

Sidewalks: Glen has gone over the plans with Williamson and they meet with his approval. He will have an updated estimate on this at his next meeting. Councilwoman Bogue asked if they will detour sidewalks for sizeable trees because she had received inquiries from interested citizens who asked if the walks will be in keeping with the small town atmosphere.

Councilman Ekberg felt it would not be out of line if there were trees of significant size that needed to be saved. Maybe the members of the council could take a "tree walk".

COMMITTEE REPORTS:

Favorable comments have been received on the fence and the Big Toys in the park.

Mayor Bujacich reported that Allan Bucholz has received all the estimates on the town hall and final specs will be ready next meeting.

SHORT PLAT - ERICKSON:

Councilwoman Bogue disqualified herself. Councilman Ekberg said the comments from the planner and the engineer should be taken into account. Councilman Hanson moved that points 1,2,3,4 and 5 of the engineer's comments and point 4 of Dr. Hruza's comments be incorporated in the proposal. Councilman Ekberg seconded. Carried. The clerk will write the letter to the principals. Gary Tannahill spoke up. He said there is no water line along Pioneer. Water can be extended from the 6" line on Butler. This is also to be included in the letter.

ENVIRONMENTAL ASSESSMENT - McKEAN:

Mike McKean was present with new site plans. They have cut back from the proposed four units to three because they found that they would not have sufficient parking otherwise. With a new site plan it was necessary that he furnish a new environmental assessment. They would like their building permit as soon as possible.

Only the environmental assessment is on the agenda for tonight. The building inspector said there will be some restrictions on the height unless they meet the Uniform Building Code.

Since we have already reviewed one of these worksheets before for a similar project, and since it has now been amended, Councilman Ekberg moved that the proposal has no significant environmental impact and that the application be processed through the normal channels without further consideration of environmental impact. Councilman Hanson seconded. Carried with Councilman Malich voting no.

Regarding the site plan approval, R-3 does not require a public hearing for the site plan approval, but Councilman Ekberg moved, with apologies to the petitioner, that we table this approval until Dr. Hruza and the building inspector have had a chance to make recommendations, and Glen Sherwood makes his recommendation toward water service. Councilwoman Bogue seconded.

SHORT PLAT - ROLAND:

Councilwoman Bogue said she had a conflict of interest and abstained from the discussion. There were suggestions that should be complied with and Councilman Ekberg moved that these be cleared up. He subsequently withdrew this motion and the council decided to table the action until they have had a chance to view the property. The clerk will notify the petitioner.

SHORE ACRES WATER CONTRACT: Councilman Ekberg moved that we authorize the mayor to sign the contract. Councilman Malich seconded. Carried.

HARBOR LANDING LIQUOR LICENSE: They request a class H license. Councilman Hanson moved that we take no action on the form submitted to us. Councilman Ekberg seconded. Carried with Councilwoman Bogue voting no.

Councilman Malich asked if there might not be an easier method of okaying the bills, such as a list. He was told that this method is state law. Councilman Ekberg did agree that there might be a more concise note of explanation on unusual warrants.

Councilman Ekberg asked Attorney Johnson about the deed for the park. The attorney will check into it.

Meeting adjourned at 10:15 p.m.

Tape 48, Side 2, 851 - End

Tape 49, Side 1, 0-412

  
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Mayor

  
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Assistant Clerk

REGULAR TOWN COUNCIL MEETING - MAY 24, 1976

The meeting was called to order by Mayor Bujacich at 8:00 p.m. Present were Councilwomen Bogue and Melton, Councilmen Hanson and Malich, Attorney Johnson and Clerk Avery. Councilman Ekberg was ill.

BILLS: The bills were approved upon motion of Councilman Hanson, seconded by Councilman Malich. Carried.

MINUTES: As there were no corrections or additions the minutes stood approved as posted.

CORRESPONDENCE:

1. Pierce County Fire Prevention Bureau letter to Walter Hogan regarding closure of the lower floor of the Shorline Restaurant.

- 2. Planning Commission recommendation on the Kelley variance. Public hearing set for June 14 at 8 p.m.
- 3. Planning Commission recommendation on the Hildebrand variance. Public hearing set for 7:30 p.m. on June 14, set to run concurrently with the other public hearing already set.

SPECIAL GUESTS:

Glen Rogerson told the council that a requirement for his Eagle Scout badge is a public service project. He would like to build a lean-to or shelter at the town park to house a map or two, a history, and perhaps a flagpole. The mayor said the flagpole is already planned but all felt it would be a good project and asked that it be coordinated with park commissioner, Councilwoman Bogue.

VFW AUXILIARY, presentation of flag. Mrs. Uddenberg and Mrs. Alvestad were present and presented the flag to the mayor for the town hall on behalf of the Uddenberg Post.

Dan Ewell, who recently submitted a request for a short plat, was present to ask the council's opinion. He had previously explained that he did not wish to go to a great deal of expense until he got an opinion from the council. He applied for a short plat on the Parker Paint property. The engineer had returned his recommendation but the planner had not yet had time to do so. Glen Sherwood had recommended that the petitioner be required to dedicate 30 feet of his property in order to bring Stanich Street up to the required 60 feet. The principal felt this was an unfair request because it would not leave enough property for three home sites. Mr. George Martin of Parker Paint said that restriction in use causes the property to depreciate in value and the 30 foot easement plus the 25 foot setback knocks out one lot. This will be taken up again at the June 14 meeting.

Daryl Hedman was again present regarding sewer service to his property in the north end. He said it is agreed that he must put the line in and his questions were, (1) does the town put the line in and pay for it? and, (2) If it is his cost can he be reimbursed later on a proportionate share? Glen Sherwood answered him that, yes, there can be a late-comers agreement on the sewer. He drew a sketch of the property on the blackboard. The property to the north is too low to benefit from the new lines but the properties to the west could be considered for a late-comers charge. Hedman then asked if there could be a conflict of interest if he hired Parametrix to design the sewer there. Attorney Johnson will look into it but George Capestany felt it was nothing controversial—just straightforward engineering.

REPORTS:

Street and Water - Concerning the Jeresich park, Mayor Bujacich asked about the design of the monument and the flagpole. Allan Bucholz said they were supposed to be in this week. He will go over it with Councilwoman Bogue as soon as he gets it ready.

Sewer Treatment Plant - Gary Tannahill said there will be a TV inspection for water infiltration the first part of June. He went on to tell of the Pollution Control meeting held at the Shoreline Restaurant last Wednesday. He said it went quite well.

Attorney - Dave Johnson said a letter has gone out to Nelson Construction Company regarding the TV inspection.

Councilwoman Bogue brought up the sculpture in the park. She asked if a hole had been drilled yet to let the water out and if the Arts Commission had been contacted as she requested. Neither one had been accomplished and it was agreed that Jim would drill the hole and the clerk would write to Ellida Kirk. Councilwoman Bogue went on to say that she had a report that the fence had been damaged at the East side tank site. Jim will check on it.

Building Inspector - Wayne Goodno presented plans for the remodel of the dentist's office across the street. He needed to know if the site plan review provision in the ordinance amendment applies to remodels or to new buildings only. Councilwoman Bogue abstained from further discussion and left the table. Mr. Goodno went on to explain that the dentists have vacation and military active duty coming up and have placed their staff on vacation and would like to remodel the building in that time period. They had not been advised of the site plan approval provision in the ordinance. This provision would delay their remodeling over six weeks. Mayor Bujacich figured the time at closer to the first meeting in August and said he highly disapproved—he felt it was poor business to create so many obstacles. Also, it was felt that the petitioners should tender an environmental impact worksheet before any consideration can be made. Councilman Hanson said he had no current copy of the B-1/B-2 amendment but he felt the petitioners should follow the same procedure that others have had to follow. He recommended that this be passed to the Planning Commission for further study and to review the specifications as spelled out in the ordinance.

Engineer - Glen Sherwood had tonight received written authorization to call for bids for the pavement marking program. The formal bid opening will take place on June 24 and they will tabulate the bids and pass them to the council at their meeting of June 28.

Glen said he had the Harborview overlay plan reworked. He explained where the paving will be accomplished and the plan also includes improvement of Rosedale Street going up the hill. Councilman Malich asked if they anticipate a left turn holding lane at Rosedale. Glen answered that there will be room for three lanes and it could be done when the situation warrants it.

He went on to say that he had spoken with Fred Hildebrand on the possibility of the town purchasing a tank site on his property. Hildebrand indicated that he would be receptive to granting it. A soils investigation must be made of the site. This is the most desirable



location for the tank. It would cause Mr. Hildebrand to shift his warehouse location 100 feet to the south.

Sidewalks - He has done no further work. Councilman Hanson said he saw no reason to alter the plans as submitted.

Attorney Johnson and Glen Sherwood had prepared an agreement for Harbor Wood West for the booster pump for their upper levels. It is ready for the mayor's signature. The council agreed that they authorize the mayor to sign.

#### COMMITTEE REPORTS:

**Town Hall Estimates:** Allan Bucholz was present with the final plans. He said they are now getting the heating system engineered. He had received a preliminary bid but found that the contractor was non-union although the bid included an extra figure for union labor. He felt the bid was pretty good at under \$140,000. He will leave the plans here for study. The council can make their recommendations in the coming week. If there are no significant changes the bid can be advertised by next meeting.

**McKean Site Plan Review:** The newest building would have eighteen 1-bedroom units and twelve 2-bedroom units. Councilman Malich recommended more open space for children's play area. McKean said they tried to confine the parking to just one area and retain as many trees as possible toward the back. They plan a picnic and play area there.

Councilwoman Bogue brought up previous site plan review from the minutes. They denied the apartments on the basis of inadequate domestic supply. Glen Sherwood said this site is not as high as the Huber/Antilla site although the supply still comes from the pumping system. Glen said there is adequate water for domestic supply but no fire protection until we get more storage tanks. McKean brought up the \$3600 donation for the booster pump that was never installed. Glen said that it might not be necessary to install the booster pump now— Jim has been monitoring the pumping system. This gives a positive measure of accuracy as well as demand upon the system. He felt it did not justify replacement right now. Maybe the \$3600 could be used for the high-level system. McKean said he didn't care where the money was used. The fire marshal's office had okayed a lesser g.p.m. because the plans have been modified to provide greater fire protection by confining a possible fire in the building to the affected apartment only. Glen Stenbak went on to say that the best the system tested was 465 g.p.m.

Regarding the monitoring of the pump, Jim said so far it has run only about 3 hours per day. It might run a good deal more on a hot day.

Councilman Hanson said he was concerned for the welfare of the town with the number of small children playing about in the area. He would like some contained area for them to play. He asked what is different from the original site plan. The answer was that there was a small parking area provided for the manager that did not show on the original site plan. There was a discussion of a second access road. There is a fire lane to the Huber/Antilla property and also a road to the power line in the rear.

Councilman Malich asked about the building inspector's previous claim that the building was over legal height. Wayne said they will redesign the basement to 50% under grade and it will come within the maximum limits.

Councilman Hanson moved that the site plan be approved with the addition that suitable adequate space be provided for a children's play area. Councilwoman Melton seconded. Councilwoman Bogue amended the motion to include conformity with the requirements of the building code as outlined by Mr. Goodno, the building inspector. Councilman Malich seconded. The amendment carried and the original motion carried.

Mayor Bujacich asked that when the office receives plans will the help please initial and date them.

#### XEROX COPIER:

Mr. Chuck Ostrow, government representative in Pierce County, presented information on a copier. The machine will make copies up to 14 x 18", will copy on ordinary paper and on both sides, thus providing cheaper mailing costs, and the cost is virtually the same as our present copier.

Councilman Hanson asked if IBM had been contacted. Clerk Avery had done so but reported that they have no machine available for our use.

The council agreed to have a machine brought in on approval.

**ROLAND AND ROLAND SHORT PLAT:** The council planned to walk over the site and the engineer had recommended changes to be made by the petitioner. The corrected plat has not been returned.

**MORRIS ANNEXATION HEARING DATE:** June 28 at 7:30 p.m.

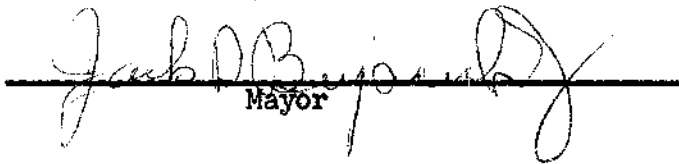
**EXPIRATION OF PLANNING COMMISSION APPOINTMENT:** Kae Paterson's term expires on June 11, and

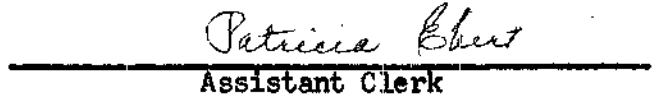
Mayor Bujacich tendered her name for reappointment. Councilman Hanson moved that she be appointed. Councilman Malich seconded. Carried.

Councilman Malich asked Attorney Johnson to do some research on the absentee landlord ordinance. He was told to contact the Attorney General's office.

Meeting adjourned at 10:55 p.m.

Tape 49, Side 1 - 412 to End  
Side 2 - 0 to 172

  
Mayor

  
Assistant Clerk

TOWN COUNCIL MEETING - JUNE 14, 1976

The regular meeting of the Gig Harbor Town Council was called to order at 7:30 p.m. by mayor pro tem Bogue. Also present were Councilwoman Melton, Councilmen Hanson and Ekberg, Attorney Johnson and Clerk Avery. The meeting was recessed for the first public hearing.

PUBLIC HEARING - HILDEBRAND VARIANCE REQUEST:

The public notice was read and the letters of recommendation from the Planning Commission, both on the variance request and the site plan review. Mayor Bogue opened the hearing to comments in favor. Fred Hildebrand explained how the plans have changed to allow for the town's purchase of the tank site. There was discussion on necessity for variance in case the depicted buildings were four separate entities. They are not. Also the fact that permitted uses did not include exactly the use depicted. It was agreed that "storage" covers it very well. There were no voices in opposition. Councilman Ekberg moved that the request of 8029 square feet be granted. Seconded and carried. Hearing closed.

PUBLIC HEARING BRUCE KELLY, JR. VARIANCE REQUEST:

The planning commission recommendation was read as well as a letter of no objection from Jack Reeves, a neighbor.

Building Inspector Goodno had the plans. He felt there should be no objection because it certainly bothers no neighbors.

Mr. Bill Edgbert, 6826 Rainier, said he had no objection.

Councilman Ekberg asked Mrs. Kelley why they changed the location of the garage. She said that when the basement was finished they realized that there just wasn't enough room for the garage in that planned location. They felt they would rather use the downstairs for living space when they realized the garage would take up so much of this living space.

Councilman Hanson said that, based on review of the situation and the reaction of the neighbors, he would move that the variance be granted. Councilman Ekberg seconded. Carried. Public hearing closed.

The regular meeting was resumed with a motion that the bills be approved. Seconded and carried.

As there were no additions or corrections the minutes stood approved as posted.

CORRESPONDENCE:

1. Planning Commission letter of recommendation on Charles Hunter variance request. Public hearing set for July 12 at 7:30 p.m.
2. Planning Commission letter of recommendation on Perrow variance request. Public hearing set for July 12 at 7:45 p.m.
3. Planning Commission letter on review of Drs. Richards/Madison site plans. Public hearing set for July 12 at 8 p.m. This was subsequently changed.

SPECIAL GUESTS:

Dr. Richards was present and asked if the council would please expedite their site plan review. He had hoped it could be accomplished tonight. He went on to explain that their time is limited, not only because of prior commitments, but also because they have many school children scheduled for the month of August before school starts.

Councilman Ekberg, not present at the last meeting, felt that a public hearing could previously have been set subject to the recommendation of the planning commission. It was determined that it might be possible to hold the hearing on June 28 if they can get the paper to take the notice first thing in the morning. Councilman Ekberg moved that the hearing take place on June 28 at 8 p.m. if it is at all possible.

REPORTS:

Sewer Treatment - Gary Tannahill said that Nelson Construction Company did a TV camera survey of the lines and found a few minor problems. He went on to say that he ordered parts for pump station #3 and they will cost from \$100 to \$150. He went on to speak of the necessity of cleaning the lines on Harborview from the liquor store to Pleasurecraft marina. The



Pierce County Public Works Department did the work and they offer a contract. The council asked Gary to prepare a breakdown of the time spent on this cleaning and they will decide on the contract at the next meeting.

Attorney - The Shore Acres water contract has been signed by all parties.

Engineer - Glen Sherwood brought up the Hildebrand tank site location. He showed where the tank site was in relation to the warehouses and explained that the warehouse location changes to accommodate the tank. He asked that a deed be drawn up. He said it would be necessary to pay for an eight inch main from Soundview and the cost is to include restoration of the Hildebrand driveway. The preliminary soils test looks real good. He asked if the council had any opinion or objection because he would like to go ahead with the plans. There was no objection.

He went on to say that the Harborview overlay plans are complete and we can expect the bids to be opened at the July 12 meeting.

Regarding sidewalks, he would like to get together with Councilman Ekberg prior to next meeting.

#### SHORT PLATS:

Clerk Avery asked that the Erickson and Roland and Roland plats be removed from the agenda. He said he understood that recent information had come in on these plats but he could find none of it. Glen Sherwood had been furnished a copy of the utility easement but the council preferred to look it over and discuss it next meeting.

The Ewell short plat again came up for discussion because Dr. Hruza had sent comments since it was previously discussed. This was tabled until the applicant requests discussion.

Jim Hibbs reported on the sale of old town equipment in Olympia. He said the town should realize from \$3800 to \$3900 from it. He went on to say that George Ancich requests a water line extension on Prentice. He will do the work. Jim said the nearest line is the 2" line from Goodman School. It should be extended as a six inch line, according to town policy, and the town customarily pays the difference between four and six inch line. This means about \$100 because it entails about 110 feet of line. Also there should be a blow-off valve with a tee. This tee should be our cost. The council okayed the request.

#### TOWN HALL PLANS:

Allan Bucholz had dropped the plans and specs off today. They are ready to go for bid. Councilman Ekberg authorized the call for bids with opening on July 12 with a motion. Councilman Hanson seconded. Carried.

#### REVENUE SHARING FUNDS:

The clerk reported that the town has \$5900 in Revenue Sharing Funds that must be encumbered. The council discussed whether the money should be invested in the Town Hall building fund or whether they could go to improve the Rosedale Street park. Councilman Hanson moved that the \$5900 in Revenue Sharing Funds be directed to the Town Hall Fund and the Rosedale dock in proportion to be determined in two weeks. Councilman Ekberg seconded. Carried.

Councilman Ekberg asked if we had set a hearing date for Hildebrand's site plan review. He asked if we can hear it June 28 at 8:15 if the clerk can get it in the paper.

Councilman Ekberg brought up the cancelled joint meeting and suggested that when the planning commission gets down to actual writing of the comprehensive plan perhaps the council could be kept advised with copies of correspondence and their actual current work and also that a joint meeting be set on July 19 or 27. Mayor pro tem Bogue asked that this be put in letter form.

Councilman Ekberg went on to ask Clerk Avery if he could draw up a suggested system to agenda an application at the time the application is made. This means to the nearest appropriate planning commission or council meeting. He said he realized that the council needs the recommendation of the planning commission but the hearing could be continued. Valuable time could be saved by this procedure. Clerk Avery said he would like the building inspector's help because sometimes the need is not too clear.

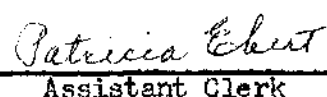
Mayor pro tem Bogue had a message from Mayor Bujacich. She said he would like two letters written:

1. To the Harbor Holidays general committee thanking them for a fine job done and,
  2. To the Harbor Holidays clean up committee especially commending them on a fine job.
- Councilman Ekberg suggested a copy to the newspaper.

Meeting adjourned at 9:10 p.m.

Tape 49, Side 2 - 172 to 685

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Assistant Clerk

Mayor Bujacich called the first public hearing to order at 7:30 p.m. Present were Councilwomen Bogue and Melton, Councilman Ekberg, Attorney Johnson and Clerk Avery. Councilman Hanson was not present.

PUBLIC HEARING - MORRIS ANNEXATION:

Councilwoman Bogue excused herself from discussion and Councilman Malich, arriving late, replaced her.

David Morris, Purdy Realty, explained that the property in question is adjacent to the Willock property. They wish to annex to the town as R-1 but they need town services.

Wade Perrow, one adjacent property owner, objected saying that the property owners were not notified by mail. Clerk Avery said this was not required under the RCW. Mr. Perrow went on to say there is no dedicated or possibly dedicated road in from Benson Street. He questioned how they plan to enter the property. He also said he did not look forward to a great deal of traffic past his place.

Dave Morris said there are two 30-foot accesses to the property, Attorney Johnson said that the town could demand a 60-foot right of way within the property but not to the property.

Mr. Willock also questioned the traffic congestion that could develop on a 30 foot right of way. He also questioned the properness of bringing sewer and water easements over that 30 foot right of way. Mayor Bujacich said it is perfectly proper to put services in a 30-foot right of way. Mr. Perrow also brought up the 15 feet of his property that does not lie within the town. The Mayor told Mr. Perrow that so long as the annexed land abuts town property that is all that is necessary to qualify.

Councilman Ekberg moved that for the purposes of the comprehensive plan that the land be zoned R-1. Councilwoman Melton seconded. Carried.

Councilman Ekberg then asked a question of how the sewer would be funded. Glen Sherwood answered him that a LID would be established. Clerk Avery said there would also be an equalization charge. Councilman Ekberg then moved that the property in question be annexed. Councilwoman Melton seconded. Carried. Hearing closed.

The regular meeting was called to order and then recessed for the second and third hearings.

PUBLIC HEARING - SITE PLAN REVIEW OF DRS. RICHARDS AND MADISON DENTAL OFFICE REMODELING:

The planning commission letter of recommendation was read. Questions were asked on distance of the building from the church and buildings in the rear, drainage problems formerly besetting the church, and the parking requirements. Distances were 20 feet from the church and 27 feet from the back. All the problems had been solved so far as drainage was concerned and the parking complies with the ordinance. Councilman Ekberg moved that the site plan be approved. Councilwoman Melton seconded. Carried. Hearing closed.

PUBLIC HEARING - HILDEBRAND SITE PLAN REVIEW:

There were letters read from the Planning Commission strongly recommending the approval of the site development plan. Questions were asked as to which were front, rear and side yards. Mr. Hildebrand said he had not been required to leave a rear yard but he did. It is eight feet. Councilwoman Bogue would like to see a green belt left on the side facing SR-16. Mr. Hildebrand assured her that there would be more than adequate green belting with the pole line and the state highway property.

Councilman Ekberg moved that we accept the site plan with the following stipulations:

1. That the east yard, 232 feet long, be planted with evergreen vines, and
2. That the west 126 feet include a strip to be left either in natural growth or planted in dense evergreens that will in a reasonably short time exceed a height of six feet.

Councilwoman Bogue amended the above motion. She moved that the above 126 foot strip of greenbelting be a minimum of 15 feet wide. Councilman Malich seconded. Fred Hildebrand objected. He said there are already two natural buffer zones in existence there already. It is not likely that the state will ever destroy the green belt along SR-16 and the Cushman power line is likely to remain for many years to come. He needs the 15 feet for the driveway and no mention was made in the municipal code about any setback for greenbelting.

Councilman Ekberg then amended the amendment. He moved that an eight foot strip of green belting would be adequate. Councilwoman Bogue commented on the original amendment. She said that even a ten foot greenbelt was an inadequate buffer. She said there was no surety that the natural buffer would remain on the power line right of way. The amendment to the amendment died for lack of a second. The amendment then was voted. It was a tie, two to two, which the mayor broke with a no vote. The original motion then carried. The public hearing was closed. The regular meeting was recalled to order.

**BILLS:** The bills were approved upon motion of Councilman Malich, seconded by Councilman Ekberg. Carried.

**MINUTES:** As there were no additions or corrections the minutes stood approved as posted.

#### CORRESPONDENCE:

1. Planning Commission recommendation on inclusion of home occupations in W-1 zoning.
2. Planning Commission recommendation on suggested changes in R-2, B-1 and B-2 zones to help expedite site plan review. It was suggested that copies be made of each letter for the council to be considered at the next meeting.

#### SPECIAL GUESTS:

Bill Edgbert was present to discuss developments on his sewer line. This regards the easement through the Babich property. The engineering is finished and approved but the Babiches would like the council to consider the possibility of a 20-foot easement through their property instead of a 60-foot right of way. They would like to keep as much vegetation on their property as possible. Councilman Ekberg moved to table to the next meeting to allow the council review of the previous discussion. They would also like to consult an area map.

#### ROLAND SHORT PLAT:

Councilwoman Bogue abstained from discussion. Glen Sherwood commented on the completed plat. He asked the council to read the notes on utilities. He explained that Roland plans to extend the 8" water main from Shirley Street and to then reduce the line to 1½" for lots 2, 3 and 4. The sewer line is planned to exclude these last three lots because they would require a lift station.

Councilman Ekberg moved that the plat be adopted with the following stipulations:

1. The buildings be properly located on the final plan.
  2. That if an access road to rear of property is needed then the 1½" line is to be replaced with a 6" line.
  3. All lots hook up to the sewer.
- Councilwoman Melton seconded. Carried.

#### REPORTS:

Street & Water - Jim Hibbs introduced ROSS ANDERSON who bought the house at the foot of Goodman Avenue. Mr. Anderson had planned to asphalt the driveway but was stopped because his driveway is really a street right of way (Sweeney). He now asks council permission to blacktop it. The mayor said it was understood that the town would not accept it to maintain it because it would not have been brought up to town specifications but he saw no reason why Mr. Anderson could not blacktop it for his own use. The catch basin at the bottom could be encompassed in the asphaltting, thus improving the drainage in that area. Attorney Johnson will write a letter—he said Mr. Anderson cannot adverse us and the town can request the return of the street at any time—and he will clarify the situation in the letter.

Jim went on to say that the Fire Department will put an old tanker up for bid. He would like to bid if the price is fair. It could be used by the town to wash the streets, to clean storm drains and sewer lines and it could still be used by the PCFD if they need it. At the present time we can use it only on an emergency basis because it might be needed to fight a fire at any time. Gary and Jim will check out the truck and report back. An executive session could be held if the town decides to bid on it.

Mayor Bujacich complimented Jim and his crew for the fine job they did on the little park. He went on to say that garden clubs have planted the little park with red, white and blue flowers.

Sewer Treatment - Pierce County High Velocity Cleaner contract to old business.

Police - Chief Galloway was not present so Clerk Avery read his prepared statement concerning the possibility of a grant to purchase body armor for the police.

Building Inspector - He told the council that Tom Creighton wishes to build a shop on his property on Wheeler Street. Since W-1 contains no provision for home occupations Mr. Creighton could not pursue his plan to manufacture small aircraft parts. Councilman Ekberg moved to table until after the W-1 amendment consideration. Councilwoman Bogue asked that Mr. Creighton be advised and told that he could apply for a variance or conditional use permit if he does not want to wait.

Engineer - The bids were received on the pavement marking project. Only one was received, from Paint-A-Line and the bid was \$6215.18. Their bid is acceptable and lower than the estimate. The council can accept their affirmative action plan. There were questions. Councilman Ekberg wanted to know what happens if we do further overlay work. Glen answered that the painting was really a very inexpensive part of the whole and the overlay work would go on as money became available. Councilman Ekberg moved that the Town of Gig Harbor accept the low bidder's affirmative action plan and award the contract to the low bidder. Seconded and carried.

#### HILDEBRAND TANK SITE AND WATER MAIN PLAN:

The proposal from Fred Hildebrand is that he will install the pipe necessary for 800 feet of line and include the repair of his driveway and fencing of the east and south sides of the tank site property. The town will pay him \$12,740 and he will in turn give the town a deed to the tank site and lines. The engineer recommended the proposal. Councilman Ekberg moved that we accept the proposal as it is laid out and ask that a study be made of the best method of financing it. Councilwoman Bogue seconded. Carried.

Glen Sherwood went on to discuss the substandard sewer engineering at the lower end of Soundview where the triplexes and quadriplexes are being built. He drew a picture on the

board. He said it is not a coordinated system. The gradient is not right and no manholes were installed. The town has no control over that portion of the system. Glen said that perhaps sewer permits should not have been issued in such questionable circumstances. Councilman Ekberg moved that a policy be established that no permits be issued unless the property fronts directly on an existing sewer line in a street right of way. Permits should not be issued on those installations of a questionable nature until they submit a plan before the council. Councilwoman Melton seconded. Carried. This is considered the first reading of an amendment to the ordinance.

Mr. Storset, whose property is the old Skansie home, would probably have to connect to the same line. He was not provided a stub on Soundview. Instead the stub was placed on Harborview because his house was the only building on the entire estate at the time the system was engineered. He was told to get together with the engineer.

Glen went on to say that Hedman is grading Milton Avenue, basically developing the street as a driveway, and asked if he should get the same council permission to improve a public street as Ross Anderson did earlier this evening. The question was not settled. They went on to discuss the water service to the eight lots. Jim will approach him about installation of a water main.

Sidewalk Plan: The plans had been reviewed by Councilman Ekberg. It was decided to convert entirely to asphalt. The drainage cost has run so high that it will be marginal to finish Pioneer to Grandview and Grandview to Soundview. They will go ahead and complete plans on that basis.

Councilman Ekberg said he attended a Bi-Centennial meeting. He asked if it would be possible that the new park could be ready for dedication by July 4. He was assured it was not possible.

Councilwoman Bogue asked Jim to furnish her with copies of Spadoni's bids on blacktopping of the courts in the park.

REVENUE SHARING FUNDS - ENCUMBRANCE OF:

The clerk had checked with Paul Flint who assured him that any monies encumbered can be taken out of that fund because these are federal funds. Councilwoman Bogue moved that the \$5900 be encumbered in the Town Hall Fund. Councilman Ekberg seconded. Carried.

PIERCE COUNTY AGREEMENT - HIGH VELOCITY CLEANER: There was a discussion on the rates noted in the contract. It was not clear and they asked Attorney Johnson to check over the contract.

SIX YEAR STREET PROGRAM - Updating must now be done yearly. The mayor would like to write a letter stating that we are going to update the road program and ask for an extension of time to submit it to them.

TARABOCHIA SHORELINE MANAGEMENT PERMIT HEARING DATE:

This was turned over to the planning commission for their hearing.

CASCADE DEVELOPMENT ENVIRONMENTAL WORKSHEET:

Stanley Johnson had mistakenly felt that they would be able to apply for a building permit at this time. He was assured that the site plan must be reviewed in public hearing. The hearing was then set for July 26 at 7:30 p.m. Cascade Development was asked to provide copies of the site plan for the town planner and engineer.

CETA CONTRACT: This is the extension of the existing program. Councilwoman Bogue moved that we authorize the mayor to sign the agreement. Councilman Ekberg seconded. Carried.

THE FLAGPOLE IN THE TOWN PARK will be given to the town on July 4 at 12 p.m. by the Boy Scouts.

Councilwoman Bogue asked that we amend our R-2 ordinance as to intent. She feels that it is worded wrongly and is ambiguous. She feels that builders are utilizing parcels of land too small for appropriate use. The council will look over the ordinance by next meeting.

Clerk Avery said he had put Councilman Ekberg's suggestion into effect as to scheduling of public hearings, but he feels this procedure could work provided that no delays were encountered. The Council felt it was worthwhile to try this new method and give it a fair trial.

The mayor asked for volunteers to start looking for a large parcel of town property to use for equipment storage. Councilwoman Melton offered to take the job but said she cannot start until the end of July.

Meeting adjourned at 11 p.m.

Tape #49, Side 2 - 685 to End  
Tape #50, Side 1 - 0 to 665

John B. Bogue  
Mayor

Patricia Ebert  
Assistant Clerk

3001  
JULY 12, 1976

The first public hearing was called to order at 7:30 p.m. by Mayor Bujacich. Present were Councilwomen Bogue and Melton, Councilmen Malich, Hanson and Ekberg, Attorney Johnson and Clerk Avery.

PUBLIC HEARING - CHARLES HUNTER VARIANCE:

The public notice was read by the mayor and the area pointed out. Charles Hunter was present and explained that he needs the variance because it is a corner lot. One street will probably never be improved and Mr. Hunter would like to request a variance of eight feet on this front setback. Without the variance his house would have to be very narrow.

Councilwoman Bogue had visited the site and felt that it definitely qualified under special circumstances. She moved that the eight foot variance be approved. Councilman Malich seconded. Carried. Hearing closed.

PUBLIC HEARING - WADE PERROW, JR. VARIANCE:

Mr. Perrow would like to remove an old lean-to attached to his residence and tie in a planned addition to make it match the old structure. He needs a height variance of 7'2". The additional height would cause no trouble since the property is on the crest of the hill and would block no view. Councilman Hanson moved that the variance be approved. Councilwoman Bogue seconded. Carried. Hearing closed.

The regular meeting was called to order.

**BILLS:** The signed bills were approved upon motion of Councilman Hanson with second by Councilman Malich. Carried. The council had not signed the Peninsula Light Company bill because they felt it was excessively large and they wished to ask Gary Tannahill about it.

**MINUTES:** Councilwoman Bogue asked that it be noted that she abstained from hearing the Drs. Richards/Madison site plan review as well as the Morris annexation. Otherwise the minutes stood approved as posted.

CORRESPONDENCE:

1. School District #401 wrote concerning plans and development of school site within the town. They would like to obtain water and sewer service to the site and would welcome a meeting with the town officials. Mayor Bujacich said he must step aside concerning this since he was involved in the site selection.
2. Planning Commission letter on development of a preliminary comprehensive plan. The council would like to schedule a meeting with the Planning Commission and Dr. Pruza on August 3. If this is not suitable they set an alternate date of August 16.
3. Planning Commission recommendation on Wilbert conditional use. Clerk Avery had set a hearing date for the council on ~~August~~<sup>July</sup> 26 at 8 p.m.
4. Kors Engineering letter regarding the Roland short plat.

SPECIAL GUESTS:

Jim Kors was present regarding the above request. Councilwoman Bogue abstained from this discussion.

Kors Engineering requests permission to exclude lots 2, 3, and 4 from sewer hookup. He said these lots were all more than 200 feet away from the main line. He felt it should not be mandatory that they hook up, nor would these lots be served easily since gravity would not service them. He asks reconsideration of the requirement that they be hooked up. Attorney Johnson had discussed this with the AWC and said that it cannot be required as a term of the short plat because the ordinance does not support this.

Glen Sherwood said the utility service was discussed at the previous meeting but he could not really remember whether the developer offered to hook up. Mayor Bujacich said he feared that the town would lose the ability to serve the area below the property in question, if ever need be, if we fail to enforce this. Glen said he found it made no sense. He felt the ordinance applies only to existing buildings--new buildings should be required to hook up.

Councilman Ekberg moved that this issue be tabled until the attorney can research this question.

EDGBERT SEWER:

Bill Edgbert said that the Babiches are not willing to give more than a twenty-foot easement through their property for the sewer.

Councilman Hanson felt a 20-foot easement was not adequate to service an easement. Sherwood had previously stated that a 20-foot easement would be adequate but perhaps a situation could arise where it would not suffice. It is a question of whether you can protect yourself against everything. Most cities do not require more than 20 feet for an easement. Councilwoman Bogue read the appropriate sections of the previous minutes where it had been moved that either a 60-foot easement or 60-foot right of way be dedicated. Councilman Hanson said this proposal tonight is definitely contrary to his motion.

Mike McKean, in the audience, said the Babiches are adamant about the 20-foot easement. The only alternative is to run the line along the edge of the town park--then half the line is useless. The proposed buyer of five acres of the Babich property has also agreed and they, too,

are adamant that no more than 20 feet be used as an easement and the streets within the five acres be north/south roads. McKean felt the town would have the right to demand roads when the developer does short plat. This would mean the 20-foot easement would only be a temporary means just to get the sewer through.

Councilman Hanson said he realized that he would have to change his vote but that his feelings were that sixty feet were perhaps not required but that 20 feet is not adequate. Councilman Ekberg said the town could require an assurance from Babich that the roads will intersect the manholes and a road will be built atop the easement. Councilman Hanson said he would accept the 20-foot easement with written documentation that the proposed streets be designated. He moved that we approve the sewer utility plan for Peninsula Investment Company subject to having the 20-foot easement granted by the Babich parcel through their property on the east/west line and the agreement that the proposed streets will be streets. Councilwoman Melton seconded. Councilwoman Bogue wished the motion clarified that the proposed road is not restricted to the 20-foot easement. Carried.

Mike McKean went on to discuss the water line. The town would like a 10" line in this location and, as is customary, the town will pay the 2" difference. Jim Hibbs was asked to get prices.

REPORTS:

Street & Water - Jim Hibbs said the town was awarded the high bid and the tanker is in operation today. Councilwoman Bogue again asked Jim for the Spadoni estimates. Mayor Bujacich asked Jim and Glen, and John Gilich, about the progress of the easement for tile across Babich's property to Tarabochia. Signatures have not been obtained. Then the mayor asked the town attorney if the town has authority to ditch private property where half of the road has been dedicated but unaccepted. The attorney will check.

Sewer Treatment - Gary Tannahill was asked by the Light Company bill was so high and he suggested that the previous billing be checked. Clerk Avery produced the previous bill which proved to be higher than the current bill. The voucher was then signed. Gary went on to say that half the Treatment Plant is out of commission because of the pump right now.

Attorney - 1. The deed from Pierce County for the park was mailed some time ago but never arrived. He will draw up another deed.

2. Regarding the confusion on the public works contract, he is unable to clear it up until the man responsible returned from vacation.

3. He was asked to draft an amendment to the sewer ordinance. He said perhaps it requires no amendment and asked the council to look at 13.24 and postpone action for two weeks.

4. He wrote to Ross Anderson regarding the use of the street right of way.

Engineer - Glen said he is calling for bids on sidewalks and street overlay for August 5. He went on to say that he met with a sewer contractor representative of NCC regarding the repairs to settled areas on the streets. He will check with a local contractor to make repairs for him. Nelson Construction proposes to reimburse the town for the two jobs they had repaired.

Glen went on to say that Reed Hunt plans to extend the sewer line on Chinook to Coho Street and west for 200 feet. He must also extend the water line. Glen asked him to submit a plan to the town for approval.

Mayor Bujacich said he met with the park and recreation people. He showed them the new park at the foot of Rosedale and he also showed them the various street ends that could be developed. They suggested we get a comprehensive plan and perhaps we can get funding.

Councilman Ekberg asked that a thank you letter be written to the Scouts, with a copy to the Gateway, for the flagpole in the park.

TOWN HALL BIDS: Bids, opened at 3 p.m. at the town hall, were as follows:

Hunter Construction Co.	\$171,269	Alt. \$600	210 days completion
Lincoln Construction	181,600	825	180 days
Standard Construction	186,750	900	200 days
Korsmo Construction	197,437	770	220 days

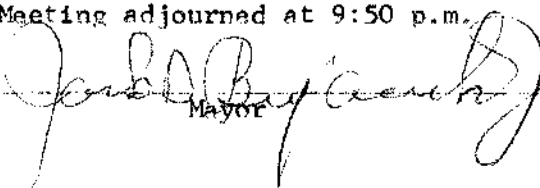
Allan Bucholz did not feel the Hunter bid was too high, and there are a few ways to further reduce the cost. There is a 30-day period to accept the bid and the clerk was asked to prepare a financial picture by next meeting.

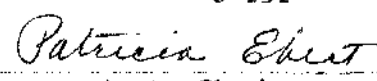
INTENT OF R-2: The mayor had already asked Dr. Hruza to review this and make a recommendation.

INSURANCE: The carrier of the town insurance will not renew this policy. Councilman Ekberg said this gives us less than a month to obtain other insurance. We could selectively ask for bidders but time is limited. Councilman Ekberg was asked to handle it because he can contact people who handle municipal insurance.

Councilman Hanson said he would like to establish that any property, such as short plats, that lie within 200 feet of a sewer line, must connect to the sewer.

CZM: The Coastal Zone Management has offered a \$3000 grant to the town for enforcement of the Shoreline Management Act.

Meeting adjourned at 9:50 p.m.  
  
Mayor

Tape 50, Side 1, 665 to End and Side 2  
0-151  
  
Asst. Clerk



REGULAR TOWN COUNCIL MEETING - JULY 26, 1976

The meeting was called to order and then recessed for the first public hearing. Present were Councilwomen Bogue and Melton, Councilmen Ekberg and Hanson, Attorney Johnson and Clerk Avery. Mayor Bujacich and Councilman Malich were commercial fishing. Councilwoman Bogue served as mayor pro tem.

PUBLIC HEARING - HARBORWOOD WEST SITE PLAN REVIEW:

Dr. Kruza had commented on this and each council member had a copy of these comments. Mayor pro-tem Bogue read the letter from the Fire Marshal's office where they state that they do approve the request.

The principals agree to furnish 50 feet of green belting on their own property to the west. In addition, they will apply for a nine foot variance since part of the buildings would be 24 feet in height. There would be an ingress and egress from Hunt Road as well as the main entry through the existing complex.

Glen Sherwood had reviewed the plans and had talked with the street and water superintendent about the proportion of the day the booster pump is running. The answer is not absolute as yet. At this time it looks like the development would not create a problem. The fire marshal said the swimming pool is sufficient to handle the fire flow at present.

Councilman Hanson approved the placement of the buildings on the site plan but did question the access. The planner had requested a 36 foot road from Hunt to the site. Councilman Ekberg agreed that the 36 foot request was excessive and that 24 feet would be ample. He went on to move that the site plan be approved with the following recommendations:

1. That the council and petitioner recognize the need for a variance in height and proceed to obtain the necessary permit.
2. That the west 560 foot property line be left with at least a 50 foot green belt.
3. That the principals comply with item #5 of the planner's recommendations except that the street be reduced to 24 feet.

The motion was seconded by Councilman Hanson. Motion carried. Public hearing closed.

PUBLIC HEARING - DR. R. WM. WILBERT CONDITIONAL USE:

The planning commission recommendation was read. The building inspector said he saw no reason why it should not be granted since the space was previously an apartment. All facilities have remained intact and there are no structural changes.

Dr. Wilbert was present. He was asked how he would provide the needed parking. He said there would be less need for parking as an apartment than a shop. One space would be required and then only at night since the tenants work.

Councilman Ekberg questioned residential use in a B-2 zone. He was answered that a B-2 zone permits residential use as a condition. The attorney said that in granting a conditional use you can waive the parking requirement; besides this is eliminating rather than creating a problem to let this space revert to residential use. Councilman Ekberg said he did not object to conditional use and moved that the permit be granted. Councilman Hanson seconded. Carried. Hearing closed.

The regular meeting was reconvened.

**BILLS:** Councilman Hanson moved and Councilman Ekberg seconded that the bills be approved. Carried.

**MINUTES:** It was noted that under correspondence the date was wrong for Dr. Wilbert's hearing. It was noted that it be changed from August to July. Otherwise the minutes stood approved as posted.

CORRESPONDENCE:

1. The Huber/Antilla intent to annex was filed. Donald Huber was present and asked to be placed on the agenda. The clerk was asked to set the dates for the hearings.

SPECIAL GUESTS:

Chet Larson asked for a permit to build a sewer line to his property located in North Shore Hills. The engineer had met with him and provided a map of the area in question. He recommended a sewer line extension through easements that would be acceptable to the town. It could then be deeded to the town for maintenance. Councilman Hanson said he had no objection if it is worked out according to town specs. Councilman Ekberg moved that it be approved subject to the requirements of the engineer and the sewer department. Councilman Hanson seconded. Carried.

Jim Madden spoke on a building under construction that appears to be in violation of the code. Councilman Hanson said that he, too, had received calls on it. The building inspector said he granted the permit on Woodworth Avenue, the second house down from Scandia Gaard. The owners placed the lower floor at street level and intend to fill in the rear. They could not reach the sewer line without the height variance. It can affect no one's view as it is on the crest of the hill. Councilman Hanson said the question was, 1. Was a variance necessary? and, 2. Why wasn't the council advised?

Madden felt the construction should not have been allowed until a variance was approved. He asked that the job be red-tagged. Councilwoman Melton did not agree. She felt it should not be red tagged if it was an error of the building inspector. Councilman Ekberg asked that the building inspector review it and the engineer check the grades. Councilman Ekberg moved that



the council instruct the building inspector, the engineer and the attorney to make individual checks and report at the next meeting. Councilwoman Melton seconded. Councilman Hanson amended it that if there is a discrepancy in permit granting procedures that these be reviewed and individual recommendations be made to alleviate the problem. Councilman Ekberg seconded. Amendment carried and motion carried.

**REPORTS:**

**Street and Water** - Jim Hibbs asked that the application for driveway permits that he made up be approved. The council asked that copies be placed in their mailboxes so they can review before the next meeting.

Regarding the Electro-Rustproofing contract, Jim said that Glen Sherwood suggested eliminating the procedure for the present. The other tanks are doing all right without the rust-proofing.

Jim presented a list of materials needed by the street and water departments. The purchases were okayed with the inclusion of the less-expensive jack.

**Sewer Treatment** - Gary reported an accident at the Treatment Plant that burned out the circuits in station #3. It will cost from \$200 to \$300 to repair. Also, the pump has not arrived and the whereabouts are being checked.

**Attorney** - Attorney Johnson had written a contract for Fred Hildebrand and it was approved with one change. The town must pay the cost of title insurance. The contract meets with the approval of the engineer and the attorney.

**County Equipment Contract** - The attorney said the \$500 quoted is an arbitrary figure. The only consideration is the per-hour charge. Councilman Hanson moved that we authorize the mayor to sign the contract as per terms. Councilwoman Melton seconded. Carried. The attorney will write a letter to accompany the contract.

The attorney said he again contacted the AWC. He has received word back and they take the same position as before regarding the requirement of sewer hook up.

**Engineer** - Glen said the pre-construction conference on the paint striping will take place on Thursday in Summer.

Bids will be opened on August 5 on the overlay and sidewalks at the Town Hall.

**ROLAND AND ROLAND SHORT PLAT SEWER LINE:**

Attorney Johnson had mailed our ordinance to AWC and they commented in return. They say our ordinance does not enforce hookup of more than 200 feet from the line. If we do want to enforce it we should tie it to some health standard so we do not become arbitrary and capricious. Richard Sink, the buyer of the Roland house and Lot 1, was present. He really does not want the back three lots and he would prefer not to be stuck with a huge sewer bill.

Councilman Ekberg moved that we amend the previous motion of June 28 and strike the requirement that sewers be required and that all lots hook up to the sewer. Councilman Hanson seconded. Motion carried. Councilman Ekberg moved that we instruct the engineer to meet with the attorney to make the necessary wording to alter the intent to make it a requirement of all new construction to hook up. Councilman Hanson seconded. Carried.

**TOWN HALL BIDS:**

The clerk explained the financial picture. Still to be raised is \$51,550 and this would probably be realized on the sale of this building and the adjacent lot. The estimate includes no furniture--only a chalk and cork board, refrigerator and range. The council would like two preliminary appraisals of this property by next meeting. The bid will be accepted or rejected then on August 9. There were questions concerning funds for purchase of property for the equipment storage.

**SCHOOL DISTRICT PLANS:**

Tom Hulst of the school district brought the council up to date on the Board's planning. The board would like to work together with the council from now on and are asking that the town limits be extended about 200 feet north and that the sewer and water lines be extended. He was told that the school district must apply for the annexation themselves.

**COUNTY SEWER CONTRACT:**

Clerk Avery said that Mr. Hagestad has contacted the mayor on several occasions and they ask that the contract be brought up tonight. Councilman Ekberg suggested a study session on the part of the council since the county wishes to go along with the least desirable of the three choices outlined by Paul Pazooki. They set 7 p.m. on August 9 and ask that Dr. Hruza and Attorney Johnson attend this meeting also.

**SEWER AMENDMENT:**

Both the attorney and the engineer felt that the sewer ordinance provided ample guidelines and authority. Councilman Ekberg said the clerk and his staff could take care of standard hookups and the non-standard could be referred to the sewer department.

**CZM GRANT CONTRACT:**

The town must approve the grant contract in order to receive the \$3000 grant. The council will look it over before the next meeting.

**ERICKSON SHORT PLAT:**

The surveyor has not yet returned this plat. The clerk was asked to contact him.

**SEPA MODEL ORDINANCE:**

The state requires that the model ordinance be adopted by the council. This can be considered the first reading of this ordinance to be adopted next meeting.

MODEL SIGN ORDINANCE: This is the first reading of this ordinance also. Councilman Ekberg moved that we use internationally accepted symbols.

INSURANCE: Councilman Ekberg presented quotes from two companies. He had contacted seven agencies. A third company could not get their quote together in time for tonight's meeting. The bids were: 1. \$7600 and 2. \$9600. The third agency could be the lowest bid although it was not yet ready.

Councilman Hanson moved the mayor pro tem be authorized to secure the lowest price insurance. Councilwoman Melton seconded. Carried.

Councilman Ekberg will not be present next meeting.

Councilman Hanson moved that the mayor pro tem be authorized to sign the agreement between Hildebrand/Glaisyer/Town and that the purchaser agrees to provide title insurance. Councilman Ekberg seconded and he wished it noted for the record that this was not the usual procedure on the part of the council. Carried.

Meeting adjourned at 10:15 p.m.

Tape 50, Side 2, 156 to End.

Keith M. Logue  
Mayor pro tem

Patricia Ebert  
Assistant Clerk

REGULAR COUNCIL MEETING - AUGUST 9, 1976

The meeting was called to order at 7:45 p.m. by Mayor pro tem Boggs. Present were Councilwoman Melton, Councilman Hanson, Attorney Johnson and Clerk Avery. The meeting was recessed for the first hearing:

KILNER CONDITIONAL USE PERMIT: This hearing was postponed because the planning commission had lacked a quorum at their meeting of August 3. Their recommendation is necessary for the council to act upon it and so this hearing has been postponed to August 23.

The regular meeting was reconvened at 8:15 p.m. for the second public hearing, the BURNS VARIANCE, which was also postponed to August 23.

The regular meeting was resumed with a motion by Councilwoman Melton that the bills be approved. Seconded and carried.

The minutes stood approved as posted as there were no corrections or additions.

CORRESPONDENCE:

1. Parametrix letter concerning Harborview Drive overlay. The Spadoni bid was the lowest received although it was over the estimate. Parametrix recommends that the Spadoni bid of \$15,976.65 be accepted.

2. Parametrix letter concerning bids for the sidewalks. The lowest bid was 59% over the estimate. They recommend that the bids be held. There are discretionary funds held aside and the Town Clerk plans to apply for them.

SPECIAL GUESTS:

Sue Wood appeared on behalf of street signs. She appealed for the approval of some directional signs. She said that one big board sign board might be terribly confusing--maybe smaller signs might be better. The council felt that either approval could be granted or a variance could be applied for for one particular sign. They felt that Councilman Ekberg could make a study of the problem when he returns.

REPORTS:

Street and Water - Jim asked the council if they approve his driveway permit forms. He said he has sent some out and they did get results. He was told to try them for a time.

Jim went on to tell the council that the valve locator can no longer be repaired and he asked permission to purchase a new one at about \$200. Okayed.

Sewer Treatment - No pump has arrived. Glen Sherwood has been in touch with the company and they say it is scheduled for delivery about October 1. Since they cannot wait that long the pump will be repaired.

Police - No report

Building Inspector - No report

Attorney - Mr. Johnson had gone over the CZM contract and found it suitable. In order to be eligible for the grant we must match the \$3000 with \$1500 of our own money or time.

He went on to report that the park deed is back.

He had written a letter to accompany the county equipment contract.

Engineer - The pavement marking contractor is anxious to start and will be working this week.

Attorney Johnson was told of the job he must do in relation to the county sewer contract. Councilman Hanson will give him all the information.

GRAYSON SMITH HOUSE: The attorney had been asked to make a determination on this. He said he

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had been familiarized with the problem and that Wayne was incorrect but that he had practical problems--such as the location of the property and depth of the sewer. He had used his practical judgement. We cannot withhold the permit at this time--we could be sued for damages and secondly it seems to be a fairly small difference of what was correct. Glen Sherwood said that had the same house been constructed to the ordinance they could not have been served by gravity sewer as the stub is only 7 feet below the street. The attorney said you could not ask them to apply for a variance at this point. Councilman Hanson said that, among other things, he was not prepared to relinquish his legislative authority to any employee, or anyone else, to make that decision. He felt the law was specific and that it is the council's responsibility to make decisions.

TOWN HALL BID REVIEW:

Appraisals have been received from Tom Morris, Sr. and GIG Harbor Pealty. The town must realize \$50,155 from the sale of the property and according to the appraisals this figure is feasible.

It was determined that street and water department funds could be used to purchase property for equipment storage.

There was quite a bit of discussion on the subject. They discussed the fact that it would only cost more in the future if they do not go ahead now and Councilman Hanson moved that the Hunter Construction Company bid be accepted. Councilwoman Melton seconded. Carried.

SEPA MODEL ORDINANCE - Second Reading: Tabled.

MODEL DIRECTIONAL SIGN ORDINANCE - Second Reading: Tabled

COURT RENT - NEW TOWN HALL: The budget is now being made up by Pierce County and a figure must be furnished. The contract has been \$100 a month. They do not charge us for use of the Pierce County jail and for other services that they perform. Attorney Johnson will obtain rental figures from other towns.

CZM CONTRACT: Attorney Johnson had previously reported that he found it suitable. Councilwoman Melton moved that the Council authorize the mayor to sign the Coastal Zone Management grant contract. Councilman Hanson seconded. Carried.

SEWER HOOKUP DISTANCE REQUIREMENTS: The AWC had written regarding this. Attorney Johnson said the council had authorized Glen and him to make some changes. He has not yet had time to work on it but will do so.

STREET OVERLAY BID: Although the bid was 11% over the estimate, Councilman Hanson moved that the Spadoni bid be accepted. Councilwoman Melton seconded. Carried.

Councilwoman Bogue said she will not be able to attend the study session next Monday night. Councilwoman Melton said she would like to see at least three members from each body present. Otherwise she wished the meeting cancelled. The planning commission will be contacted.

Clerk Avery said that, under the new system we are following, there are four hearings now scheduled for the 23rd. Should we postpone some of them? No, the council felt there should be an earlier starting time.

Councilwoman Bogue asked if the Erickson short plat had been returned. The clerk answered that the surveyor was contacted and has picked up the plat for alteration and has not yet returned it. Mrs. Bogue asked that Mrs. Erickson be contacted and the situation explained.

Meeting adjourned at 9:16 p.m.

Tape 51, Side 1, 0-305

*Fitch M. Dague*  
Mayor

*Patricia Ebert*  
Asst. Clerk

REGULAR COUNCIL MEETING - AUGUST 23, 1976

The meeting was declared cancelled for lack of a quorum. Present were Councilwomen Bogue and Melton, Attorney Johnson and Clerk Avery. Councilmen Hanson and Ekberg were ill and Councilman Melich was commercial fishing. Mayor Bujacich, although present, could not be considered part of a quorum.

*Jack Bujacich*  
Mayor

*Patricia Ebert*  
Asst. Clerk

The meeting was called to order by Mayor and Tom Rouse at 7:15 a.m. Present were Councilmen Ekberg and Hanson; Clerk Aarav, Attorney Johnson and Councilman Johnson. The latter two arrived at 8 p.m. Mayor Ruffach and Councilman Malich are commercial fishing. The meeting was recessed for the first of four public hearings scheduled for this evening.

KUMNER CONDITIONAL USE PERMIT.

The recommendation of the planning commission was read and the chairman asked for comments in favor of the proposal. PETER STANLEY spoke in favor. He said he had known one Vinoy son for three years and thought highly of him.

CLERM BERNER, Vinoy's brother-in-law, appeared on his behalf. He said the building has sat there, rented and unimproved, for some time. Now it would be landscaped, painted, and kept in good repair. The boys do exquisite jewelry and they would like the advantage of selling a bit of their wares on the premises. They would have some paintings available for sale and one room only of the dwelling would be used as a studio. They would live in the remainder of the house.

There were no voices in opposition.

Councilman Ekberg asked why they chose to ask for conditional use? Clem answered him that sales are not permitted under home industry. They would carry no stock in trade and would sell only what they produce there on the premises. They would erect only one small legal sign.

The council considered ways of insuring that conditions are met. Finally it was agreed that they could grant a permit for a period of one year, to be brought up for reconsideration at the end of that year. Councilman Ekberg moved that the conditional use be granted, subject to the opinion of the attorney with written permission from him, for the period of one year. Councilman Hanson seconded and moved to amend the motion to include the use of only one room in the house. Councilman Ekberg seconded the amendment. Amendment carried and original motion carried. Hearing closed.

ELISE RYBNS VARIANCE HEARING:

Mrs. Burns had requested a variance in lot size in order to allow a duplex to be constructed on her lot. The Planning Commission recommendation was read.

Mrs. Burns explained that she felt her lot was no longer suitable for single-family use because of the apartments nearby. She now has an option to sell it if she can get the multi-family use restored.

There were no voices in opposition to the variance.

Councilman Ekberg moved that the request be tabled, in light of the sensitive area, for an opinion from the engineer and the planner. Seconded by Councilman Hanson. Carried by vote of Councilman Ekberg and the vote of the mayor pro tem with the dissenting vote from Councilman Hanson. Hearing closed.

CASCADE DEVELOPMENT COMPANY VARIANCE:

The favorable recommendation of the planning commission was read.

R. STANLEY JOHNSON, co-owner, was present and was prepared to answer any questions the council may care to ask.

O. How many buildings will need the variance? A. About 7, but until staking was accomplished it would be hard to tell with great accuracy which buildings will be over height.

The site plans were again reviewed. It was decided to number the buildings in the complex as they would like the motion to reflect specific buildings. The buildings were so numbered and Councilman Hanson moved that the requested nine-foot variance be granted for buildings 1 to 8. This was seconded by Councilman Ekberg. Motion carried. Hearing closed.

PIPER/ANTILLA APPLICATION OF THE COMPREHENSIVE PLAN.

The mayor pro tem explained that this is the first of two hearings on the application of the comprehensive plan to the area requesting annexation. No decision will be rendered tonight. The principals had requested R-3 zoning. The favorable recommendation of the planning commission was read.

Don Huber explained that this is the second submission of their request for annexation. They have been in process for over a year. He went on to say that the county has approved their request for 33 units but they felt the benefits would be greater if they came into the town-- the town would get the revenue and they would ask for 3 additional units. They debated about asking for D-2 and a variance but felt that R-3 was a clearer way to go.

ROY WATERS, who owns most of the adjoining property, said he was very much in favor of it.

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HELEN WILKINSON appeared again and said her only concern was the drainage in case they build under county auspices and do not connect to the sewer.

RON LOPP said it was not correct to claim it has county approval and that it was not approved for 33 units under the Gfg Harbor plan.

Don Huber said it was indeed approved for 33 units. He knew he must present transfer development rights but he does have the right. He will have the planning staff send a letter to the council prior to the next hearing.

The hearing was then closed. The regular meeting was recalled to order.

**BILLS:** The bills were approved upon motion of Councilman Ekberg, seconded by Councilwoman Melton. Carried.

**MINUTES:** The minutes stood approved as posted.

**CORRESPONDENCE:**

1. Pierce County Fire Marshal's letter to Stutz Fuel Company regarding their non-compliance with regulations.
2. First Church of Christ Scientist, Purdy, again requesting permission to hand their banner. There was no objection. A letter will be written with the same format as previous years.

**SPECIAL GUESTS:**

Mr. Hal Hagestad, Pierce County Public Works, was present. He reviewed the work done from the time that Hill, Ingman, Chase and Co. first designed the sewer project. He showed that the approval of Pierce County was necessary from the beginning for the town to achieve their grants. Pierce County has since spent several thousands of dollars to have plans drawn for the remainder of the drainage basin. Pierce County has a contract with the Women's Prison and they have received HUD block grants to extend the service to the prison and to other citizens in the area. In no way would they stand in the way of any annexations the town might make. But the suggestion by the town's consultant that the town extend the lines themselves to out of town customers would not be feasible since the Boundary Review Board must give its okay for a municipality to serve outside its limits. The BRB is under county jurisdiction and would not likely approve it. He read a letter from DOE (regarding a similar situation) whereby they urge compliance with the county. He went on to assure the council that they are attempting to buy capacity only--not a share of the system.

Councilman Hanson asked for written comments regarding the contract from Sherwood and Dr. Bruza prior to a study session with the county. Councilman Ekberg asked for copies of the letters that Hagestad quoted from. The council will go over the newest contract.

Ron Ray was present to ask the council's opinion on his proposed development next to the new town hall. He was told to get together with the building inspector and the clerk and set public hearing dates.

**REPORTS:**

Sewer Treatment - Gary Tannahill had some suggestions to offer regarding the county sewer contract. He was asked to submit them in writing. He went on to tell of the great deal of extra work involved because the pump has not yet arrived and will not until October first. There is a need for phase protection of the motors and he was asked to put this in writing also.

Police Department - Acting Chief Tomlin said that the front seat of the 73 Plymouth is giving out and asked if they could buy a used one for \$30 to \$35. Okayed.

Attorney - He said he will write to Stutz Fuel giving him final warning of compliance with the fire marshal's regulations. The deed to the park has been recorded and is now on file in the office. Councilman Ekberg asked him to check if it is possible to grant a variance at the same time the zone and annexation are awarded. The attorney will check on the status of property in the county at the present time regarding a public hearing where we are studying a zone.

Engineer - Councilman Hanson asked the status of the street striping. The answer is that they are waiting for the completion of the overlay and then all the streets will be completed.

**SEPA MODEL ORDINANCE:** Postponed. It was suggested that Dr. Bruza and Clerk Avery get together and see if it will work.

**MODEL DIRECTIONAL SIGN ORDINANCE:** Councilman Ekberg suggested that symbols instead of signs be adopted. Councilman Hanson agreed. The ordinance was given to the attorney to be drawn up in legal form. Councilman Ekberg said that he and Sue Wood will get together later this week regarding her sign request.

**CHANGE ORDER ON STREET PAVING PLANS:**

George Capestany said that \$1366 has been added to the price because of the drainage problem and the curb on Rosedale and removal of peat at the foot of Rosedale. Councilman Ekberg moved that the change order be approved. Councilman Hanson seconded. Carried.

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COURT RENT FOR THE NEW TOWN HALL:

It had been discussed previously. Attorney Johnson said he had consulted with AWC and had come up with a figure of \$150 per month. It was necessary to go ahead with this figure as the county needed it for their budget last month.

ENVIRONMENTAL WORKSHEET ON TOWN HALL:

Councilman Ekberg moved that it has no significant environmental impact and application should be processed without further delay. Seconded by Councilman Hanson and carried.

SHORE ACRES WATER HOOKUP REQUESTS:

Shore Acres has submitted water hookup requests for four duplexes. The Shore Acres Water Co. board refuses to hook them up without approval of the town council. Councilman Hanson moved that the hookups be approved. Seconded by Councilwoman Melton. Carried.

Councilman Hanson said he would like written comments regarding the water supply and fire flow on the high level system. He would like it sent to the council, the building inspector and Dr. Hruza.

The Helmsmen have formed a road committee. The council wondered if we need to appoint a representative from the council. Councilman Ekberg said his term has expired. Put this on the agenda for next meeting.

HISTORICAL SOCIETY BID ON THIS BUILDING: Councilwoman Bogue said she had been approached by a member of the Gig Harbor Historical Society. They are willing to pay the going price but asked if they can be exempted from bidding since they are a non-profit organization. The clerk will check on this.

The meeting was adjourned at 9:40 p.m.

Page 51, Side 1, 305 to End

*Russ M. Bogue*  
Mayor pro tem

*Patricia Ebert*  
Asst. Clerk

**REGULAR COUNCIL MEETING - September 27, 1976**

The first public hearing of the evening was called to order at 7 p.m. by Mayor Bujacich. Present were Councilwoman Bogue, Councilmen Ekberg and Hanson, Attorney Johnson and Clerk Avery. Councilwoman Melton arrived at 8 p.m. and Councilman Malich was commercial fishing.

DIANNA JACKSON VARIANCE REQUEST:

The public notice and the favorable planning commission recommendation were read. The mayor asked those in favor to speak:

Miss Jackson appeared on her own behalf. She had brought photos of the house as it now appears and a drawing of what she hopes to achieve.

There were no voices in opposition.

It was felt that the variance request was not specific because it did not include the number of feet of side setback or area requested. The council did not disapprove Miss Jackson's request but felt the complete variances be included. Councilman Ekberg moved that the 2'6" height variance be granted for the proposal in front of us and also state that we recognize that there are other non-conforming situations such as lot size and side yard setback, and since the existing area of the dwelling will not be enlarged in any manner except the for second story we grant the request for variance. Councilman Hanson seconded. Carried. Hearing closed.

McKEAN SITE PLAN REVIEW: Since the principal was not present Councilman Ekberg moved that the site plan review be tabled to next meeting. Councilwoman Bogue seconded. Carried. *THIS TOOK PLACE AT 7:20 p.m.*

HUBER/ANTILLA COMPREHENSIVE PLAN APPLICATION AND ANNEXATION REQUEST:

This was continued from the meeting of September 13. The planning commission recommendation was again read.

There were no voices in opposition.

In behalf, Don Antilla recapped the comments from the last meeting. He had the written approval of the Pierce County Planning Commission. They now request annexation to the town and zoning with 36 units.

Mike McKean, in the audience, spoke on their behalf, commenting on the fine quality of their construction.

Don Antilla said that hooking up to the town's utilities would cost a great deal of money and they felt that adding the three units (to 36 units) might help amortize the added cost of hooking up.

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The council asked Mr. Antilla if he might have a copy of his site plans with him (although the site plans are not up for approval at this time). He showed the council how he had cut the units from 42 to allow additional screening along the highway.

Councilman Ekberg asked the town attorney if he had been able to check into whether the council could grant a variance at the same time as granting zoning. The attorney answered that it could all be done at once.

Councilman Ekberg said he had concerns against awarding any more R-3 in that area. He felt we should look at the remainder of the hillside and he did not see using R-3 below Foster Street. The development will be built anyway and he would like to propose some alternatives. He said R-2 could insure protection to the town and variances could be granted to allow the extra height and density. The question of annexation could be resolved later. He would prefer that the final decision be tabled to the next meeting.

Councilman Hanson agreed with Councilman Ekberg. He said that, a year ago when Huber and Antilla applied for zoning he was in favor of granting no more than a R-1 zone here. Now he said he can see the reason for compromise but he did not like to see the precedent of R-3 here.

Councilwoman Bogue felt the property legally belongs in the town and it is reasonable to annex. She said she would like to see some of these restrictions incorporated in the comprehensive plan for the area. She said she would like to be allowed the leeway of until the next meeting to study the proposals.

The council asked Mr. Antilla to come up with the exact height by next meeting. Attorney Johnson said he felt we should comply with the statute on variances. This means going back before the planning commission again.

Councilman Ekberg moved that the hearing be tabled until the next regular meeting. The attorney said the best way to go would be to zone to R-3 and impose restrictions by the Council. Ekberg did not want R-3. Attorney Johnson offered to go over the statutes with Huber and Antilla's attorney. Motion seconded by Councilwoman Bogue. Carried. Hearing closed.

The regular meeting was called to order and recessed for the last public hearing.

#### ELSIE BURNS VARIANCE:

Mrs. Burns had written the council a letter. She cited circumstances that may have a bearing. She had planned to use the lot herself for duplex use but has since found that she cannot use it. She claimed that it would be a hardship if the variance were not granted.

The engineer and the planner had written and both recommended the granting of the variance.

There were no voices in opposition.

The council found there was a question of how many square feet there are in the lot. The engineer measured and it was found that a variance of 1060 square feet was needed. Councilwoman Bogue moved that the variance of 1060 square feet be granted. Councilman Hanson seconded. Carried. Hearing closed.

The regular meeting was resumed with approval of the bills.

**BILLS:** The bills were approved upon motion of Councilwoman Bogue, seconded by Councilman Ekberg. Carried.

**MINUTES:** Councilman Ekberg wished the minutes corrected to read that his appointment as PAC road committeeman had expired.

#### CORRESPONDENCE:

1. Engineer's report on water supply and fire flow.
2. Water system improvements. The soils expert recommends that the next well be drilled next to the new high level tank instead of near the sewage treatment plant which would require a booster pump. These will be discussed during the engineer's report.

#### SPECIAL GUESTS:

Mr. McKean had arrived shortly after his public hearing was postponed. He asked if the tabling motion could be rescinded and put back on the agenda. Councilwoman Bogue felt that she could not hear it now, in all clear conscience, because those who were here previously had all left, because of the postponement. The council wishes to study the site plan before the next meeting.

Dr. Richards was present. He explained that the building inspector had stopped the building of the privacy screen around the large windows of his new office building. Councilwoman Bogue excused herself from the discussion. Wayne Goodno explained that he did indeed stop construction. He said that items in the site plan had been changed or they failed to adhere to the site plan. The parking area in the rear no longer contains the prescribed seven parking spots because ~~two~~ of them have been converted to garden area. The fences to screen the windows were not included in the original plans. Dr. Richards said they will have ample



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parking and can purchase more space from Doctor Bogue if needed. The dentists did not feel they would be building fences either, but screening the windows from the view of the passersby. They need the screens badly and felt that in no way could these screens be considered a fence. The council agreed that the screens were no problem but Councilman Ekberg would like the distinction made that these screens were not a part of the original site plan. Councilman Hanson felt the screens could be considered part of the landscaping. Mayor Bujacich said the council erred when they passed the drawing as a site plan. He said a site plan should show the traffic ingress and egress and the parking.

Councilman Ekberg moved that the fence be considered part of the landscaping and that the building inspector be instructed to allow the construction of less than 10 feet of this fence. The dentists are to correct the parking problem at their earliest possible convenience. Councilman Hanson seconded. Carried.

#### REPORTS:

Street & Water - Councilman Hanson asked if the previously mentioned Six Year Street Plan has been completed. Clerk Avery answered him that some time ago he had turned it over to Jim and the engineer to work on. Sherwood and Hibbs will get together. Jim was asked to trim the blackberries next to the path for the school children at the park.

Sewer Treatment - No report.

Police - Acting Chief Tomlin proposes a load limit for our streets with winter coming on. He was asked to get a copy of the proposal on load limits and he will have the State Bridge Engineers look at the streets and make recommendations.

The town has two new police officers replacing Galloway and Kelly who left to take jobs with the county. The physical exams are in progress now and they will be introduced at a later time.

Attorney - Dave Johnson said he has yet to write a letter of restriction to Arthur Kinner regarding his conditional use permit at the foot of Peacock Hill. The letter will be dated retroactively as the conditional use permit has already been issued. The attorney has the letter for Stutz Fuel. He is still working on the sign ordinance. Regarding the environmental impact statement previously asked about, he said the town can approve their own.

Engineer - Glen Sherwood has been working on the extension of the frontage road through the RB-1 zoned property. This would take a 60 foot strip away from the Myers lot. It would cramp the property and would force the remaining property to become non-conforming in an RB-1 zone. The town may have to compensate for damages here.

Councilman Hanson asked the engineer if he had done any work about changing the wording in the sewer hookup ordinance to enforce hookups farther than 200 feet. He asked if Glen Sherwood and Dave Johnson can get together to amend the intent of the ordinance.

There was a question of whether moving the well site to the high level tank site will increase or decrease costs. Glen said that costs have not yet been established.

Councilman Hanson feared that the question of adequate fire flow at the various apartment complexes might change the fire rating for everyone in the town. It is now a 7. Under present procedure the fire marshall sets the g.p.m. requirement but it cannot be met because of inadequate storage--yet the council approves the plans and instructs the building inspector to issue the permit. Hanson felt the town could be named as a party to a suit in case of a bad fire. The attorney said a hold-harmless clause could protect the town to some extent but there is still a question of liability.

ERICKSON SHORT PLAT: Clerk Avery was asked to check with the engineer, Nils Ronhovde, regarding progress on her plat.

HISTORICAL SOCIETY: The clerk was asked to notify them that they, also, must go to bid on acquiring this building.

Councilwoman Melton said she had located a couple parcels of land for equipment storage. She asked if she should go ahead with appraisals. She was asked to submit the sites to the council for their choice and then the appraisal can be ordered.

#### COMMENTS ON THE SEWER CONTRACT:

Mayor Bujacich urged an earnest discussion between the town and the county and to give up the requests for outsiders recommendations. He said Dr. Hruza has no business making recommendations on sewers--he's a planner--not a contract writer. The mayor urged that the county at least be contacted to see if they are willing to agree to a rental agreement before the council goes to a lot of work drawing up a contract. They did not seem amenable to a rental agreement when he spoke with Hagestad before. The mayor said he is very, very concerned with the lack of progress and feels the council should be equally concerned. He brought up the deficit in the sewer department and the loan--he felt there would be little chance of repayment the way we are going and we are not meeting our bonding requirements. The

Councilwoman Bogue told Mayor Bujacich that the council had been working on it and had not been letting it drop. They were not ignoring the issue. They may not have worked in the direction he would have chosen but they were working on it. The council agreed to set a study session with the engineer, Glen Sherwood, on Thursday, October 7, at 8 p.m. They will then try to set up a mutually agreeable time to meet with Mr. Hagestad or his representative.

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APPOINTMENT TO PAC ~~AND~~ COMMITTEE: It was suggested that an appointment be made from out-<sup>side</sup> side the council.

AD VALORUM TAX LEVY - First reading

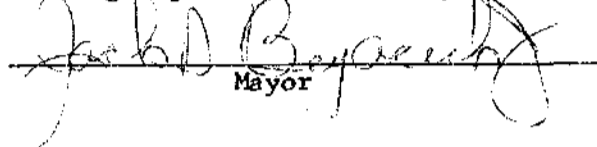
Councilwoman Bogue brought up sign violations, such as at the Texaco station. The ordinance permitted only two signs and they are erecting many more than this. Perhaps they could be approached personally. The building inspector will take care of this.

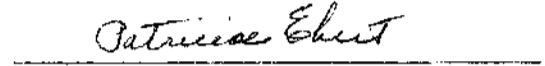
Councilman Hanson questioned the lack of action regarding the planning commission recommendation on the wording in several ordinances regarding site plan review. The attorney will take care of the amendment. This is the first reading.

Councilwoman Melton said she will be unable to get here on Mondays until 8 p.m. from now until December.

Meeting adjourned at 10:05 p.m.

Tape 51, Side 2, 0-961

  
Mayor

  
Asst. Clerk

REGULAR COUNCIL MEETING - OCTOBER 11, 1976

The first public hearing was called to order at 7:30 p.m. by Mayor Bujacich. Present were Councilmen Malich, Hanson and Ekberg and Clerk Avery. Attorney Johnson was ill as well as Councilwoman Bogue. Councilwoman Melton was not present.

SITE PLAN REVIEW - NORWEGIAN WOOD:

There were no voices in opposition to the proposed site plan.

In favor were MICHAEL McKEAN, 4011 10th NW, Gig Harbor, co-builder of the project. He said this is a 40-unit development for the elderly to be built on Tract A of the Peninsula Investment Company short plat. It encompasses 5 buildings of eight apartments each. The buildings will be two-story with eight apartments each. All comply fully with the building code. The response from town residents has been overwhelming. His office has been flooded with requests--mostly from relatives or friends of town residents. They will accept applications from those over 62 years of age only and will provide no convalescent care. The Farmers Home Administration makes it possible to offer low rents through low interest rates and long repayment period.

Wayne Goodno said that the plans do meet the requirements of the ordinance so far as height goes because it was established that this is indeed R-3 zoning.

Councilman Hanson asked what the plans are for landscaping. McKean said that some garden plots will be furnished for the residents. Otherwise the landscaping will be similar to the Cedars Apartments with a heavy preponderance of evergreen trees. It is now densely wooded on the site but the trees are smaller.

McKean said that no one's view can be affected since there are many acres of woods between the site and the sound. All around the property it is zoned business except for the down-hill side.

Councilman Hanson moved that the site plan be approved as submitted and to further clarify his motion that he is talking about the design of the buildings and placement of the buildings on the property and the reliance that the trees and vegetation in other than buildings and parking lot will remain as it is now. "I discern, too, that under the ordinances the engineer and building inspector be sure that the development meets with all technical and specific requirements of the building code." Seconded by Councilman Ekberg. Carried. Councilman Ekberg moved that the project has no significant environmental impact and the application should be processed without further delay. Councilman Hanson seconded. Carried. Wayne Goodno was directed to research the plans to be sure they meet with all town specifications. Hearing closed.

The regular meeting was called to order at 8 p.m. and recessed for the tabled public hearing.

HUBER/ANTILLA COMPREHENSIVE PLAN APPLICATION AND ANNEXATION:

Don Huber was present to answer any questions the council might have.

Councilman Ekberg again stressed his dislike of the density of R-3 in this area, but he had spoken with Attorney Johnson who told him that the council could go to the higher density with a contract written specifying restriction of height, buffers, etc. This would ensure why the property was so zoned. The restrictions would become a recorded document accompanying the land title.

Don Huber said that 33 units, which Councilman Ekberg wished as one of the restrictions, would leave his building with an odd configuration at one end. Councilman Ekberg said he was not really in favor of the zoning but would consider just the 33 units. The engineer

and the building inspector would have to review the water and sewer requirements.

RON LOPP, in the audience, again stated that the record is not clear. The county did approve the 33 units but only with a TDR. Mayor Bujacich said the town is not concerned with these transfer development right. We are not that concerned with what the county would do because the application is to the town.

Councilman Ekberg, in following the suggestion of Attorney Johnson, proposed that the R-3 be accepted with provisions. He would like Attorney Johnson to draw up this document and forward it to the developers well in advance of the next town meeting. Then, at the next town meeting, the comprehensive plan application, the contract, and the annexation can all be finalized. The provisions would encompass the following points:

1. Would house 33 units.
2. Approval of the fire marshal.
3. Site plan requirements are met, including buffers.
4. The recommendation that the R-3 applies to this particular parcel ONLY.

The secretary was asked to write to Attorney Johnson this week stating the contents of the contract, asking this be prepared for review by the principals so that they can comment by the next meeting. Hearing closed and regular meeting recalled to order.

BILLS: The bills were approved upon motion of Councilman Ekberg with second by Councilman Malich. Carried.

Chief Tomlin introduced Thomas J. Newman, the new patrolman, and told the council of his past military service in the Far East and of his present attendance at Fort Steilacoom Community College. Mayor Bujacich said that Patrolman Newman caught the last flag thieves red-handed.

#### MINUTES:

Councilman Hanson wished the last minutes corrected to read that the McKean site plan review was tabled at 7:20 p.m. He said he would like it corrected under "Special Guests" to read four parking spots instead of two. Councilman Ekberg said he would like the previous correction corrected to reflect that it is PAC Committeeman not PAC Road Committeeman. Otherwise the minutes stood approved as corrected.

#### SPECIAL GUESTS:

Bob Thorp and David Widney were present from the East Gig Harbor Improvement Association regarding the impending development of an outstation of the Seattle Yacht Club. Mr. Thorp said the club bought a 280 foot tract in 1975 between the Hanna and Selfors properties. They were stopped from construction at that time but they are a big organization and will not be easily stopped again. They would appreciate any help the town can give. Mayor Bujacich said he agreed--we should stick together and work in unity on this.

#### REPORTS:

Street and Water - Jim Hibbs announced the leasing of the old sign shop at the foot of Stinson Avenue by the Street and Water Departments. They will be able to keep several vehicles there and will keep all their equipment possible within the building.

Sewer Treatment - None

Police - Chief Tomlin told the council that the county-acquired base station does not scan and they do need and feel it would be wise to invest in scanners. The mayor agreed, saying that there is no direct means of communication with the fire department. The town could scan the State Patrol as well as four county channels with the proper crystals. The town could use one portable and one stationary unit. Councilman Ekberg asked if funds are available. After being assured that there would be funds, he then moved that the council authorize the purchase of one 10-channel scanner up to \$250. Councilman Hanson seconded. Carried.

Chief Tomlin was asked how the work is going on the load limit ordinance. He answered that he still is waiting for the State Bridge Engineers. The council felt the ordinance should be passed before December if possible.

Building Inspector: Councilman Hanson asked Wayne Goodno that if he has any questions at all about any building problem that it should be brought before the council.

Engineer - Glen Sherwood had the plans for the water system improvements. They will submit these plans to EDA for 100% of the cost of the layout, or \$420,000. If they get the funds the town's cost is \$36,000. In order to get the application in they need the mayor designated as the representative authorized to sign the grant. The date of submission is 10/25/76. Councilman Ekberg so moved that the mayor be designated as the representative authorized to sign for the town. Councilman Hanson seconded. Carried.

The well site was discussed. The site has been changed from the Hildebrand property back to the previous choice near the treatment plant. There was no doubt in the water geologist's mind that the choice at Tank Site #3 would have produced all right but it would have had to be deeper. The site at the treatment plant will need booster pumps, thus evening out the cost.

Glen had plans for Tank Site #3 with the legal description as in the lease agreement. Mr. Hildebrand wishes to be paid in accordance with the agreement even though he has not yet put up the fence or completed the paving. He wishes to hold up on the fence and paving until his

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mini-warehouses are finished. He could be paid for the water main pending completion of the fence and paving--a matter of \$12,000. Mayor Bujacich suggested paying Hildebrand but withholding the cost of completion of the project. Glen will make an estimate of this and will talk with Hildebrand.

SIX YEAR STREET PLAN: This had been prepared by Glen Sherwood. Included in the plan is a proposed by-pass of the town for those living on the east side and up the valley. The council asked why this by-pass could not start at Grandview instead of Foster Street. Councilman Hanson would like to have more investigation made into this--perhaps by the planning commission. The clerk told the council that they are not bound by this plan--it is merely a guideline. Glen Sherwood said he would look further into the possible bypass routes and improvements to Pioneer Way. The council will review it in the meantime.

SEWER CONTRACT: Waite Dalrymple brought an updated proposed sewer contract. He pointed out the changes that he had made. He didn't mean it for review here but for them to take home and study. The changes were as follows:

600 customer hookup. Beyond 50,000 gallons per day they must renegotiate a new contract.

Metered flow.

They would pay \$26,500 initially.

The costs include bond costs.

The contract in no way precludes annexation.

The council will hold a tentative executive session on October 14 at noon.

COMMITTEE REPORTS:

The mayor would appreciate suggestions as to nominees for PAC committeeman.

TAX LEVY - Second Reading - Ordinance #238:

Councilman Ekberg moved that Ordinance #238 be accepted. Seconded by Councilman Hanson. Carried.

SITE PLAN REVIEW REQUIREMENT CHANGE:

Tabled until council has a chance to study it.

HUBER/ANTILLA SHORT PLAT:

The planning commission had looked the property over for sensitive area. It was found not to be in a sensitive area and thus does not require an environmental impact statement.

Dr. Hruza had looked it over and made recommendations. The problem mentioned by him regarding failure on the part of the auditor's office to record the previous property divisions was resolved between attorneys Johnson and Hester. Mr. Huber would like to short plat because he wants two separate legal descriptions and can get two loans on the property. Councilman Hanson felt it might have been solved tonight if Attorney Johnson could have been present, but since he was not here then Hanson felt the council should have a separate memo from him. Councilman Hanson asked that Mr. Huber and Glen get together and work these things out. The street names have to be changed on the plat. The attorney should review items 1 and 2 and change item 4. Regarding the road on the plat the council would like to have the fire marshal review the plat and make recommendations. Councilman Hanson asked that Mr. Huber be furnished this information prior to our next meeting.

COMMERCIAL SEWER RATES: The clerk explained that the flat rate to commercial users is illegal. Waite Dalrymple said an equitable allocation should be made in relation to the type of business. He will bring a rate schedule with him next time that they got from Clark County.

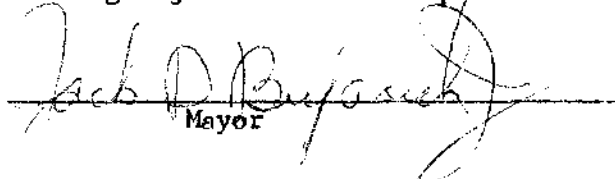
CONTRACT WITH PIERCE COUNTY FIRE DISTRICT: It was agreed that it should be rewritten. They will ask the attorney to make recommendations by the next meeting.

Councilman Malich asked that his mail be dated,

Councilman Hanson wished to reaffirm the decision on Norwegian Wood and would like to assure that the town is not in jeopardy in granting a building permit without the fire marshal's recommendation on fire flow being followed. Wayne is not to issue a permit until all items are taken care of. He should have the fire marshal's okay in writing before the permit is issued.

Meeting adjourned at 10:25 p.m.

Tape 52, Side 1, 0-1047

  
Mayor

  
Asst. Clerk

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TOWN COUNCIL MEETING - OCTOBER 25, 1976

The public hearing was called to order at 7:30 p.m. by Mayor Bujacich. Present were Councilwomen Bogue and Melton (who arrived at 8 p.m.), Councilmen Hanson and Malich, Attorney Johnson and Clerk Avery. Councilman Ekberg was not present.

PUBLIC HEARING - DOEL REZONE REQUEST:

Dr. Doel had requested a rezone on a portion of his property on Soundview Drive. The area was pointed out on the map and the favorable recommendation of the planning commission was read.

In favor were DR. MICHAEL DOEL, the petitioner, who explained the proportionment of the property and gave some history regarding the gradual reduction of density. He had waited to develop the land until now pending financing. He would like to attain a total of 94 apartment units.

ALLAN BOND, commercial realtor, helping Dr. Doel on this, said he would like to present the best development of the area to give the least impact on the area.

There were no voices in opposition.

Dr. Doel went on to explain that the present request is the result of a compromise. He had amended his original request which had been made in March or April of this year. He now asks for 16 units over the allowable maximum under R-2 zoning. Councilman Hanson asked Dr. Doel how the development could contribute to the health, welfare and safety of the town. Dr. Doel answered that it would be an asset to the town so far as appearance goes and concentrating the units would permit less ground coverage. Also, it would contribute an increased tax base to the town.

Councilwoman Bogue told Dr. Doel of the lack of water storage on the high level system and how the Cedars Apartments contributed toward a booster pump to help alleviate the water problem in that area. She asked Dr. Doel if he would also be willing to help in such a manner. He was told that the booster cost from \$3000 to \$4000 and he said he would gladly help to such an extent. They will get a recommendation from the engineer although water supply is not a main concern at this time. It would normally be discussed at the site plan review.

Councilman Hanson moved that town accept the application for rezone from R-2 to R-3 on the Doel property, subject to the land agreement formalizing that the parcel was as a whole and assuring that the legal descriptions agree. Hearing closed.

The regular meeting was called to order with a motion by Councilwoman Bogue that the bills be approved. Seconded by Councilman Malich. Carried.

As there were no additions or corrections the posted minutes stood approved.

SPECIAL GUESTS:

Nick Markovich again asked the status of his sewer stub. He would like to hook up his office building. Mayor Bujacich said he had written to the engineers but had received no answer. Since Waite Dalrymple was here he asked him for an explanation. He said that, depending on the person talked to, the stub was put in improperly. "The contractor had agreed, at the time the line was open, to dig down and put it in properly. As I understand it you told him to forget it. The contract elapsed at that time and we then made an offer of \$200 to hook that thing back up which we felt was the amount it would have cost the contractor to do it and you denied that he wanted to settle for that amount and so I told Glen to make no further offer to you to hook that up, and by the way we do not feel it was necessarily placed at the improper spot. If it were then we felt at that time that you were being obstinate and wouldn't go along with putting it in with the contractor."

Markovich said they did bring a contractor in to try to hook it up but there was no stub there. The engineer on the job said the former owner had asked that it be put in at that location where it is. It would mean \$800 to hook up to the stub in that location and would only have been about \$250 to hook up where the stub should have been placed.

Glen Sherwood said the prime contractor said he agreed to dig it up and show them that there was a stub there and their contractor could then hook it up, but he was willing to dig it up where it was shown on the plan or where his contractor tried to find it but couldn't reach.

There was further discussion on depths, etc., and whose responsibility it was. Attorney Johnson said that since we had no authority over them as our independent contractor hired to do a job the town is not obligated. We cannot control their actions and we are therefore not bound by them. Waite said it might be best to get together with all parties to try to work it out but he will get together with his people and try to resurrect all we can.

TEXACO SERVICE STATION:

Charlie Stone had been informed by the building inspector that his signs do not conform with town regulations and he has removed all but the readerboard. He said he was told it was oversize and asked if any councilmen had objections. Councilwoman Bogue said it fails to com-

ply in three ways: It is too tall, too large and blocks view, and it advertises more than the price of fuel. He was told he would have to apply for a variance to keep the readerboard.

#### REPORTS:

Street and Water - Jim Hibbs said he checked on the price of sidewalk around Clay Hill. It is 1728 feet from one end to the other and the price is \$3.91 per foot for 6½ feet of width. This includes grade, fill and construction of a curb. We are going to try to use Arterial Street Funds but have not yet received approval.

Jim went on to say that a water line got extended by Hemley to a private road and an easement will be needed. Mayor Bujacich felt that since Mr. Hemley has covered side sewers in the past without being inspected that now he should either attain an easement for that line or be forced to pull the line out and put proper stubs in the proper places. If he won't do it then red tag the job and we'll hire somebody else to do it and bill him. Tell him to stop work tomorrow until we have one or the other on both the water and sewer jobs.

Gary Tannahill pointed out that the underground power line was dug today on town property and he wondered if the proper permits have been obtained.

Police - Regarding the load limit ordinance, the Fircrest ordinance is one of the best he has found. He again contacted the State Bridge Engineers but found the price was so high that he feels we should disregard their service. He will make copies of the Fircrest ordinance for the council to study.

Chief Tomlin went on to ask if they could go to the polyester-type tire. They have had so much trouble with radials. He was told to get some local prices.

He went on to ask permission to keep the town hall open on Halloween night. They will decorate and give out treats.

Building Inspector - Wayne Goodno told the council that Dave Rasmussen has been building a deck on his house on Peacock Hill with a permit he bought in 1975. He now has a 14 x 14 foot deck built out even with his garage which is four feet on the town right of way. It has been red tagged. The mayor told Rasmussen that this is a violation of town ordinance and he must apply for a variance.

Goodno went on to tell the council of the John Hanson house on Grandview Place. He had been given a variance six years ago for the first stage of 3-stage construction plans. Can he still use that same height variance? Attorney Johnson had looked it over and told the council that these plans were submitted to the town council who granted a small height variance. This was part of a three-stage house. He commenced construction on this house. Now he is into the next stage of construction. In his opinion, "the issue is whether or not, if you are issued a stage development and you do commence within a year, are you not entitled to complete it. I think that you have the right to allow him to complete it and simply take the position that he had commenced his project within a year and there is nothing in the ordinance that says he must complete it within a year."

The minutes fail to reflect that it was a three-stage project and that the variance was granted to cover all three stages. John Hanson indicated to Attorney Johnson that he has submitted the plans as a package--the plans were on file here in the town hall so he assumes that it all came before the council and the council chose to give him a variance on all three stages.

Councilman Hanson assumes from what the attorney stated that the variance was given for the whole project. Mayor Bujacich attested to this, stating that the entire council looked it over. Councilman Hanson moved that it be approved that the variance request was for the total project of three stages. Seconded and carried.

Attorney - Dave Johnson said he had submitted the issue on 200-foot sewer connection distances to the Association of Washington Cities to give us some authority to change that ordinance. Mayor Bujacich said a letter was delivered today regarding the house on Rosedale next to the Garber house. The mayor read the letter which refers only to the original house, not the Gary Peters house that was recently constructed. The mayor did not see how we could deny him a septic tank permit since our ordinance does not permit us to force him to hook up. The attorney was asked to write to Mr. Peters and to also write to Dr. McNutt.

Engineer - Waite Dalrymple commented on the Borovich Short Plat since Mrs. Borovich was in the audience. It was felt that the engineers comments should be given to Mr. Bolton so they can be incorporated in the mylar tracing.

COMMERCIAL SEWER RATE CHANGES: Waite Dalrymple presented the rates that were approved by the EPA for Chelan County. These rates are based upon use. The council will hold a no-host luncheon at the Shorline Restaurant at noon on Friday to study these proposed rates.

Glen Sherwood reported that the engineers are making the EDA application for the water system improvements. They have also prepared an application for sidewalk funds that they will submit.

#### COMMITTEE REPORTS:

Councilwoman Bogue reported that the Library Board had its annual meeting and that the Pierce County contract will probably increase considerably because of the increased tax base of the town. The county will re-establish the reimbursement fund next year and will increase the hours of service. Because they have received no maintenance money in 1976 the fund is in bad shape and she asked if there might be funds to allow payment of some of the outstanding



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bills. She was told that money from the contingency fund could be provided for the 1976 maintenance.

Councilwoman Melton said she had talked with Mort McKenzie regarding the property he owns next to the treatment plant and there are two other places not yet finalized. The council will be furnished a list of sites available and can then go ahead and choose from this list the sites to be appraised.

TARABOCHIA DOCK HEARING: Set for November 22 at 7 p.m.

HUBER/ANTILLA LAND USE AGREEMENT:

This had been drawn up by the attorney. Councilman Hanson asked that a modification be made to assure that any future use of the property take place under updated zoning. The attorney suggested adding, ". . . and any subsequent changes."

Councilman Hanson moved that the mayor be authorized to sign the land use agreement between the Town of Gig Harbor and the Huber/Antilla Construction Company with the added provision that any changes in this zone or any other enumerated points in their quality of the land. Seconded and carried.

Councilman Hanson then moved that the comprehensive plan application for R-3 zoning on Huber and Antilla's parcel on Stinson Hill with the land-use agreement attached be adopted. Seconded and carried. Councilman Hanson then moved that we annex the Huber/Antilla parcel on Stinson Hill with the R-3 zoning and restrictions. Seconded and carried.

HUBER/ANTILLA SHORT PLAT:

Written comments were not yet received from the Fire Department. There was some discussion concerning the plat but there was no mylar drawing. Pertaining to this plat Dr. Hruza had previously commented that the prior division of land did not get recorded until after the town's short plat ordinance went into effect and this might pose a problem for this particular plat. Attorney Johnson said the Auditor's Office told him that an earnest money agreement entered into predates the town's short plat. It is a legal binding contract even though it was recorded subsequent to the short plat ordinance.

Glen Sherwood had questioned points 5 and 6 involving the sewer on the south boundary of the plat. These questions have not been resolved. Mr. Huber did not feel it is his problem to provide an easement of more than 10 feet. This was postponed to the next meeting, pending comments from the Fire Department.

JONES SHORT PLAT: Dr. Hruza's comments have not been received.

FIRE CONTRACT: The mayor said we cannot sign this contract because we cannot be responsible for bonding in the county. Attorney Johnson was asked to write a letter telling them we cannot accept the contract as written. It has to be renegotiated to the agreement of both parties.

SIX YEAR STREET PLAN: Councilwoman Bogue commented that the extension of Stanich Avenue would no longer serve a useful purpose with the Fire Department relocating at the top of the hill.

ORDINANCE #239 - PERMIT REQUIREMENTS - 2nd Reading:

This is now tabled for further review. Councilman Hanson said he felt the proposed ordinance applies to R-2 only the way it is written. It should apply to all zones but R-1.

BUDGET STUDY SESSION: Set for Nov. 8 at 7 p.m., prior to regular meeting.

Councilman Hanson asked that a letter of appreciation be written to the Hogans commending them on the beautification project next to the Shoreline Restaurant.

Mayor Bujacich announced that he had appointed John Ross to the PAC position.

Councilwoman Bogue asked what had been done about putting this building up for sale. She was answered that they do not intend to advertise it until the new building is more nearly completed.

ERICKSON SHORT PLAT: Mayor Bujacich asked that Nils Ronhovde be contacted.

Meeting adjourned at 10:40 p.m.

Tape 52, Side 2, All

  
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Mayor Bujacich

  
\_\_\_\_\_  
Asst. Clerk



TOWN COUNCIL MEETING - November 8, 1976

The meeting was called to order by Mayor Bujacich at 8 p.m. Present were Councilwomen Bogue and Melton, Councilmen Ekberg and Malich, Attorney Johnson and Clerk Avery. Councilman Hanson was not present.

The bills were approved upon motion of Councilwoman Bogue, seconded by Councilman Ekberg. Carried.

MINUTES: Councilwoman Bogue asked if final approval of the minutes can be withheld until Councilman Hanson is present. He is needed to clarify a motion he made regarding the Huber/Antilla rezone.

CORRESPONDENCE:

1. Spot Realty asked that the council render a statement of non-removal against the Hemley house at the north end of town as a corner of the garage encroaches on the town right of way. Referred to new business.
2. There was a discussion on the request of the Fire Marshal that Stutz Fuel comply with fire regulations. Mayor Bujacich explained the current status and said that Stutz Fuel is applying for permits to attempt to comply with the requests of the marshal's office. The file was then turned over to Attorney Johnson so he could clarify the kinds of permits needed.
3. The Planning Commission's letter of recommendation on the Tarabochia Dock Shoreline Management permit was read. Councilwoman Bogue read a portion of the master program that specifies that a council hearing be set if they require further citizen input. Councilwoman Bogue felt that a maximum of citizen input was desirable. A motion was made and seconded that a public hearing be held. It was set for November 22 at 7 p.m.. Carried with Councilman Malich voting no.

SPECIAL GUESTS:

Bill Hughes of the telephone company requested a sewer connection on Neel Court. They would like to hook up four more restrooms to the existing sewer stub. They already have one building hooked up to this stub. The building is located in the county and the stub is in town. The new warehouse is also in the county. They have moved a mobile home on the premises and they wish to hook up the warehouse and the mobile home. The mayor felt it might be permissible if they get county permission. The only alternative is annexation. There was a good deal of discussion and the principals agreed that they would apply for annexation in the morning.

REPORTS:

Street and Water - Jim Hibbs explained the damage caused at the Kelley residence by a plugged culvert. He told of the installation of a perimeter drain which completely blocked the hillside drain and caused it to overflow into the Kelley's yard and pool.

Jim went on to ask if there might not be a method of reimbursing town employees who attend special schools on their own time. It was agreed that they should be reimbursed but only if they stay in the town's employ at least 90 days after date of schooling.

Mayor Bujacich complimented Jim and his crew on the striping.

Sewer Treatment Plant - Gary Tannahill said the pumps finally arrived last Friday and one is installed.

Police Dept - Chief Tomlin said it was time to negotiate a new contract for the low-lead vehicles. He brought bid sheets from various dealers. He was told to go ahead with the lowest bid even though the station is located a bit out of town.

Chief Tomlin went on to explain the difficulty that drivers turning left at the foot of Pioneer Way encounter. It is very difficult to see to the left unless the driver pulls far out in the intersection. It was felt that eliminating one parking space in front of the Hardware Store might eliminate the problem. They will temporarily block this space to see if it eases the problem.

Councilman Ekberg commended the police department as they are now much more visible in a positive way.

Building Inspector - Councilwoman Bogue mentioned the proliferation of signs at Harbor Wood West. The ordinance is not clear on signs for multi-family dwellings and Attorney Johnson and Councilman Ekberg will get together on this.

Engineer - Glen Sherwood provided copies of a memo from Waite Dalrymple regarding the county sewer contract. Attorney Johnson will work on getting the contract in workable order and the council can contact him if they have any changes or additions in the meantime.

Glen had brought copies of the Draft Environmental Impact Statement on the Well and Water Storage. On page 2 was a list of agencies that the Town Clerk should mail copies to.

Regarding the Markovich stub, Waite is still working on this.

Mayor Bujacich announced the dedication of the Rosedale Street park on Thursday at 10 a.m. He urged that the town turn out.

SHORT PLATS:

Borovich Plat: Attorney Paglia was present on Mrs. Borovich's behalf. He said that all points mentioned have been taken care of. He explained that his client has no right to dedicate a road on the Peterson boundary. It is a question of obligation toward private roadways. Attorney Paglia also wished to delete the last two lines that would have forced

his client to construct and maintain the easements. There was a great deal of discussion on this and finally it was moved by Councilman Ekberg that we accept the short plat with the last two lines basically deleted. Councilwoman Bogue seconded. Carried with Councilwoman Melton voting no.

Huber/Antilla Short Plat: The fire department had answered the request and they refused to comment on the road. Councilwoman Bogue wished to ask that the fire department comment specifically on this road. Don Antilla said they did get the approval of the Fire Marshal if they paved the road to a minimum of 18 or 20 feet. He stressed that the rainy season is upon us and the Baty triplex is in sore need of a paved access. Councilman Ekberg said that he would agree to the short plat if it could be written in an agreement that would accompany the land title that the road is to be paved to a minimum of 18 to 20 feet and maintain that width through some sort of guarantee. Councilman Malich moved that the short plat be approved with the following conditions:

The the road be paved to a minimum of 18 feet in width and that a land use agreement accompany the title stating that the road is to be always maintained to that minimum width.

That the platter dedicate an easement of 8-inch sewer line to the town.

That the mylar not be signed until these provisions are met.

The motion was seconded and carried.

Short Short Plat: Not returned by engineers.

Jones Short Plat: Must be corrected as Glen Sherwood located several errors.

COMMERCIAL SEWER RATES - First reading.

SIX YEAR STREET PLAN: Glen Sherwood asked if the council had any further changes. Councilman Ekberg had some suggestions. This will be brought up at the next meeting.

PERMIT REQUIREMENTS - ORDINANCE #239 - Second Reading: Councilwoman Bogue asked Attorney Johnson if it was necessary to publish the entire ordinance. This is a considerable expense. He felt that otherwise people might think that some major portion has been deleted, but he will call to get more information. Councilwoman Bogue moved that we table the second reading until the attorney has time to find out how much we actually need to publish. Seconded and carried.

Spot Realty requests that the council rule on the encroachment of the Hemley house. The council will physically look it over. The clerk will make a tracing from the sewer map and provide copies of the lot lines for the council.

ANNEXATION ORDINANCE - MORRIS: First reading.

Councilwoman Bogue asked that the mayor appoint an individual or a committee to look into fee schedule changes. Mayor Bujacich appointed Clerk Avery, Councilman Ekberg and the department heads.

Councilman Ekberg felt that the current method for handling short plats is taking too much time. He asked if the changes that must be effected can be made before the plat gets to the council.

Councilwoman Bogue would like to contact Dr. Hruza regarding the annexation policy he has been working on. She would like to know, too, how he is progressing on the comprehensive plan. The clerk will call him.

Regarding small notices to the council, Councilwoman Bogue asked if the size of the sheet of paper could not be reduced in the interest of paper conservation.

Councilwoman Bogue went on to ask about uniform policy for the police department. It was clarified for her by Chief Tomlin who told her that officers serve a probationary period of one year.

Meeting adjourned at 10:45 p.m.

Tape 53, Side 1, 0-957 feet.

  
Mayor Bujacich

  
Asst. Clerk

Engineer - Glen Sherwood was not present as he was ill.

JONES SHORT PLAT:

The clerk said that all recommended changes have been met. Councilman Ekberg moved that the plat be approved as amended. Councilwoman Melton seconded. Carried.

FORMAL REJECTION OF SIDEWALK BIDS:

Councilwoman Bogue moved that, on the recommendation of the engineer, the town council reject any and all sidewalk bids. Seconded and carried.

PERMIT REQUIREMENTS - ORDINANCE #239 - Second Reading:

The attorney said it appears that the ordinance must be published in its entirety. Councilwoman Bogue then moved that Ordinance #239 be adopted. Seconded and carried.

Tabled were Commercial Sewer Rates and Six Year Street Plan since Sherwood was not present.

PIERCE COUNTY SEWER CONTRACT:

The council was not ready to act on this. Councilman Ekberg said his copy was not put in his mailbox until after he picked up his mail on Thursday and, consequently, he did not get a chance to look it over. The mayor asked that a copy be mailed to Pierce County asking for their written response. The attorney asked if it is all right if he delivers it because then he can make it clear that this is only a working draft. Councilman Ekberg asked that their written comments be returned to the council.

BURNS SHORT PLAT:

Clerk Avery said that changes made so far refer to road and location of dwelling. It was noted, though, that there is no vicinity map furnished as specified in the ordinance. This decision was then postponed.

HEMLEY HOUSE ENCROACHMENT:

The real estate company is asking for a letter from the council stating that the building will not be required to be moved. The council agreed that they (this particular council only) do not require the moving of the building. The attorney will draft the letter and bring it to the council for their approval.

ANNEXATION ORDINANCE - MORRIS PROPERTY - ORDINANCE #240 - Second Reading:

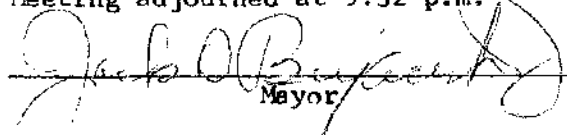
Councilman Ekberg moved that the ordinance be adopted. Councilman Hanson seconded. Carried with Councilwoman Bogue abstaining.

Regarding possible annexation of Olympic Village, Councilman Hanson explained that the rumor could have started only because he, some time ago, asked for completion of the comprehensive plan so that the annexation proceedings could be resumed.

BUDGET - First reading.

Meeting adjourned at 9:32 p.m.

Tape 53, Side 1, 957 to End and Side 2, 0-482

  
Mayor

  
Asst. Clerk

TOWN COUNCIL MEETING - December 13, 1976

Present were Mayor Bujacich, Councilwoman Bogue, Councilmen Ekberg, Hanson and Malich, Attorney Johnson and Clerk Avery. The meeting was called to order by Councilwoman Bogue, who chaired the meeting. Mayor Bujacich excused himself on the basis of a conflict of interest. She recessed the regular meeting and called the public hearing to order.

BUJACICH SHORELINE MANAGEMENT PERMIT APPLICATION:

The Planning Commission's recommendation was read and the area pointed out on the map. The mayor pro tem called for comments in favor of the application.

NICK TARABOCHIA, JR. spoke in favor of the application as proposed. He feels it preserves the integrity and flavor of the Harbor. It will not inconvenience anyone seriously and it should preserve the land for the fishing industry.

MIKE GALLIGAN, who moors at the Tarabochia float, said Bujacich's dock should be approved. It does not affect maneuvering.

JOHN GILICH spoke as a citizen of the town. He said he is much in favor of the float since it promotes the industry and is not out of reason.

There were no voices in opposition.

Councilman Ekberg asked George Bujacich how many boats are tied to this float. The answer was four purse seiners, one small pleasure boat and one small gillnetter.

005

He was asked if he provides parking on his property. He answered yes. When asked how much land area he has for parking he answered 125 feet to the bulkhead and 76 feet wide, most of it in parking.

John Gilich said he hoped they would not consider the need for parking on the same basis as a commercial venture since the need is limited for the fishermen and the season short.

George Bujacich was asked if he has an agreement with the Duvalls? A. Yes, written.

Councilwoman Bogue asked how far this float is from Eddon Boat's float. A. The Eddon float is not anchored and swings in a north wind, but the two float clear. His own float is anchored. He went on to explain that he had a permanent buoy at one time to which he tied. This buoy swing around and that is why he later drove the pilings. A year later he made the walkway out. These improvements encompass about five years of work.

Councilman Hanson felt that there certainly was a definite need for moorage in the area, but wondered if approving this moorage, which lacked permission from the beginning, might encourage others to do the work first and apply for a permit later. By acting on this application are we encouraging infractions in the future? He wondered if court action can be taken for the penalty? By acting on this application now would the council negate any penalty possibilities? Attorney Johnson felt the council would have negated any possible penalties. It is not terribly uncommon even in Pierce County for this same thing to happen. The attorney said the council is not a penalizing agency. The court would have to exact penalties.

Councilman Hanson moved that the Shoreline Management permit for George Bujacich be approved and forwarded to the State. Councilman Ekberg seconded. The motion was carried unanimously. Hearing closed.

The regular meeting was recalled to order by Mayor Bujacich. This was then recessed for the second public hearing.

#### WATER SYSTEM IMPROVEMENTS ENVIRONMENTAL IMPACT STATEMENT:

This had been prepared by Glen Sherwood, who went over the statement with the council. This is the draft copy. It has been published and the list of addressees included inside the cover. The DSHS and EPA have responded. Their statements mostly concern the contamination of the water source next to the Sewage Treatment Plant. The engineer did not feel it could really be a problem in that area.

The tank, 30 feet in diameter and 100 feet high, provides the greatest impact, but it could be painted to blend with the environment.

Councilman Hanson had gone over this statement and found two places that he would like clarified, page 6, 1st paragraph last line, and page 13, middle paragraph. Both were cleared up by Glen. This is only the draft. It can be accepted tonight as a draft accompanied by the comments made tonight. Councilman Malich moved that the draft be accepted. Councilman Ekberg seconded. Carried. Hearing closed.

The regular meeting was reconvened.

BILLS: Motion to approve by Councilman Ekberg, seconded by Councilman Hanson. Carried.

MINUTES: Councilwoman Bogue wished the tape checked and corrected concerning a sentence under the Tarabochia/Ancich public hearing. It is corrected to read, Councilwoman Bogue asked Attorney Johnson if the council could limit the use of this float to commercial fishing boats only and further can we limit the number of such boats permitted to tie to the float and raft to those already tied to the float.

Councilman Hanson wished it corrected under sewer rates. He asked to have the rates extended using our present rates. He went on to correct the minutes of October 25. He said that under the Huber/Antilla land use agreement his intent of the motion was that any changes in zoning would run with the land and not grandfathered in. The minutes of both meetings then stood approved as corrected.

#### CORRESPONDENCE:

1. Planning Commission recommendation on David Rasmussen variance request. Hearing set for December 27 at 7:45 p.m.
2. Planning Commission recommendation on Granite Service sign variance request. This hearing was set for December 27 at 7:30 p.m. Mayor Bujacich and some members of the council took exception to statements in this letter, saying that it was not possible that the sign existed under the grandfather clause.
3. Fred Smith, Pierce County Fire Marshal, copy of letter to Hogan regarding the deficiencies at the Shoreline Restaurant not yet corrected. The mayor asked Wayne to look into this and report back here at our next meeting.

The Tarabochia/Ancich public hearing continuation was set over to January 10, 1977, at 7:30 p.m.

#### SPECIAL GUESTS:

Telephone Utilities, regarding the petition for annexation they intend to file, presented a

The first public hearing was called to order by Mayor Bujacich at 7 p.m. Present were Councilwomen Bogue and Melton (the latter of whom arrived at 8 p.m), Councilmen Ekberg and Hanson, Attorney Johnson and Clerk Avery. Councilman Malich was not present.

TARABOCHLA/ANCICH SHORELINE MANAGEMENT PERMIT APPLICATION:

The background of this application was explained. Two finger piers had been constructed and pilings driven without permission and this hearing is to redress the violation.

Councilwoman Bogue asked the principals if the boathouse at the end of the floats is still there. George Ancich answered her saying that the boathouse was removed about two days ago and the plan is essentially correct except that there are no pilings where the drawing shows them as planned.

The mayor asked for comments from those opposed:

JOHN PAGLIA, representing Joe, John and Peter Ancich and Mrs. Ivanovich, questioned the appearance of fairness incidental to members of the Gig Harbor Planning Commission visiting the site and speaking to the applicants prior to the public hearing. He felt their visit was against the law. If they had been disqualified for the above reason then the commission would have had no quorum. He also questioned the vote of John Finholm who he felt should have disqualified himself.

He felt that the parcel of property in question, 9600 square feet, is too small for such tremendous development and could not qualify under the zoning ordinance of this town. There is no side setback and the law requires 12 feet. The development requires more parking than they have furnished. He felt it was vastly overdeveloped and is illegal notwithstanding the application of the grandfather clause. He felt the Ivanoviches have the right to extend their dock; likewise the Anciches have the right to deep water moorage. Others in the area should not be deprived of the right to develop their property.

Mayor Bujacich said that, if the previously stated appearance of fairness applies, then the council should be disqualified also since they, too, visited the site. John Paglia said the appearance of fairness doctrine precludes previous visitation and would allow the legislative body to visit the site only at the time of the public hearing.

TONY FRANICH, in the audience, was concerned on the basis of parking in the area. He said the parking near his driveway has created a dangerous situation in front of his home and and sometimes he cannot receive his mail.

In favor were: GEORGE ANCICH, who maintained that the development that is already in place under a permit should not be questioned tonight. He drew a sketch on the board of the float in question. This float is just about in the middle of the property. A further discussion took place on the number of boats tied or rafted to the floats. Councilman Hanson felt that a page of the application is missing according to the application forms published in the master program. The clerk said this particular application has never been taken apart for any purpose in this office. Councilman Hanson said he would find it difficult to make a decision on this application if any of it is missing. He moved to table the hearing pending the completion of the application. Councilman Ekberg seconded the motion with the request that the town be furnished an exact drawing of the site as it now exists with the moorings marked. Councilwoman Bogue would like to have the attorney research the question but she would like to have mooring at this dock limited to fishing boats only and limited to boats tied to the floats--not rafted. The motion was carried. The hearing is continued until the drawings are received at which time a continuation date can be set.

The regular meeting was called to order as it was 8 p.m. and recessed for the second public hearing.

UDDENBERG VARIANCE REQUEST FOR HEIGHT AND COVERAGE:

Keith Uddenberg requests a height variance of four feet and a coverage variance of 15,000 square feet in order to construct a new market facility at the Peninsula Shopping Center. The favorable recommendation of the planning commission was read. The mayor asked the secretary of the commission to tape the public hearings and retain the tapes until after the council decision is rendered.

KEITH UDDENBERG explained that this new market facility will be one to two feet lower than the present Thriftway Store. Councilman Ekberg questioned parking space. Mr. Uddenberg said the 250 additional spaces that are required are provided for. This meets parking regulations for the entire development. The future use of the present store was not divulged.

There were no voices in opposition.

Councilman Hanson asked Jim Hibbs if he felt that storm water runoff would increase and become a problem. Jim said the present system can handle all but extremely heavy rains and nothing can take care of such extreme conditions.

Rudolph Nikolac asked Uddenberg how he plans to route delivery trucks. The answer was down Soundview Drive and enter the alley behind the store.

Councilman Ekberg moved that the height and coverage variances be granted. Councilwoman Bogue seconded. Carried unanimously. Hearing closed.

PIERCE COUNTY FIRE DISTRICT #5 CONDITIONAL USE PERMIT HEARING:

The Planning Commission letter of recommendation was read. The letter asked for dedication of a 30 foot right of way on the east boundary. It was felt that this would come up under site plan approval.

DREW WINGARD was present. He felt the new location would put the fire department in a position to better serve the district. They plan to call for bids again on a Crescent Valley station on December 16 and hope to complete that facility by June of 1977. They have applied for a grant for the main station.

BILL EDGBERT spoke in favor of the conditional use permit.

There were no voices in opposition.

Councilwoman Bogue felt it would be wise to request site plan approval. Councilman Ekberg moved that the conditional use permit be approved subject to site plan approval by the Council. Seconded and carried. Hearing closed.

The regular meeting was resumed. A motion was made a seconded that the bills be approved. Carried.

MINUTES: October 25 - approval postponed to next meeting.

November 8 - Councilwoman Bogue wished to clarify the question regarding the uniform policy for the police department. It reflects that the patrolmen serve a probationary period of one year. Now they will purchase their own uniforms and will be reimbursed if they stay in the job past the one year. Councilwoman Bogue moved that the minutes be approved with the correction as noted. Seconded and carried.

CORRESPONDENCE:

1. Planning Commission recommendation on the George Bujacich Shoreline Management Permit application. The council wished to hold a second hearing and the date set was December 13 at 7:30 p.m. Councilman Hanson asked that the permit application be checked to determine that page 2 is present. Councilwoman Bogue will chair this portion of the meeting because there is a conflict of interest on the part of Mayor Bujacich. Clerk Avery pointed out that another hearing is already scheduled for 12/13 at 7:45 p.m.
2. Washington State Department of Social and Health Services announced the certificate of completion of water works specialist of James L. Landon. The mayor complimented Jim.
3. Margaret Payne Burki's letter asking that their property be served with water. Her letter stated that their lot is the only lot remaining in that area not served by town water. She felt that the town has a certain responsibility to have just one water policy for their street. Because the town has now gone back on their previous policy, their lot has been made into a "virtual desert island." The Burki's were present. Councilwoman Melton agreed with the letter saying this is an unusual case. Councilwoman Bogue felt that special circumstances do apply here. Councilman Ekberg felt that this one service could be granted if it were stipulated that this service is to include only one single family residence at a rate 1½ times the town rate. The minutes should reflect no policy change but a hardship connection to a line already there. Councilman Ekberg moved that they be allowed to hook up solely one single family residence. Councilwoman Bogue seconded. Carried.

REPORTS:

Street and Water - Jim Hibbs asked if his men can be allowed to build their own picnic tables for the park. They plan 15 tables at \$55 to \$58 each. Okayed.

The mayor asked that the chain be restored at the end of Harborview at the old ferry landing because someone could drive off the end. He asked that the road surface be cleaned of water-collecting grass. He asked that Glen Sherwood look at the bulkhead down there.

Caution lights - He asked Steve Ekberg to get together with Jim to look for necessary locations for caution lights around the town.

Sewer Treatment - Jim Landon said a new pump was installed in Lift Station #6 and the 2nd RAS pump has been installed in the pump room and is functioning properly.

Police Department - Chief Tomlin showed the council the TV training cassettes that are available through the Pierce County Library. These are training films for new police officers.

Building Inspector - Mayor Bujacich asked that Wayne check on the dumping of mud on Harborview below the apartment construction. Councilwoman Bogue asked Wayne to check on signs proliferating at Peninsula Mower and Chain Saw Service. Also brought up was the large sign visible from the freeway on the back of the Harbor Wood West property. The attorney was asked to write to Cascade Development regarding this sign as the State Highway Department is certain to protest this sign.

Attorney - Attorney Johnson said he and Councilman Ekberg had gotten together to discuss the signs at Harbor Wood West. Is he to write only or to bring action? Since the little signs are on county right of way it was felt that it would be best to write stating the violations.

Attorney Johnson said he had been in touch with Dr. Campbell at AWC regarding the 200 foot distance for hookup and he has material for Glen on this. He also spoke to Dr. Campbell about changes in the fee schedule. He went on to add that he had taken care of the Huber/Antilla short plat.



request for temporary hookup to the sewer system pending the completion of annexation. Their petition was not submitted before this since they must decide on what zoning to ask for. Their building superintendent from Portland will be here this weekend and they will decide. If they were furnished temporary service the town would be forced to continue it if the zoning they request were not recommended, said Attorney Johnson. Councilman Ekberg would like a written request from the utility requesting exactly what they want. He would like advice from the attorney. Councilman Hanson felt we should abide by our policy to not extend utility service to areas outside the town because it distracts from the fairness of the annexation hearing. Councilman Ekberg suggested that the town work with the utility to find the best remedy for the situation. The council members will look the property over before the next meeting. Agenda next meeting.

Peninsula Mower and Chain Saw Shop Signs:

Roger Bille, president of the company, would like to get permission for a 4 x 4 lighted sign that could be seen from the off ramp of the freeway. They do have several other signs existing, mounted on 4 x 4's, and they would like to leave the metal signs up but would take down the sign on the roof. The council felt he needs a variance and he should get together with the building inspector to find out what he needs. He should bring some designs.

Councilman Hanson had a question for Wayne Goodno. He wondered if Wayne had gotten together with the Fire Marshal on the Huber/Antilla multiplexes on Harborview Drive. The last he knew the roads and the fire flow were unacceptable. Mayor Bujacich also questioned why the Fire Marshal does not tell the town not to issue building permits because the fire flow is unacceptable. Wayne looked up the permit on the multi-plex in question and found it was issued nearly a year ago.

REPORTS:

Street & Water - Jim Hibbs said they cleaned and re-chained the area at the end of Harborview Drive. Glen thinks the old wall is safe enough and the chain will not keep people out. Jim said it would take a chain link fence to do that.

Councilwoman Bogue told Jim of the park equipment salesman that she had met with today. She said he had some good looking picnic tables and she had pictures that he might look at when they start to build the tables they asked about at the last council meeting.

Sewer Treatment - The mayor complimented Gary Tannahill on his Class II.

Police Department - Chief Tomlin proposed a truck route and an alternate through town and furnished a copy for the council to look at. He suggested that logging trucks be restricted to 144th St. NW to the freeway. The attorney will check to see if through traffic can be restricted to a certain weight limitation. The council asked for a draft by next meeting. This can be considered the first reading.

Chief Tomlin went on to say that they had received an offer of a dog for guard duty. He told the council that Officer Newman had had extensive time in the service with dogs and could oversee the training of it and come up with a program using a dog. They had offers of help from several service clubs, including a donation of \$50.

LESA has proposed to charge for their service in 1977 concerning answering the Divert-A-Call. They could request as much as \$4696 for 1977.

Attorney - Dave Johnson brought copies of the rough drafts of letters he had been asked to write to Kjellesvik and the Planning Commission. Regarding the letter to Spot Realty on the encroachment of the Hemley house, he had forwarded that letter because they needed it.

He went on to say that he had forwarded the sewer contract to the county through their attorney. We should hear soon.

He asked a question on the total acreage of the Huber/Antilla annexation. The clerk will try to find out.

Regarding the above letters the attorney wrote, Councilman Ekberg asked if Kjellesvik had been given a deadline, and he also asked if the attorney would reference the Uddenberg hearing in the letter to the Planning Commission.

Regarding limiting use on marinas, Councilwoman Bogue will get information to all council members. The clerk will make a copy of the AWC material so it can be returned. Councilman Malich asked for a copy of this material also.

Engineer - Glen Sherwood showed the council the situation now existing on the Markovich and Puratic stubs. The Puratic house was furnished a stub, but perhaps not where she wanted it. The rental unit will have to pump anyway and he thought it might be most feasible if Mrs. Puratic installs a pressure line to serve both her home and the rental. Then Markovich could use the shallower stub for his own use. Parametrix is getting prices now. He asked if the council approves. Okayed.

Extension of Kimball Drive through the RB-1 Triangle:

The owners of property in the triangle are interested in conserving as much property as possible. The project could be expedited if the town agrees to pay the engineering fees and use the county right of way department in acquiring the right of way. The work by the engineers would be in the neighborhood of \$2000. There was a discussion of whether this project is worth the expense, which is nearly \$50,000, and the council agreed to postpone their decision for one month. Glen said the engineers had a plan drawn. He will bring it to the next council meeting. Councilman Ekberg moved to table the issue for one month. Councilwoman Bogue seconded. Carried.

SHORT PLATS:

Burns - This plat is complete. The clerk had looked it over and Councilman Ekberg moved



that we accept it if all requirements are met. Councilman Hanson seconded. Carried.

Erickson Plat - Continued to next meeting as the engineer has not had time to look over the completed plat.

SEWER RATE REVIEW: The clerk had done some work on the Chelan rates as applied to our town but did not finish because he lacked figures on floor space, number of pupils, etc. The council would like an estimate of our total needed revenue from the bonding company. The mayor will call them tomorrow.

SIX YEAR STREET PLAN:

The clerk added an Item #6, Sidewalks, \$15,000. The plan will be passed by resolution on the 27th.

BUDGET REVIEW:

Councilman Hanson suggested allocating money to hire someone to look into grant money on public docks. He would like to see it included now and not postpone it. Mayor Bujacich again told the council that the town could profit from the services of a permanent administrative assistant and not break down professional assistance into little categories. Despite the mayor's request, the professional services category was raised to include the above \$2000 to \$7500.

SHORELINE MANAGEMENT EXEMPTION FOR STUTZ FUEL:

Stutz claims exemption from shoreline management regulations on the basis of hardship. Councilman Hanson said he could see no basis for the hardship claim. Councilman Hanson moved to table until we can physically examine the property in question. Also, Mayor Bujacich said we must be furnished a diagram of what they intend to do.

BUDGET AMENDMENT - 1976 - FIRST READING:

Clerk Avery said the budget for 1976 should be amended because we have received about \$15,000 in revenues over in General Government. This was sales tax rebate money and we should reflect the reception of the revenues. Sewers are going to be over budget about \$14,000--not necessarily in the red but we should amend the budget on that one to keep it legal.

WATER SYSTEM IMPROVEMENT ORDINANCE - FIRST READING:

TAX LEVY AMENDMENT - FIRST READING

Councilman Hanson asked if the school district had submitted their annexation petition yet. Mayor Bujacich answered him that the district plans all the school buildings inside the town so annexation will not be required.

Councilman Hanson felt the Planning Commission minutes reflected that they made a completely arbitrary decision regarding the comprehensive plan. He asked if they can be furnished some legal advice at their meetings because the council does rely heavily on their fact-finding or gathering ability and the council may be opening itself to a lawsuit. Mayor Bujacich said it had also been brought to his attention that they plan to skip the last meeting of this month. He feels that they are required to hold this meeting--they have an obligation to be there. Councilwoman Bogue wished it made a part of the public record that the council was not influenced by the second page of the commission's recommendation on Uddenberg's variance request. The last ten items were not read to the council.

Councilman Ekberg said he had received notice of cancellation or non-renewal on the insurance at the Peninsula Yacht Basin. He asked Clerk Avery to check on this and he noted that he would like a 30-day notice, instead of 10-day notice, of cancellation.

Councilman Ekberg said the procedure is faulty, condoning an action without being able to exact a penalty for such as the dock that was put in without a permit. He asked the attorney to look into this procedure.

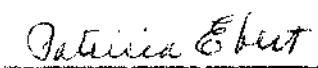
Councilman Ekberg asked if the post office had located a site yet. The mayor said that the post office will write to him and give their recommendations.

Clerk Avery said it would be wise to call for bids on this building as soon as possible.

Meeting adjourned at 11:04 p.m.

Tape 53, Side 1, 494 to End and Tape 54,  
Side 1, 0-409 Feet.

  
Mayor Bujacich

  
Asst. Clerk

REGULAR COUNCIL MEETING - DECEMBER 27, 1976

Mayor Bujacich called the meeting to order at 8:15 p.m. Present were Councilwomen Bogue and Melton, Councilman Malich, Attorney Johnson and Clerk Avery. Councilmen Ekberg and Hanson were out of town.

The two public hearings, scheduled for 7:30 and 7:45 tonight, were canceled for lack of a quorum. They were reset to January 10.

Since Councilwoman Bogue was ill only the items that could not be delayed were taken care of.

BILLS: Approved upon motion of Councilwoman Melton, seconded by Councilman Malich. Carried.

MINUTES: As there were no corrections or additions the minutes stood approved as posted.

BUDGET AMENDMENT ORDINANCE - ORDINANCE #241 - Second Reading:  
Councilwoman Melton moved that Ordinance #241 be adopted. Seconded by Councilman Malich. Carried.

1977 BUDGET ORDINANCE - ORDINANCE #242 - Second Reading:  
Councilwoman Melton moved that Ordinance #242 be adopted. Seconded by Councilman Malich. Carried.

TAX LEVY ORDINANCE - ORDINANCE #243 - Second Reading:  
Councilwoman Melton moved that Ordinance #243 be adopted. Seconded by Councilman Malich. Carried.

WATER SYSTEM IMPROVEMENT FUND - ORDINANCE #244 - Second Reading:  
Councilwoman Melton moved that Ordinance #244 be adopted. Seconded by Councilman Malich. Carried.

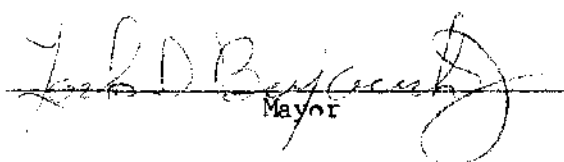
Councilwoman Bogue was then excused from the meeting because of illness. The attorney advised the mayor that the meeting now lacks a quorum and no further business may be transacted.

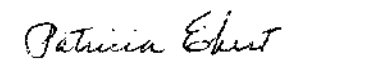
T.G.B& D. Ltd. presented copies of their site plan for the interim study of the council. These will now go to the Planning Commission for site plan review.

The Huber/Antilla site plan was presented for the council's perusal. These can be approved at the next council meeting.

As there was no further business the meeting was adjourned at 8:29 p.m.

Tape #53, Side 1, 409 to 662 feet

  
Mayor

  
Asst. Clerk

REGULAR COUNCIL MEETING - JANUARY 10, 1977

The first public hearing was called to order at 7 p.m. by Mayor Bujacich. Present were Councilwomen Bogue and Melton, Councilmen Malich, Ekberg and Hanson, Attorney Johnson and Clerk Avery.

GRANITE SERVICE VARIANCE HEARING:  
Charles Stone, proprietor, spoke on behalf of the sign. He said he would like to keep the sign through a variance. He said he had bought the sign in good faith. It was ordered in March of 1974 and the ordinance prohibiting the sign did not go into effect until the next month.

The variance is requested on the overall size and message contained since the town ordinance permits only the price of gas to be displayed. Stone said the sign measures just less than 90 square feet on all sides. It is probably about 6 feet wide and 5 feet high; it is 7 to 8 feet off the ground on legs. Councilwoman Bogue determined that it was twice the allowable size and three feet over legal height.

Stone said that the only signs now displayed are the legal Texaco sign and this one sign-- all the others but the "no parking" signs have been removed.

Councilwoman Bogue said that one of her main concerns was the zoning and the impact on that corner and felt it was imperative that the town keep control of the situation.

There were no voices in opposition.

Councilman Hanson also was concerned with the visual impact on that corner. He asked the

the attorney if a variance could be granted for a certain number of years. He would like to see the owner depreciate the sign and get the useful life out of it. If it could be a time limit set for, say, five more years then he would have a useful life of nine years out of the sign. The attorney said a variance with a time limit could be granted. Councilman Hanson moved that we grant the variance on the height of the sign to expire at the end of six years. Councilwoman Melton seconded. The intent of the motion is to comply with Section 17.80.020(i) and the motion was carried. Hearing closed.

RASMUSSEN VARIANCE REQUEST:

Councilman Ekberg excused himself as Rasmussen is a personal friend and client.

The Planning Commission recommendation was read. Roland MacNichol appeared on behalf of Rasmussen who is out of town. MacNichol said that Rasmussen had no intent to violate the ordinance and will rectify the situation any time the town wishes to exercise the right of way. The deck is less a structure than the garage.

There were no voices in opposition.

Attorney Johnson said it is a proper procedure to grant a variance if it is made a matter of record, and also that the agreement to remove it accompanies the variance. He would like an opportunity to determine the best means of accomplishing this. Councilwoman Bogue moved that the council authorize the attorney to research the building and use. Councilman Hanson seconded. Carried. Hearing closed.

TARABOCHIA SHORELINE MANAGEMENT PERMIT, continued:

Councilwoman Melton excused herself on the basis of her relationship to the principals.

Councilwoman Bogue asked that the clerk read the reply from the Association of Washington Cities regarding her query pertaining to whether the town may restrict the number of boats tying to a privately owned pier or dock, the AWC replied that in their opinion the decision rests with the owner of the tidelands, and not with the town, and the number of boats can be restricted only by the width of the tidelands. They felt that the town could make no distinction between fishing and pleasure boats.

In behalf of the float in question, GEORGE ANCICH, again presented his drawing of the dock, the float in question, and the two pilings. He showed the position of all boats tied to the float and there were nine tied there presently. There are boats other than fishing boats there now; it is perhaps not to their liking but friends do ask permission to moor for a temporary period and stay for years. He feels that since George Bujacich's float was passed that IT set the precedent. Also in favor were:

GEORGE BUJACICH, 3619 Ross Avenue, who explained that the town just has no moorage. It would drive out the fishermen, the pioneers of the fishing industry, if this permit were turned down.

DICK ALLEN, 3603 Ross Avenue, hopes the dock will be allowed because he is one of the "temporary" moorers and he would have no other place to go.

ANTONE KATICH, N. Junett, Tacoma, also is a temporary moorer. He said they have light and water here and it is a very nice place to stay. He also would have no other place to go.

NICK TARABOCHIA, JR., ties here also and finds it a real asset and convenience.

NICK MORIN also spoke in favor. He said he moors here and finds it a real convenience, especially for his elderly father, and he feels that his boat is always safe. He also would have no place else to go.

In opposition, JOHN PAGLIA, representing Mrs. Ivanovich and the Ancich Brothers, felt that the float should not be allowable for the following reasons:

The entire property is overused, the dock and float having as many as 18 boats tied up at dusk. The parking is way below the minimum required by the ordinance. The property is only 62 feet wide and the square footage would not permit such over use. He submits the use is not legal under town ordinances and for the record he would like it noted that the motion to continue this hearing was to an indefinite date.

There were no other voices in opposition.

NICK MARKOVICH, JR., attorney for George Ancich, verified through photos and lease applications that the dock and float maintain the proper side setbacks. It makes no greater burden on parking and marina regulations do not apply here--these are not boat stalls as at commercial marinas.

Mayor Bujacich commented also, He said it was unfair to penalize the property as having too little parking. There are many moorages along the shore of the bay and he enumerated many that have too little parking or no parking at all. We are chasing our fishermen right out of our bay.

Councilwoman Bogue asked George Ancich the distance (waterward) to the outermost piling in ques-

tion under this permit. It was determined that this was about 63 feet, half of the length of the float which measures 130 feet.

Further comments from the council were: Councilman Ekberg cited the goals statement of the Shoreline Management regulations. Anything to benefit the fishing community should be encouraged by the council. Regarding parking, the zoning ordinance does permit parking away from the site. He felt, though, that an environmental assessment should have been filed. No mention was made by the Planning Commission as to whether they were considering this under marinas or piers and moorages. Councilwoman Bogue felt that each of these two shoreline management permit applications should be considered on its own merits--we are to encourage adjoining property owners to encourage joint use of the facilities. She had wondered if it would be possible to restrict his moorage to commercial fishing vessels only and if pleasurecraft were eliminated then it would be feasible to limit the length of the float to 63 feet. This would protect the adjacent property owners by restricting the number of boats tied. She asked Ancich if he would voluntarily agree to limit as above. George Ancich said that with a shorter float they would have to tie out wider. The pleasurecraft are only incidental. Councilman Ekberg had previously mentioned, in regard to fostering the fishing industry in the town, that he felt the deplorable part of this was for the principals to go ahead and build without the permit.

Councilman Malich moved that we approve the facility as submitted. Councilman Ekberg seconded. Councilwoman Bogue moved to amend the motion to approve with certain restrictions to be worked out with the cooperation of the adjacent property owners to the number of boats tied and the length of the float. Councilman Hanson seconded for the sake of discussion, but he questioned the motion as too ambiguous. He did not feel it was possible to make an agreement with the adjacent property owners. The amendment was defeated with 2 nays, one aye and one abstention. Councilman Hanson moved to amend the original motion to grant an extension of the dock to the second piling (plus or minus 63 feet) as they are now in existence. Councilwoman Bogue seconded. Councilman Hanson cited the the goal listed under Shoreline Management regulations, the balance cited in the act. The amendment carried. Original motion carried. Hearing closed at 9:05 p.m.

The regular meeting was called to order and recessed for a public hearing.

RESOLUTION ADOPTING THE COMPREHENSIVE STREET IMPROVEMENT PROGRAM:

This is resolution #125. Councilman Hanson moved that Resolution #125 be adopted. Seconded by Councilman Ekberg. Carried. Hearing closed. Regular meeting reconvened.

BILLS: The bills were approved upon motion of Councilman Hanson, seconded by Councilwoman Melton. Carried.

MINUTES: The minutes were approved upon motion of Councilwoman Melton, seconded by Councilman Malich. Carried.

SPECIAL GUESTS:

Archie McLean of McLean and Company appeared on behalf of the bond clients. He said the companies that purchased the bonds are being advised periodically of the earnings from the sewer system. The revenues have not been exactly as expected. Revenue is less and expenses were underestimated. A deficit exists and a larger one is expected in 1977. Service charges must be increased. The mayor appointed Councilman Hanson to work with Clerk Avery and Mr. McLean to set up a new rate structure.

Nick Markovich, Jr., again asked about the sewer hookup on his office building in Gig Harbor. He was told by Parametrix that they are still attempting to get bids, he said. He would like to expand his building and make parking in the rear but he is being put in an untenable position because he does not like polluting through being unable to hook up. He said he might be forced to sue although he would not want to do so.

Rod Molgard appeared on behalf of the house he is remodeling at 7026 Pioneer Way. He had appeared before the Planning Commission and been given approval. He went ahead with his remodeling and was red-tagged today. He had not been told that he needed council approval as well as planning commission approval. He said he is only adding a roof and siding, not changing the foundation. The recommendation of the commission was read. No site plan was available to know what the commission might have studied. Now, Mr. Molgard would like to have permission to enclose the building to the elements. Councilman Ekberg moved that the matter be returned to the Planning Commission to reach a judgement on the site plan and that the council authorize issuance of a building permit to allow construction of a roof and nothing else. Councilwoman Melton seconded. Motion carried.

REPORTS: The mayor called on the building inspector as he had reports pertaining to the remaining guests in the audience.

The building inspector explained the situation existing at the Merrill Parish residence on Soundview Drive. Mr. Parish has not been able to hook up his sewer and has appeared twice in court on the charge. The court instructed him to appear before the council to have the situation resolved. Mr. Parish cannot hook up to the stub furnished him because it would mean tearing up an extensive area of concrete, shrubs, pumping, etc. He had been told that he could hook up to the line below his house and he even paid a third of the cost of that line. Now there are ten units on that line and he has been told he cannot hook to it because the line is overburdened.

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Councilman Hanson moved that Mr. Parish be allowed to hook up to the line as it exists. The motion was seconded and carried. Councilman Hanson went on to ask Glen Sherwood if there is any way to force this line back up to town specs. No, said Sherwood, the town should disclaim this line. Don Huber, of Huber Antilla Construction, in the audience, told the council that at the time they hooked up to this line they did not know it was substandard. Later on they built the triplex and fourplex below and have built a sewer line with a manhole. This line is acceptable and is deed to the town. The council asked the attorney to find out what the town's responsibility is on this situation.

Follow up signs in town: The Shoreline Restaurant was advised by the Department of Highways that their highway sign will be removed by January 15 if the town does not provide specs so that he can put up follow-up signs. Councilwoman Bogue said that some time ago the completed ordinance was given to Attorney Johnson to be written up as an official ordinance. Attorney Johnson will see to this and will contact the Highway Department in Olympia to explain about the delay.

Wayne Goodno brought the Peninsula Gateway plans for extension of their building. The Platts said they have the chance to land a big contract if they can enclose the back of their building by the first part of February. Wayne Goodno brought it before the council because the building is in an R-2 zone and this use is not permitted in this zone. The Platts feel the council failed to zone the property correctly in the beginning--they claim the B-2/R-2 line goes through the property and the building. Bob Platt said the council should zone it properly and the existing line of Short Street could become the zone line between R-2 and B-2. Some of the council decided that Platt should apply for a conditional use permit--others felt a rezone should be applied for. Finally, after a great deal of discussion, it was decided that the Platts should apply for rezone to B-1/B-2.

Wayne brought drawings of a proposed remodel of the Olson building and copies of the Skrivanich site plan. Both are to be considered at a later date.

Councilman Hanson asked Wayne about the sign situation. He feels the sign now erected on the Kinner property is illegal--the council could not recall approving this sign. He also asked about the Harbor Wood West sign along the freeway. The attorney was asked to contact the County Planning Department about this sign.

Engineer's Report from Glen Sherwood:

1. Call for sidewalk bids to be opened on February 10. This is a readvertisement.
2. Map of the new tank site. The attorney had drawn up the deeds and he would like the Town to agree to pay for the necessary gate to make access to the tank site. Councilman Hanson moved that we will furnish and maintain the gate. Councilman Ekberg seconded. Carried.
3. Draft Environmental Impact Statement. He would like comments from the council by next week so he can prepare the statement. Mayor Bujacich asked Glen to work up costs on the water system project prior to the meeting.
4. Tie in between Pioneer and Stinson. These plans were left with the council.

TELEPHONE COMPANY SEWER PERMIT:

Bob Scott of the Telephone Company now submitted a request for temporary hookup pending the annexation. They have submitted the request for annexation and they have been advised that they can request the temporary hookup with the agreement that they would disconnect if the annexation failed. Attorney Johnson said this would be possible and it could be agreed or by document. Their attorney will draw up the document for our attorney's review by next meeting if possible.

HUBER/ANTILLA SITE PLAN REVIEW:

The Boundary Review Board has not yet acted on this annexation so a building permit cannot be issued but it was agreed that the site plan can be approved prior to completion of the annexation.

Councilman Ekberg asked that plantings and remaining trees be marked on the site plan since this does not have to be approved tonight. Also, he asked that the building inspector check out the plans. Huber has been told that he must run an 8" water line up Stinson and this involves a great deal more money than he had planned. He asked that the council make a decision tonight,

Councilman Hanson moved that we approve the site plans with the stipulation that suitable evergreens (Arbor vitae) be planted on the SW boundary bordering the well site, and that these boundaries where the applicants have designated that they would not be removing the trees remain as such plus or minus five feet of this line right here, due N on the northerly point of parking lot and specified up to the point of the map that says "54 verify" and on the SW corner. Councilman Malich seconded. Councilman Ekberg amended the motion that the areas to the southeast and north portion of the front of the buildings as outlined on the map, which we will make our official Exhibit, in the areas between the buildings themselves and the green outline, the developer agrees to plant, mixing in with the stumps of the alder trees, rhododendrons and other such natural landscaping as is harmonious with the area. Councilman Hanson seconded. Councilman Ekberg then amended the ordinance that it be accepted subject to the final approval by Wayne that the square footage and all the requirements of the ordinance are met. Councilman Hanson seconded the amendment. The second amendment was carried. The first amendment was carried, and the original motion was carried.

ERICKSON SHORT PLAT: Councilwoman Bogue excused herself from the council table. The plat now meets the engineer's recommendation. Councilman Hanson moved that we approve the short plat as amended and corrected by the engineer and the planner. Councilman Ekberg seconded. Carried.

REPORTS, continued:

Street & Water - Jim Hibbs will report on the pros and cons of plastic water pipe at the next meeting.

Sewer Treatment - None

Police - Chief Tomlin will have bid sheets within the next few days. Councilman Ekberg asked the chief the status of the ordinance on load limit requirements. The attorney was asked to get together with Glen Sherwood regarding this.

STUTZ FUEL APPLICATION FOR EXEMPTION FOR SHORELINE MANAGEMENT PERMIT: Councilman Hanson could not see any possibility of exemption. Stutz Fuel will be informed.

HERRING SALES REQUEST FOR EXEMPTION FROM SHORELINE MANAGEMENT PERMIT: This is merely replacing a former bulkhead. This is a commercial zone, though, and it was decided that they also need to apply for a permit.

GENERAL PERMIT REQUIREMENTS FOR MOORING BUOYS IN TIDAL WATERS:

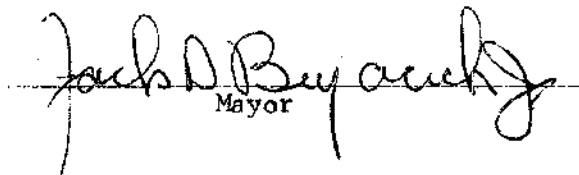
The Corps of Engineers would like the council's comments. The clerk was asked to contact the Corps and tell them the council will have comments on January 24.

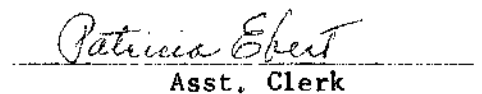
The attorney said that Hagestad had called about the bonding requirements under the sewer contract. Councilman Hanson explained that the county does not wish to pay the additional amount that would cover the bonding requirements.

Councilman Ekberg wished to make a final comment. "Regarding the Planning Commission, we are supposed to take their advice. If they cannot do the job they are supposed to do then we should find out why. If they don't know what they are supposed to do then Frank Hruza was available for them. He had a quasi - sort of legal-planning-environmental-government background to advise them possibly on these things and I feel they aren't using these things. We are exposing ourselves to horrendous liability in my opinion by not getting proper advice from this body. I feel very strongly that this is a serious problem. The mayor agreed. We pointed this out to them in our letter but I think there was resentment instead of acceptance." The mayor plans to go before the Planning Commission at their next meeting.

The council meeting was then adjourned at 12:50 p.m.

Tape 53, Side 1, 552 to End  
Side 2, 0-End  
Tape 54, Side 1, 0-143

  
Mayor

  
Asst. Clerk

TOWN COUNCIL MEETING - JANUARY 24, 1977

Mayor Bujacich called the first public hearing to order at 7:00 p.m. Present were Councilwoman Bogue, Councilmen Malich, Ekberg and Hanson, Attorney Johnson and Clerk Avery.

GALBRAITH SITE PLAN REVIEW:

Mr. Galbraith brought maps and plans with him and the building inspector presented the site plan already approved by the Planning Commission. The commission's letter of recommendation was read. The building will be the same as the dental clinic: same architect, same builder, same setbacks but the floor plan will be a bit different as well as the windows.

In favor were JOHN HOLMAN AND KEITH FINNEY, speaking for Peninsula Insurance Company. They are much in favor because of expansion needs.

There were no voices in opposition.

Councilman Hanson moved that the Galbraith site plans be approved as submitted. Councilwoman Bogue seconded. Carried. Hearing closed.

HILDEBRAND SITE PLAN REVIEW:

The recommendation of the Planning Commission was read. Fred Hildebrand said their intent is to rent office space, not shops. He showed that the line of the existing mini-warehouse would be continued by the back line of this building except that there would be an additional three foot setback because of an existing fir tree. The remainder of the property, less the warehouse, tank site, and apartments, is unoccupied land.

In applying the scale to the site plan it was found that the plan was not drawn to the scale required in the ordinance. Councilman Ekberg moved that the hearing be continued to the next meeting when an accurately drawn plan will be available. Councilman Hanson seconded. Carried. Hearing closed.

The regular meeting was called to order and recessed for the bid opening.

TOWN HALL BIDS: Opened were the following sealed bids:

N. J. Tarabochia	\$60,115.50
Wayne B. Willis	64,446.64
Eleanor Stearns	60,000.00 (including property worth \$10,000)
Earl B. Stearns	59,501.25
E. M. Antonson	60,100.00
James Potter, Jr.	61,112.12

Councilman Ekberg moved that the Wayne B. Willis bid of \$64,446.64 be accepted. Councilman Hanson seconded. Carried. The attorney will write the letter of acceptance. The possession date of March 15 or sooner was set and the town will furnish the title insurance.

The regular meeting was recalled to order and recessed for the third hearing.

PIERCE COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS:

The town had recommended the following projects as recipients of the funds:

- High level water system continuation
- Replacement of water lines that require it.
- Town dock for fishermen
- Street overlay

In addition, there was the following input from citizens:

MONA SHOPIN, 7201 Soundview Drive, said we have a lot of elderly citizens who need hiking trails and a means to get down to the beach, perhaps at the old ferry land.

PAT DeLAPP, 15411 Peacock Hill Avenue NW, is on the board of the Peninsula Youth Program in the area. He would like to see funds used for social welfare purposes.

CHIEF WINGARD of PIERCE COUNTY FIRE DISTRICT #5 would like to see a shift toward fire protection. They now have a \$640,000 cost factor in building the badly needed fire station on top of the hill. A grant application would assist in building the station and he would like to see the town put a priority on the project.

TOM RAQUER, representing the program, said he was here to listen. He found all the suggestions very worth while and felt there may be other needs here yet. There will be a joint planning meeting some time next month at the Pierce County Annex and he would like to see the input that has been demonstrated here.

MOREEN GOLDMAN, 7521 Soundview Drive, asked if an agenda can be published prior to the above meeting.

The mayor asked that the secretary type up the comments of the citizens in letter form. It was also requested that a copy of these minutes be sent to Merwin Parker. The hearing was closed.

The regular meeting was resumed with a motion by Councilman Malich that the bills be approved. Seconded and carried.

As there were no corrections or additions the minutes stood approved as posted.

CORRESPONDENCE:

1. Pierce County Fire Marshal's letter to the building inspector with the minimums required of the Huber/Antilla 33 unit development. The fire marshal requests 3000 g.p.m. for one hour fire flow. Glen Sherwood said there is not way in the world the town can supply that kind of fire flow now and even with the water storage improvements they still cannot furnish 3000 g.p.m. The updated system could supply 1000 to 1500 g.p.m. but at the present time we can furnish only 300 g.p.m.

2. The Pierce County Fire Marshal had also written regarding requirements on the relocation of the Sail fish Marine. No application for a building permit has yet been received.

At this point Mr. Tarabochia announced that he wished it on record that he objects to the manner in which the bids were received by the town. He felt that earnest money should have been required.

SPECIAL GUESTS:

TONY CLOUD, 3522 Ross Street, was here regarding the installation of a septic tank at the Gary Peters residence behind his house. He asks that the council prevail upon Mr. Peters to hook up to the sewer system. He said the distance is the point of controversy. He is afraid that the poor soil will not contain the effluent from the drainfield and it will drain down onto his own property. He said no permit was issued to Peters for a septic tank and the county has not issued a permit in the town for two years. He said a building permit should never have been issued but the town gave permission for the septic tank. The job has been red-tagged twice as the drainfield does not meet specifications.

Mayor Bujacich corrected him. The town does not issue septic tank permits. In addition, Mr. Peters is beyond the 200 foot limit specified in the sewer ordinance. The county issues the permits. The town cannot force him to hook up but the drainfield is red-tagged and must either



meet county specifications or he must hook up to the sewer system.

MARGARET HOFFMAN of the Fortnightly Club said her club would like to purchase bleacher seats for the town park. They cost \$558 and seat 50 people. She asked the council's approval.

Councilman Hanson said that the town graciously accepts them and the town employees will assemble the seats and anchor the supports in concrete. The package can be delivered to the town water station and can be stored there pending assembly. Councilwoman Bogue and Mrs. Hoffman will get together because Mrs. Bogue said she has brochures on other types of equipment if Mrs. Hoffman would like to look them over.

FRANK BAMPTON, 6717 Cascade Avenue, said he moved here recently as a retiree although he built his home here four years ago. He said he is dismayed at the extremely poor condition of Cascade Avenue and very surprised that no one else has complained about it recently. They would like to see something done because an emergency vehicle would never be able to answer an aid call without severe difficulty.

Mayor Bujacich told Mr. Bampton some of the history of the street. He said the town has never accepted it and they cannot improve it since it is not an accepted street. Dr Ryan has neither graveled it as he agreed nor has he put up a bond.

Mr. Garner, in the audience, feels the town was negligent in issuing building permits in the area without forcing the Ryan bond.

Councilman Hanson asked that the issue be researched so that the council has a written record and Dr. Ryan's records will be made a matter of record also. This will determine the obligation of the town.

GEORGE ANCLICH, 9109 Prentice Avenue, passed out statements to the council protesting the council's actions on their recent substantial development permit application. He then proceeded to read the statement and told the council that he feels they were arbitrary and capricious in their decision.

#### SKRIVANICH EIS WORKSHEET:

Wayne Goodno said he has no objections. Councilman Ekberg moved that it has no significant environmental impact and application should be processed without further consideration of environment impact. Councilwoman Bogue seconded. Carried.

#### TELEPHONE COMPANY SEWER REQUEST:

The agreement discussed at the last meeting has been written. The council looked it over. They questioned whether there should not be a surcharge until the property is annexed. The answer was yes. They also felt there should be a time limit placed on the action in case the annexation does not take place within one year. It was agreed that the changes could be made in ink at this time and Councilman Ekberg moved that the mayor be authorized to sign the document with the recommended changes. Councilwoman Bogue seconded. Carried.

#### MOLGARD SITE PLAN REVIEW:

Mike McKean, representing the principal, gave the council copies of a new site plan. This is not the same plan, the mayor said, as that the Planning Commission studied. That one was misplaced. McKean said the building is open to the elements and the owner would like to put up siding and windows pending the site plan approval.

Discussed were sidewalks, traffic pattern, access to Sky Realty, parking, the possibility of closing off the access to Sky Realty as the commission recommended. The mayor cautioned that this would not be possible. Councilman Ekberg felt that RB-1 was designed as a buffer zone and if you allow access through then you have removed the intent of the ordinance. They did decide to remove the concrete bulkhead because cars might back out onto Pioneer thus creating a dangerous situation. They also decided that parking should be reduced to nine cars and larger planting areas should be created. Regarding the driveway through to Sky Realty, Molgard said Sky Realty has an easement over his property. The council asked the attorney to check out this easement.

Councilman Ekberg moved that the applicant return a revised site plan with the requirements now placed upon it and provide the necessary legal documents to the attorney so that he can review them and advise the council before the next meeting. Councilwoman Bogue seconded. Councilman Malich amended that the owner be allowed to side and put in windows in the meantime. Councilman Ekberg seconded. Amendment carried. Original motion carried.

Mr. Molgard said he may wish to retain the structure as a residence but Councilman Ekberg did not feel this would be possible since this is not a permitted use of the zone.

#### REPORTS:

Street and Water - Jim Hibbs said that at the end of Prentice Avenue there are two homes being built on a newly short-platted lot. There is an existing water service remaining from the previous owner whose house burned. Do we require a main here or can the existing water service be allowed to serve? The council felt that the existing service can be utilized for the present but if the property at the end of the road develops in the future then these properties are obligated to assume a pro-rated share of the line.

Jim went on to say that on Judson Avenue next to the last driveway from the shopping center we could fill in the open ditch to create more parking. It might be needed when the new Town Hall opens and Uddenberg builds his new market. Glen Sherwood will look at it.

Sewer Treatment - No report.

Police Department - Chief Tomlin had brought bid sheets regarding the State GSA bids. Most of the police packages are light duty this year. A Pontiac LeMans package was demonstrated to them a few days ago and he felt this was a better buy because all the options are included in the package. The mayor said no bid is required--they are state awarded. Chief Tomlin was asked to list the needed options for the council by the next meeting.

Chief Tomlin furnished proposed towing bid sheets. Councilman Ekberg suggested that a hold-harmless clause be included in whatever bid is accepted.

Regarding the load limit sign ordinance, Glen Sherwood is checking on some things and will get together with the attorney.

Building Inspector - Councilman Ekberg asked Wayne if he had checked out the Huber/Antilla plans as he was asked to do. He answered yes.

Attorney - Mr. Johnson is attempting to draft a sign ordinance for the follow up signs. He asked if the council wanted to require a permit and asked if it should be included in the permit section? The council felt it should be included in the permit section but no fee should be charged. He asked if the signs should be allowed in any zone. The answer was yes, but placement should be effected under town approval.

Regarding giving permission to Rasmussen to build a deck on town right of way, this can be accomplished only by letter -- not be simple agreement.

He had checked further on the signs at the Harbor Wood West Apartments. He said he has been going in circles--now he needs someone in an official capacity who could testify at a trial that the sign is on city or county property (or City light right of way). Otherwise he can do nothing. The little signs on Soundview are on county property.

Councilwoman Bogue asked if the chain saw shop had been notified to remove their illegal sign. He was asked to write them a letter because they volunteered to meet the requirements of the ordinance.

Merrill Parish is not yet hooked up. The mayor said he had better be contacted.

Engineer - Regarding the tie-in between Stinson and Pioneer, Councilman Ekberg moved that the project be abandoned because the costs are excessive and it would provide no alleviation of the situation. Councilwoman Bogue seconded. Motion carried with 2 ayes and one nay (Councilman Malich). Glen went on to say that he is trying to get an easement across this property for a 10" main to tie in to the top of Stinson because this is one of the items on the high-level water system. The cost factor of going around the long way will be compared.

Glen Sherwood said water system preliminary copies were left with the council. He asked if they had time to review them.

City Shop Site - A proposed site next to the Treatment Plant came up at one time. The engineers had planned to put the new well near here and would like the council to consider this site so we can be in the position to have this site for the well. Councilwoman Melton will be contacted regarding her assignment of looking for the shop site and this will be taken up at the next meeting.

Regarding the response from EDA on the sidewalk public works program and the water system public works program, the response was very low.

Markovich Stub - The problem is not yet resolved but should have a bid soon. The mayor asked Glen if he would let him know as soon as he receives the bid.

Mayor Bujacich reported that he and the attorney had attended the last Planning Commission meeting but only Kae Paterson and John Gilich were there. George Bergen is in the hospital and Finholm and Root are out of town. They had spoken with the two that were there in hopes that they could carry the message to the rest of the members. Councilman Ekberg felt that it was very important that the mayor try again and the mayor agreed to do so.

CORPS OF ENGINEERS MOORING BUOYS: Tabled.

SEWER RATE REVIEW - Tabled

ENVIRONMENTAL WORKSHEETS FOR CALBRAITH & HILDEBRAND: To next meeting.

HISTORICAL SOCIETY: Mayor Bujacich said he had spoken with members of the historical society. They have looked vainly for a place to maintain an office and store their valuable belongings. He mentioned that it might be possible to allow them space in the new Town Hall. The clerk said he was pretty sure that we must charge them something because the water and sewer departments must pay their way. The clerk will research it.

CARPETING - Allan Bucholz said there is an extra 40 yards of the same dye lot in the carpeting he has chosen. He asked if the town would like to buy the 40 yards and store them in case of damage to the carpet. The council agreed and the clerk will call Bucholz.

Councilman Ekberg asked that the comprehensive plan draft be placed on the agenda for next meeting with a cover letter from the Planning Commission.

Councilwoman Bogue asked if work can be begun on amendment of our sewer ordinance.

The mayor asked Jim to look at the damage to the street and sidewalk on Harborview Drive next

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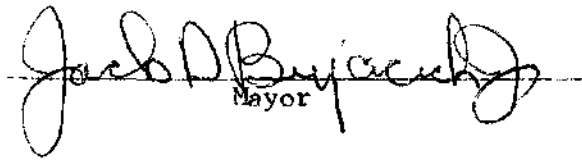
to the new triplex and fourplex. The blacktop and part of the sidewalk has been destroyed by a bulldozer and a drain is dumping there that might damage the bulkhead. He asked Jim to review it and make a list so the attorney can write a letter.

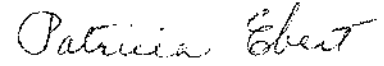
Councilman Ekberg said that special guests on the agenda for a coming meeting should furnish information on their presentation by the Thursday prior to the meeting. He wondered, too, if a time limit can be set. The attorney will look into this.

The clerk wondered if the regulations concerning site plan review could be made uniform. It was suggested that the problem could be relayed to the Planning Commission to be worked out.

Meeting adjourned at 11:47 p.m.

Tape 54, Side 1, 143 to End and  
Side 2, 0-396

  
Mayor

  
Asst. Clerk

TOWN COUNCIL MEETING - FEBRUARY 14, 1977

The first public hearing was called to order by Mayor Bujacich at 7 p.m. Present were Councilwoman Bogue, Councilmen Ekberg and Hanson, Attorney Johnson and Clerk Avery. Councilwoman Melton and Councilman Malich arrived later.

PUBLIC HEARING - STG & D SITE PLAN REVIEW:

The Planning Commission letter of approval was read. Robert E. Short, speaking for the partnership, present the site plan. He explained that the unit will contain 30 motel units, a manager's apartment and a drive-through lobby. There will be a 30,000 gallon swimming pool and can increase the size of the operation to 60 units if the business demands it. They plan to build to 24 feet and have requested a height variance.

They said that there will be ample domestic water but lack of fire-fighting ability. They have a letter from the Fire Marshal allowing the use of the pool for fire flow. They will have one hydrant in front of the building and can provide a second one in the rear.

The building inspector said the site plan meets all the requirements of the code.

Regarding signs, he will comply with the highway code regarding exit and follow up signs but would like one sign on the building.

Councilman Hanson moved that the site plan as submitted be approved with the clear understanding that the areas noted as natural landscaping and screening remain in their present state, that being the northerly boundary on the property and the westerly boundary with the exception of the SW corner which is designated as lawn. Councilman Ekberg seconded. Carried. This public hearing closed.

STG & D VARIANCE REQUEST:

There was no opposition from anyone in the audience. Councilman Ekberg moved that the height variance of 10 feet be granted. Councilman Hanson seconded. Carried. Hearing closed.

They have an environmental impact worksheet to be processed but this was not advertised so it will be taken up later this evening.

The hearing scheduled for 7:45 p.m. was continued to a later date as the Planning Commission has not yet completed the application of the comprehensive plan.

The regular meeting was called to order at 8 p.m. and recessed for another hearing.

PUBLIC HEARING - SITE PLAN REVIEW:

Mr. Hildebrand apologized that the proper dimensions were not set down at the last meeting. He has brought a corrected site plan with him.

There was a question of the rear-yard setback--the space between the proposed buildings and the existing apartment buildings. Councilman Ekberg showed that business use abutting residential use requires a 15 foot rear yard. Mr. Hildebrand said he planned the building in that particular location because of the change of grade. He has built a rock wall and this establishes the visual barrier.

Councilman Hanson was concerned with the setback against residential property. The rear yard of the R-2 zone was lopped off. Mayor Bujacich said the Villa was built under county regulations and was grandfathered when it came into the town, but the 15-foot rear yard does apply here.

Councilman Ekberg moved that since the site plan does not meet with the requirements of the ordinance that we not approve it. Councilman Hanson seconded for discussion and clarification of the motion. He felt it should come under variance procedure. Motion carried. The mayor advised Mr. Hildebrand of his alternatives.

The regular meeting was recalled to order and again recessed.

PUBLIC HEARING - PENINSULA GATEWAY REZONE AND SITE PLAN REVIEW:

The Planning Commission's recommendation was read and the objection of the owner of the Westridge Apartments, who feared that his view might be obstructed. There would be no obstruction of view but the council felt that screening with small trees would be beneficial. Councilman Hanson moved that the property be rezoned to B-1 as it conforms with the surrounding zoning. Councilwoman Bogue seconded. Carried.

In regarding to their site plan, question was raised by Councilman Malich that there is not enough rear yard setback. The yard in question proved to be a side yard.

Councilwoman Bogue asked that landscaping be included in the motion. Councilman Ekberg moved that the site plan be approved as submitted except that the south property line be planted and screened with growth mutually agreeable with both property owners and other yards be maintained as they presently are. Councilwoman Bogue seconded. Carried.

They then turned their attention to the EIS Worksheet. Councilman Ekberg moved that the project has no significant environmental impact and application will be processed without further consideration of environmental impact. Councilman Hanson seconded. Carried. Hearing closed and regular meeting recalled to order.

BILLS: Approved upon motion of Councilman Hanson with second of Councilman Ekberg. Carried.

MINUTES: As there were no additions or corrections the posted minutes stood approved.

CORRESPONDENCE:

1. Hunter proposal. To new business.
2. Harbor Holidays announcement of June 4 as the day of celebration and a parade permit request was submitted
3. Jim Hibbs water department report. The clerk was asked to make copies for the council.
4. Mr. & Mrs. Don Oswalt request to hook up to the sewer system. To new business.
5. Planning Commission letter forwarding comprehensive plan draft. To old business.
6. Cascade Avenue letter from Attorney Johnson to Bampton.
7. Shorelines Hearing Board letter to Nick Markovich, Jr., regarding the Tarabochia/Ancich res. of docket.

SPECIAL GUESTS:

Mrs. Norman Morgan requests that they be allowed to hook their property to a septic tank. The property is on Harborview Drive and has no access to the sewer. The engineer said the Morgans have no alternative. The council asked Dave Johnson to write giving permission because the Health Department requests a letter from the town.

George Ancich challenged the council to take action against other violators but they have done nothing, he said. He felt that he and Nick Tarabochia were singled out to bear the brunt. The action was brought from outside, he was told, and not at the instigation of the council. George said there are other violators but no action has been brought to them. Councilman Hanson said that perhaps the mayor could appoint a committee fo citizen's groups that could advise the council. Councilman Hanson moved that the mayor be instructed to enforce it and the mayor appointed Councilmen Ekberg, Hanson and Malich with Wayne Goodno as advisor. Anyone aware of violations is to submit them to the council.

Peter Stanley, owner of the Fish Market and the Town Water Department shop, said a problem on the property has been brought to his attention. A drain has been a problem ever since the sewer was installed. He suggested giving the town an easement and have the town install a 12" culvert. The mayor said a temporary easement would be sufficient. Stanley would like the right to move the culvert if need be. The attorney will be furnished the legal description and will draw up the temporary easement.

REPORTS:

Street & Water - Jim Hibbs said he will make draw-down tests on the water system periodically in case of water shortage.

Sewer Treatment - Gary Tannahill would like to have the tanks at the treatment plant inspected professionally.

Police - Chief Tomlin presented a draft of the ordinance on load limits. Tonight is considered the first reading.

He told the council he is distributing telephone stickers of the police department number.

Regarding estimates on the purchase of the police vehicle, Chief Tomlin recommended that air conditioning be included along with his only other request--that of single keying. Councilman Hanson asked if we cannot go for a smaller engine because there would be less maintenance. Tomlin said it would not be included in a heavy duty package. Mayor Bujacich said the repair bills reflect that we are getting better service out of the cars because they are getting better maintenance. Also, the sewer construction took its toll. March 3 is the shut-off date for state bids. Chief Tomlin requested a color change. Councilwoman Bogue said she thought that women alone at night would not stop for a patrol car if it not the customary white. Other council members did not object to the color change as long as both cars are uniform. The Nova can be painted for \$50.

Councilman Ekberg moved that the bid be accepted with the inclusion of single keying and with

100

with the deletion of air conditioning. Seconded. Councilman Hanson wished to amend the motion to include air conditioning in the vehicle. Councilman Malich seconded the motion. The amendment failed to pass with three no's and two aye's. The original motion then carried.

Chief Tomlin said the police department is eligible to get radial tires for \$32 plus tax. This is under state bid. He will look into it.

Building Inspector - Wayne Goodno said he had received a request to issue a building permit for a home in a business zone. B-2 prohibits residences but B-1 permits them. The zoning does not differentiate. Councilman Ekberg moved that this particular zone be determined a B-1 zone for residential purposes. Councilman Hanson seconded but was concerned about ambiguity. Motion carried.

Wayne said he had another call from the Shoreline Restaurant regarding the directional signs. This ordinance is to be passed later this evening.

Wayne went on to tell the council that regarding the David Skrivenich triplex on Chinook there is no fire protection in that area. What should be done about it? The council felt we should have the fire marshal's recommendation before issuing a permit.

Wayne said he is being pressured by Norwegian Wood, Huber and Antilla and the motel group to issue building permits before water is available to their sites. Councilman Hanson said when this was discussed before his opinion at that time was that he did not think, in considering the health, welfare and safety of the town as a whole, that we can grant permits that infringe on what someone already has, namely their fire protection, their economic costs of that fire protection, and their economic costs of insurance, "and I would think that before we can grant these permits of a questionable nature that we should have a definitive answer that in fact these things will not jeopardize the rating structure of the town which at a couple of hearings it was suggested that that could be the case. I think we should be on clear ground before we do any additional thing because the people who already have structures here I think have some rights."

Wayne said that for instance the motel agrees to put in a 30,000 gallon swimming pool but what are they going to fill it with? We have no water in the area at all.

The mayor said this is the same thing as brought up before. "The fire marshal always jumps on me and I don't see how we can authorize a permit if we are putting the town in jeopardy if we authorize the use of water that we don't have to full capacity that we are taking away from somewhere else and lose the rating that we have that every taxpayer is benefitting from on their tax breaks or insurance basis. Also if there was a major fire and we authorized a permit and could not meet the fire flow requirements and there were deaths involved, then would the town be obligated or involved in an insurance claim?"

Wayne said these buildings could burn down while they are under construction without any occupancy. There is definitely no fire protection under present circumstances.

The mayor asked Dave Johnson that if we knowingly knew there was not this protection of water that we need there, the capacity as required by the fire marshal, and he puts it in a letter or whatever the requirements are, and we go ahead and say, build, would we be jeopardizing our position in a law suit if we were to authorize something that we couldn't fulfill or something happened? Dave Johnson said he thought the law was no but he was not prepared to answer at this time.

Councilman Hanson said "to clear the air I don't think we can take an action tonight--an affirmative action, and I suggest that what is in question would require at least a legal opinion and Dave would have to consult with Glen and Jim and anyone else who is interested."

Mayor Bujacich said it should be clearly set out what our obligations are. He asked Councilman Ekberg to look up what would be the best for the town to the lower level.

Mr McKean said his site plan had been approved by the council and the fire marshal and there is water to the corner of that property. He wondered if tonight's action includes them--he thought they had already been fully approved.

Councilman Hanson said his recollection is that although they approved their site plan the council did not approve fireflow, domestic, or any other requirement.

Mr. Short reiterated that their fire walls, pool capacity, etc., enable them to build and, as far as filling their pool goes, it is a simple matter to do so by means of tanker trucks.

Councilman Ekberg said that he himself was not going to make any decision tonight on whether or not we need building permits on the high level system and would suggest to anyone needing permits to apply to Wayne in writing how they are complying and would not jeopardize the town's fire rating and life safety codes and document it with letters from the fire department. They Wayne can bring this to us for the issuance of the permit.

Regarding illegal signs, Councilman Hanson moved that the building inspector and the attorney be authorized to immediately remove all illegal signs in the town. Councilman Ekberg seconded and specified that the action should be initiated tomorrow morning. Carried. It was also decided that the illegal signs are not to remain pending variance action.

Attorney - Regarding the illegal signs at Harborwood West, Glen Sherwood will testify on the ownership of the property and the attorney will sue under the misdemeanor ordinance. The attorney was asked to advise Harbor Wood West of the pending suit.

Other business taken care of by the attorney was:

Town Hall title insurance taken care of.

Bampton complaint on Cascade Avenue. The attorney went to see him and will report more fully next meeting.

Received copy of proposed sewer contract. Councilman Hanson asked if Parametrix can report on it by the Thursday preceding the next meeting.

Corrected the sewer easement on the Thurston property.

Made corrections to the sign ordinance. This is up for second reading tonight.

Engineer - The final environmental statement on the well and water storage was submitted to the council last meeting, and copies have been mailed to agencies concerned. He asked the council's comments. Councilman Hanson asked if the choice of the well site near the treatment plant jeopardizes the funding. Glen said he met with the DSHS engineer and he agreed that if the well is at least 100 feet from the force main he has no objection. The other two objections are echoes of the DSHS objection. By satisfying him we have taken care of the problem. Regarding the McKenzie property, Councilwoman Melton is willing to have an appraisal made on the property. The mayor was in favor of proceeding in this direction and he asked her to proceed with the appraisal. Glen will check to see if it is necessary to obtain two appraisals.

MARKOVICH SEWER STUB: Glen received two bids and talked with Markovich and the adjoining property owner about sharing the cost. Markovich is agreeable to the program outlined and Glen will talk with Mrs. Puratich on Wednesday because she must connect.

SIDEWALK BIDS: The bids were opened today after being postponed from Thursday. Three were received. Alternates had been requested but since the lowest bid was within the grants the alternates are not needed:

Lige Dickson	\$42,468.50
Tucci	51,926.50
Woodworth	52,620.55

Glen recommends that we accept the Dickson bid. Councilman Hanson moved that we accept the recommendation of the engineer and accept the Dickson bid of \$42,468.50. Seconded and carried.

COMMITTEE REPORTS:

Regarding the locations for blinking lights, Councilman Ekberg and Jim Hibbs recommend the corner of Borgen's Building Supply. They recommend a blinking caution for Harborview Drive and a blinking red for N. Harborview. The right turn could have a green arrow. Mayor Bujacich said another necessary area is Soundview Drive where the children cross. He felt the council should determine the amount of money they wish to spend and make a choice. They agreed to authorize Jim to get figures on both of the above lights.

Mayor Bujacich said there was a HUD Block Grant meeting today and they submitted proposals but the county commissioners have the final say. By next meeting we will know.

SITE PLAN REGULATION PROPOSAL:

The Planning Commission made a recommendation at their last meeting and made one small revision that a single family residence or a duplex be excluded from the recommendation. This is considered the first reading and the council can comment before the next meeting.

SEWER RATE REVISIONS: Councilman Hanson had drawn up a rate study to see what revenues it would create. The town clerk will get projections by next meeting.

MOORING BUOYS: Councilman Hanson said that he was not in favor of giving the Corps of Engineers discretion to permit moorings without our prior knowledge and of waiving the notices and hearings clauses. He so moved and Councilman Ekberg seconded. Carried. The Clerk will write.

MOLGARD SITE PLAN REVIEW:

Mike McKean presented revised site plans to the council and said that every requested change is included. The council noted that parking has now been mistakenly provided in the front of the building so it should be stricken from the plan. Other discrepancies were found and Councilman Ekberg revised his copy. He felt this was not a good thing to do but preferable to making the principal return again with yet another corrected plan. The attorney said the easement is an easement of record and it has got to stay there. The land is already encumbered with that easement.

Councilman Ekberg moved that we make a move to approve the site plan and that it be understood that the area designated parking on my site plan (Revision #3) from the northern property line from the building to the street in a straight line from the southern end of the building to the street, meaning this engine area, would be landscaped as required by the ordinance and that any reference to signs would be deleted and that they would be taken care of under the proper ordinance and proper permits required and that the southern yard as shown what looks like about two-thirds of the way already will continue to be green belted all the way out to Pioneer.

McKean said he "appreciates you're doing that (referring to revising the site plan on the spot) but based on my research I'm prepared to advise Ron that you have no authority to close off his access to Sky Realty and I will so advise him."

Councilman Hanson seconded. Mayor Bujacich asked it put in writing so Mr. Molgard will find it very clear. The council did ask for a proper site plan and this plan is not up to date either. Councilman Ekberg wished it made clear that his motion is what he would approve if he had a totally accurately drawn site plan. Make sure we clarify exactly what is being done.

McKean asked what reason Councilman Ekberg had for closing off the access. Councilman Ekberg answered him that he had good reasons--one main one being that it is a hazardous area in the first place and he believes that the county did not want an access right there so close to the interchange. In addition, the RB-1 zone is designed as a buffer zone for residential-type businesses and this creates a major interchange. He said his only concern is that we get an



accurately drawn map. Councilman Ekberg then amended his motion that no permit be issued until such a map has been provided to Wayne and he feels it complies with the verbal redrawing. He amended that, and this is to be included in the motion, a sidewalk shall be placed as directed by the engineer. Seconded. Carried.

COMPREHENSIVE PLAN: The council set a joint meeting date for study on March 7 at 7:30 p.m. Mayor Bujacich said he realizes that there have been misunderstandings and hopes we can work together for the betterment of the community.

EIS WORKSHEETS:

STG & D - It is understood that the worksheet covers the entire-planned 60 units although the principals would have to return here later if they do build an addition at some future time. Short said two hour fire walls were authorized to be changed to one hour walls.

Councilman Hanson moved that the project has no significant environmental impact and application will be processed without further consideration of environmental impact. This pertains only to the environmental worksheet and no determination of fire flow and water supply and any other technicalities. Councilwoman Melton seconded. Carried.

GALBRAITH - Councilman Hanson moved that it be returned to the applicant for more information and better explanation. Councilman Ekberg seconded. Carried.

MOLGARD - Councilman Ekberg moved that the project has no significant environmental impact and application should be processed without further consideration of environmental impact. Councilman Hanson seconded. Carried.

OSWALT LETTER - Councilman Hanson said he believed that we should follow the same policy as in the past and allow no hookups without annexation.

TOWN HALL SALE RECEIPT AND DISBURSEMENT: First reading of ordinance.

Clerk Avery went on to tell the council that, since there is some extra money now from the sale of the present building, he and the architect looked at furniture today. The council said they would like to see a proposal on this.

DENNIS CLARKE PROPOSAL ON PARKS:

They asked Dennis Clark to work up a proposal in case funds might be available to develop our parks. It is a sound proposal and Councilman Ekberg said he feels we should authorize Dennis to continue. The plan would also be usable in the future. The mayor was authorized to sign and he was asked to date it.

Allan Bucholz presented Charles Hunter's proposal to remodel the pump house to blend in with the new building. Councilman Ekberg moved that the council authorize the expenditure of \$3618.67 from the Water Fund. Councilman Hanson seconded. Carried.

The sign ordinance amendment will be ready for passage next meeting.

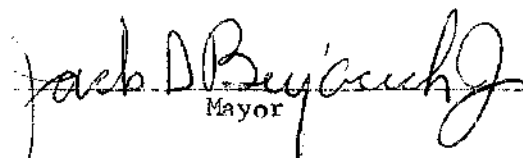
WRECKER BID SHEET: There was a suggestion that item #11 be changed. Councilman Ekberg agreed with Chief Tomlin that it be changed and said it should possibly read: "Furnish certificate of insurance in an amount to cover loss or damage to vehicles and their contents that are towed or stored on their premises and liability coverages listing the town as additional insured." Chief Tomlin was authorized to call for bids with the right of refusal of any or all bids.

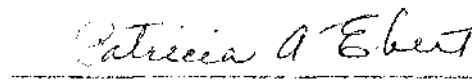
Councilman Hanson would like all incoming documents to be date stamped.

The mayor would like the people informed that there could be a possibility of water shortage and the water level will be checked periodically with draw-down tests. There should be no excess water used such as washing streets.

Motion to adjourn at 11:35 p.m.

Tape #54, Side 2, 396 to end and  
Tape #55, Side 1, 0 to 699

  
Mayor

  
Asst. Clerk

TOWN COUNCIL MEETING - FEBRUARY 28, 1977

The first public hearing was called to order by Acting Mayor Bogue at 7 p.m. Present were Councilmen Malich, Hanson and Ekberg, Attorney Johnson and Clerk Avery. Councilwoman Melton arrived at 7:20 p.m.

PACIFIC ALPINE PARTNERSHIP VARIANCE HEARING:

The favorable recommendation of the Planning Commission was read. In behalf was: TOM ORSER, Rt 4, Box 4773 A Gig Harbor, who said their intention is only to upgrade the building and use it as a rental property. They are not changing the height of the building but are changing the structure by remodeling. They agree to leave as many trees as possible and have no intent to remove any next to the new town hall.

Councilman Ekberg asked if he planned to continue the sidewalk that crosses the front of the town hall? Mr. Orser answered that he had no intention of continuing the sidewalk.

There were no voices in opposition.

Councilman Malich moved to approve the variance request. Councilman Hanson seconded and



300  
clarified the motion to read to retain the existing height. The motion was carried. Mayor pro tem Bogue wondered if they do not need a site plan approval. The attorney answered that they do require it.

The principal felt the site plan approval was not necessary as this is not a development. There will be no exterior changes, no enlarging, merely remodeling and some blacktopping. They were told they would need to follow the ordinance requiring site plan review since it is a development and it is the council's function to determine intent and policy and they have determined that it is required here. Mr. Orser asked if they could get the building permit now and apply for the site plan approval. Councilman Hanson said no. The public hearing was then set for March 28 at 7:30 p.m. Variance hearing closed.

ANNEXATION REQUEST - OSWALT PROPERTY:

Clerk Avery explained that Don Oswalt owns about 29,000 square feet of property directly across the street from Gig Harbor Villa. He was furnished a tee in the sewer line that runs along the edge of his property. There were no voices in behalf or in opposition.

The attorney pointed out to Mayor Bogue that the property in question is not contiguous to the Gig Harbor Villa property as the town did not annex to the center of the street in this vicinity. The attorney will look into the question further and get information by the next meeting. Councilman Hanson moved to table and Councilman Ekberg seconded. Carried. The hearing is continued to 8 p.m. on March 14. Hearing closed.

ISLANDVIEW SUBDIVISION - APPROVAL OF PRELIMINARY PLAT:

The engineer had reported that he found the plat meets the town specifications except that the street monuments have not been included. If storm drains are revised then sidewalks should be included.

Dr. Hruza had reported. He said that lots with double road frontage are contrary to good design but the lots will front on Islandview Court and therefore will have limited access. He recommended the reservation of the one foot strip along Hunt Road and the possible dedication of a right of way along either the north or the west line. He also recommended that sidewalks be included.

Mr. Berkheimer's letter was read and the recommendation of the Planning Commission included screening or fencing along Soundview Drive

The building inspector commented that the cul de sac is too close to Hunt Drive and longer than desired by ordinance. He commented that the minimum size lots would set a precedent for the development of contiguous properties to the north and west.

Mr. Berkheimer objected on the basis of too many children and dogs and that it was one of the few remaining areas for fine homes and that the Planning Commission had not had enough time to study it.

In favor were:

ROBERT SHORT, co-developer along with Alvin Thomas, said he had quoted between \$48,000 and \$50,000 as the minimum price of these homes and he doubted that these prices would attract a less desirable class of people. He would stay within the height limitation and would preserve as much of the view as possible. They have conformed to every requirement of the platting ordinance. They would establish a 10 foot screening easement around the perimeter. The green belt proposal along Soundview Drive is verbal but on record and will be a part of the subdivision. The fencing in this area would become the responsibility of the owners of the two lots adjacent to Soundview Drive. Councilman Ekberg felt the council could require the green belt but not the fence.

BILL THORNTON, the surveyor, spoke on these problems tendered by the Planning Commission. The lot size meets the zone. The subdivision does fit the area as evidenced by the Shore Acres building taking place nearby. He felt that there is not sufficient need for a road right of way dedication to the west. It is a very typical plan.

There were no voices in opposition.

Councilman Ekberg asked if Dr. Hruza's comment regarding the one foot reserve strip along Hunt Road was included in the drawing. It was not included but will be provided for. There would be absolutely no access from Hunt Road--the 10 foot screening easement guarantees that, Short said. John Holmaas, in the audience, commented on the protective covenants. Councilman Ekberg moved that we table any action pending a comment from Dr. Hruza regarding the protective covenants. Councilman Malich seconded. Councilman Hanson asked if we are saying that our only question on the plat is the 1-foot reserve strip? Councilman Ekberg said the motion applies only to the above. Councilman Hanson said that if there are any other questions that we bring them up now. The only other question was Mr. Berheimer's concern that the plat does not meet aesthetic standards and he feels we cannot technically consider this question. Motion carried. Hearing closed.

FINNER VARIANCE HEARING:

The Planning Commission recommendation was read. Mr. Kinner explained that he built the sign below what he understood was the maximum size. He said he has not had any complaints and it

blocks no view. He needed the sign, he said, to allow business use. He is open only seven hours a day and uses one room in the house. The landscaping is not yet done and it would have partially hidden the sign and softened it.

Councilman Ekberg pointed out that the area is still an R-1 zone and he is operating on a conditional use permit within that zone. A sign is not allowed under this use--only a lot identification sign and Councilman Ekberg moved that the sign does not meet with the intent of the ordinance and should be denied. Councilwoman Melton seconded. Councilman Hanson noted that the minutes would bear out the granting of the conditional use permit for one year. Motion carried with Councilman <sup>MALICH</sup> ~~Hanson~~ voting no. The applicant was told to come in and consult with the building inspector as to what kind of sign they can display. Hearing closed.

The regular meeting was recalled to order. The bills were then approved upon motion of Councilman Ekberg and second by Councilman Malich. Carried.

MINUTES: Councilman Hanson wished the minutes of the last meeting expanded to include a more lengthy review of the statement by George Ancich, including the motion, and on the last page they would like the tape verified that Dennis Clarke's study would not include plans for the public fish dock. These corrections will be found at the end of these minutes.

#### CORRESPONDENCE:

1. Boundary Review Board on Huber/Antilla annexation on Foster Street. They declined jurisdiction and, at the close of the ninety day period, the annexation can be considered complete.
2. Pierce County Fire Prevention Bureau letter regarding the failure of Stutz Fuel to comply with their request. They recommend the institution of legal action because Stutz has taken no action.

#### SPECIAL GUESTS:

Mr. Ron Sanford regarding the monitoring of alarm systems. Chief Tomlin said he had had requests from the banks in the area for the establishment of a central system. The alarm calls now go to the Sheriff's Office and are relayed here but the calls could be made directly to our police department. Mr. Sanford explained that there are several possibilities and suggested that planning take place now. Mr. Sanford will present a written proposal to the council by next meeting.

Mr. Don Huber asked if his annexation can be considered complete. Regarding the EIS Worksheet the Clerk was asked to make copies of this so the council can look it over before discussion later this evening.

#### REPORTS:

Sewer Treatment - None

Building Inspector - Told of a request from Dave Skrivanich on Chinook for a building permit. The Fire Marshal said that the area is undersupplied with water and Mr. Skrivanich will need 500 g.p.m. fire flow and a fire hydrant. The engineer said we might get 350 to 400 g.p.m. now. Jim Hibbs said upgrading of the water supply in that area is in the comprehensive plan. Councilman Ekberg asked that a representative of the town get together with Skrivanich and the fire marshal and furnish a plan to the council.

The building inspector had a request from Mr. Cram of the Mustard Seed florist shop to build another building alongside the flower shop. The council feels this requires site plan approval. Scheduled for 3/28/77 with the Planning Commission.

Mr. Goodno went on to tell the council that Mr. Short again requests a building permit for the motel. Should the permit be granted with a 30,000 gallon pool supplying the water? Mayor Bujacich had left word that he felt that a complete plan on water supply, both fire flow and domestic supply, and sewage lines be submitted to the council for approval prior to issuing of any building permits. Councilman Hanson consulted the previous minutes. A motion had been made that in any matter of a questionable nature a WRITTEN request is required. We are concerned with the health, welfare and safety of the town and it should be resolved in writing that we are not doing anything to jeopardize us in any manner by allowing additional development. He said he would like the minutes read because the intent of the minutes is pretty clear. He then moved that the Town Attorney, the Town Engineer, the building inspector, and the water superintendent meet, discuss the issue of domestic flow, fire flow and fire ratings for all the high level system and the sewer collection system and that a written report of said meeting and conclusions and suggestions be made and forward a record to the council if possible by the next meeting. Councilman Ekberg seconded. Carried.

Street & Water - Jim Hibbs had figures on the caution lights described at the last meeting:

Soundview & Grandview intersection -	\$1236.00
Harborview Dr. & N. Harborview -	956.00

Councilman Hanson moved that we proceed with the installation of the above lights. Councilwoman Melton seconded. Carried.

Jim went on to explain that he has bought a tape to aid him in checking the water level in the wells and found it is a simple thing to check this level once each week. Mayor pro tem Bogue spoke on water conservation. Jim agreed that the system must be flushed from time to time but the water will be collected in a tanker and will be used in other ways although it cannot be returned to the system.

Police Department - Chief Tomlin was not present but Clerk Avery gave his report. The department has applied for a grant for a radio that would operate on both floors of the new Town Hall

and coordinate the facility. The purchase would require only 5% of the grant on our part.

Attorney - Attorney Johnson had the Town Hall sale ordinance prepared.

He will file the lawsuit on the Harbor Wood West sign.

He will have the report ready next time on Cascade Avenue and the ordinance on site plan review requirements.

He will write to the fire marshal on the Stutz Fuel Company progress.

Councilman Malich asked the attorney to check on the status of Ross Avenue. Since it is a dedicated street on the original plat is the town obligated to upgrade it?

Councilman Hanson asked what happened to the motion that the building inspector remove all illegal signs in the town. The signs at the saw shop have been taken care of but Attorney Johnson advised the building inspector not to touch the signs affected by the pending court action.

Engineer - Glen Sherwood asked if the council had any comments on the Pierce County sewer contract. Councilman Malich questioned the dry weather flow. Sherwood said the average daily flow or actual measured flow is what is important. We did not originally include a meter in the system but one is now being proposed to enable an exact reading.

Councilman Ekberg's main concern was under Section 2, Philosophy, and that the contract should be our proposal, in our language, rather than agree to their type of contract. Councilwoman Melton had no feeling that it had to be our contract.

Clerk Avery commented on page 6, Section 8, Item A, concerning flow capacity in case of annexation.

The attorney suggested that, to expedite this thing, the comments of the council and the clerk be incorporated to this can be ready to go next meeting. Councilman Ekberg agreed that Clerk Avery's comment is of concern. Councilman Hanson was concerned with the necessity of going out of the Gig Harbor drainage basin.

MARKOVICH SEWER STUB: Mrs. Puratich did not agree to the prior suggestion to use a pressure line for both of her houses, but did agree to pump the lower one and gravity the upper. Glen Sherwood now proposes a town-owned extension to the rear of the Markovich property. To this line they would gravity feed the Puratich house and the Markovich office and pressure feed the lower home as well as any further development Mr. Markovich might plan for the rear of his property. Gary Tannahill proposed an alternate plan of two separate lines in the same ditch and then the town would not have to be involved. Glen will approach both parties.

Councilman Hanson said the corps of Engineers called him about the mooring buoy decision. They are trying to expedite the method of determining where mooring buoys are located. They wish to change the law to conform with what is being done. They said they had some negative response but it was more a question of misunderstanding. The crux of the situation is that the town has no control over where a mooring buoy may be placed in Gig Harbor Bay, but anyone placing a buoy in the future must notify the Corps of its location. It will not change what is done or what affects us. The Corps would like an affirmative letter from us if we change our minds. Councilwoman Melton moved that we send them a letter that we are agreeable. Councilman Hanson seconded. Carried with Councilman Malich voting no.

Tabled were the Cascade Avenue report and the site plan requirement changes.

SEWER RATE REVISION: Most of the council felt the Chelan plan had merit. Councilman Ekberg would rather see a smaller initial increase done oftener. They asked Clerk Avery to work out a new schedule based on a lower rate of both \$6.25 and \$6.50 per residence plus a percentage basis on the other classifications.

HUBER ANTILLA EIS WORKSHEET: Councilwoman Melton commented that the worksheet was not complete enough. The preparer should enlarge his comments and substantiate his statements. Most of the council felt the worksheet was not adequate. Councilwoman Melton felt that, since the water problem is not resolved, the EIS could be redone pending development of the high level system. Huber said he had been told at the annexation hearing that he could have the permit. There was then a discussion of when the annexation becomes effective. Councilman Hanson moved that the applicant be asked to expand and further clarify the EIS so it can be reviewed at the next regular council meeting. Councilman Ekberg seconded. Carried.

Councilwoman Melton asked attorney Johnson if the council did indeed promise Mr. Huber a building permit at the time the annexation is completed. The attorney would like to review the minutes. Glen Sherwood can be consulted in the meantime. Councilman Ekberg asked also for an updated letter from the fire marshal. Mr. Huber felt the town and the council have some responsibility to him. He has already cleared the land and has crews scheduled to start work on the project.

GALBRAITH EIS WORKSHEET: Mr. Galbraith had substituted his own form based on an EIS from the City of Fife. The council wished to instruct the applicant to fill out the town's form. The clerk was instructed to write him a letter.

TOWN HALL SALE - ORDINANCE #245 - 2nd Reading: Councilman Hanson moved that Ordinance #245 be adopted. Seconded by Councilman Malich. Carried.

PENINSULA GATEWAY REZONE - ORDINANCE #246 - 2nd Reading: Councilman Ekberg moved that Ordinance #246 be adopted. Seconded by Councilwoman Melton. Carried.

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DIRECTIONAL SIGN ORDINANCE - A search of the minutes disclosed that there has never been a first reading of this ordinance. Tonight is now considered the first reading.

FURNITURE PROPOSAL:

The clerk presented brochures for chairs, desks and filing cabinets. Approved were purchases:  
46 chairs, padded and stackable, brown vinyl, \$25.00 each  
7 chairs, council table and upstairs, cocoa brown, \$190 each  
1 desk, the prudential, for mayor's office \$291.00  
2 desks, with swing out and side bars  
Filing cabinets.

SIGNS: Councilwoman Melton said that signs are needed directing people to the head of the bay and to the French restaurant. Sue Wood and Councilman Ekberg had gotten together to discuss this in the past and she was to come up with a design. He will recheck with her.

CORPS OF ENGINEERS PERMIT FOR WILLIAMSON: Councilman Hanson suggested that we notify Mr. Williamson that he must apply first for the Shoreline Management permit. The Corps of Engineers form stated that they must have the reply by a certain date. The clerk will contact them.

Councilman Hanson said he talked with Ken Mosley in the Fire Marshal's Office regarding the Skrivanich triplex. The fire marshal desire to meet with the town and clearly lay out where the hydrants should be located. They would like to make recommendations. Councilman Hanson will meet with them and will set up a meeting.

Clerk Avery told the council that we received an additional \$24,000 HUD grant money with which we could start work on the water system. Also, some time ago we received a Seacoast Management grant regarding the shoreline. With this we could hire someone but if we do not use the money we lose it.

Rutz M. Logue  
Meeting adjourned at 11:35 p.m.

P. Ekert, asst Clerk  
Tape #55, Side 1, 699 to End and  
Side 2, 0-End

Correction of minutes:

George Ancich's Statement: "About three weeks ago I made a statement to the council concerning refusal to the grant as applied for substantial development permit for my float at the Coast Guard dock. At that time I challenged this council to take further action against others in Gig Harbor who have constructed facilities without necessary permits. What has this council done? What investigations have been made? What action has been taken along those lines? It is my belief that this council has undertaken a heavy responsibility to thoroughly enforce what it considers to be in the public interest. Statements have been made by certain council members, Mr. Ekberg in particular, that they are shocked by an individual who would construct a facility without obtaining a permit. Now does the council continue to be shocked by the knowledge that many others in Gig Harbor have so violated the law by failing to obtain the necessary permits or have I, George Ancich, been singled out by this council to bear the brunt of its indignation and disapproval. This council has an obligation to me as a citizen and to the community which elected them to fairly enforce its adopted policy. Will the council then accept the challenge of good government or will it continue to deny me the right to equal protection under the law. I suggest that a good place to start is within the council itself. Has Mr. Malich yet applied for a substantial development permit for his own moorage facilities? If not, how can this council sit in judgement of others when one of its own members is in violation of the law and the policy it has undertaken? As elected officials this council at least owes its constituents who come before it. Unless the council acts and acts now with respect to other violations it will have breached its duty to the public. I would really like something done on it. Thank you."

Councilman Ekberg felt the comments are directed to the proper body although other departments are responsible for actual enforcement. Mayor Bujacich agreed with Mr. Ancich and would like to see a committee of the council investigate or report on the entire town. "I think these things not only happened in the past but continue to happen. Someone does something and then we find out about it later and we are put in the same position. Unless we hire a waterfront patrol I don't know how we can stop it." Councilman Ekberg suggested working with the Corps of Engineers or the town's building department. Councilwoman Bogue wanted to clarify that, in the case the mayor's brother's dock or the Tarabochia/Ancich dock the instigating of the action against them was NOT on the part of any officer of the town or elected official. It came from the Corps of Engineers. Mayor Bujacich did not think so. He thought it first was brought up by Councilman Hanson at the first meeting. Councilman Hanson agreed that he raised the question before it came from the Corps of Engineers. Still, the action came from outside. The mayor said there have been other violations in Gig Harbor and the Army Engineers have chosen to ignore it. Now suddenly they find it's time to take issue. Councilman Hanson asked the mayor to appoint a committee to "review the areas that they think are illegal docks and they could make their recommendation to you or the council here for our action realizing that we have the responsibility." George Ancich thought a committee of their own council - "just start at the Tides Tavern and work down the line and check every one as to whether they got a permit or not. Do they or don't they have parking? Do they have the proper land area? This is your responsibility! How much square space does Bucholz have? Don't drop it on me or the citizens."

Mayor Bujacich said he agrees, we do have the responsibility. If we are going to enforce it we are the enforcers. We are the governing body. Councilman Hanson moved that the mayor then be authorized to enforce the thing if that's what you want from the council and to secure that in any way you see fit.

"All right", said the mayor. "Then I would like to appoint a committee to work with me and the council and Jim, I would like to appoint you, and Steve and Ken Malich, and I would like to work with you and review it and Wayne, I would like you to sit in on it too because you know of many things that have been constructed in the past year or two and can list them and carry it on from there. I will get together with all of us as soon as possible and go from there." This was agreeable with the council and Ancich. George only asked that it not be prolonged. The mayor agreed that it would be as soon as possible. Councilman Ekberg asked that anyone aware of possible violations to let the committee know.

Concerning Dennis Clarke's statement:

Councilman Hanson asked if this study would encompass a public dock. Councilman Ekberg answered that "the study encompasses all park and recreational needs of the town, be it land or water, and when we get down to specifics obviously there is talk of a public dock, as to what size or how it is to be used. The funds that are being applied for have to be pretty well strictly parks and recreational use."

Mayor Bujacich said "with a dock included in there." Councilman Malich said "but not a fishermen's?" "No." Councilman Hanson then said that "my question, the reason I asked that was we budgeted the funds for some special planning in regard to the public dock and if this is not going to directly involve that then, if a public dock study can be an outgrowth of this I would like to see if we can get him to also work on that."

TOWN COUNCIL MEETING - MARCH 14, 1977

The first public hearing was called to order at 7:50 by Mayor Bujacich. Present were Councilwomen Bogue and Melton, Councilman Malich, Attorney Johnson and Clerk Avery. Councilmen Hanson and Ekberg were ill.

ISLAND EMPIRE TELEPHONE COMPANY ANNEXATION WITH ZONING DETERMINATION:

The Planning Commission letter was read. They recommend acceptance of General Service zoning as part of the comprehensive plan.

There were no voices in opposition.

Bill Hughes of the telephone company feels the parcel meets the needs of the comprehensive plan. They require sewers and police protection and have the majority of their interest with the town.

The council asked if they anticipate expansion in the near future. Yes, they said. This is the division office for Western Washington. There are about 150 people under their direct supervision. Later they hope to have a division office--within five years. Their immediate plan is to expand the southern fence to allow more parking. The fence is now only two-thirds of the way through the property. There will be no residential living. They added that they do understand the requirements of the zone--that each time they wish to develop they must return to the council for approval. There were questions concerning the undeveloped portions of the property. The principals had no plans for this area at present.

Councilwoman Bogue moved that the request of Island Empire Telephone Company for zoning for the piece of property proposed to be annexed with a General Service classification be approved with the understanding that from the property line which adjoins the right of way on the highway to the existing fence be retained as natural area left as a green belt and open space and "I would further require that by next meeting the applicants determine the exact distance so it can be included in the final motion." The motion was added to: "cyclone fence." Councilwoman Melton seconded. Motion carried. Hearing closed.

The regular meeting was called to order and recessed for a continued public hearing.

OSWALT ANNEXATION REQUEST:

Attorney Johnson said he had spoken with the Attorney General who ruled that this property can be considered contiguous to the town because if the road were ever abandoned each property owner would own to the centerline of that road.

There were no voices in opposition or in favor.

Councilman Malich moved that we accept the annexation as submitted. Councilwoman Melton seconded. Carried. Hearing closed.

The regular meeting was resumed and again recessed for a continued public hearing:

ESLANDVIEW EAST SUBDIVISION - Preliminary approval:

There were no voices in opposition although disapproval had previously been registered by Mr. Berkheimer.

ROBERT SHORT, do-developer and also builder of the homes, had been in touch with Don Herron, the city prosecutor and also with the Pierce County Planning Commission and they feel that the one foot reserve strip is the most unprecedented thing in Pierce County. The utility easement and the green belt constitute two barriers to cross and anyone can be prosecuted by the town if they try to cross. The one-foot strip is not realistic. He said he had complied with every aspect of the subdivision ordinance. He was asked why he disapproved so of the one-foot strip. He answered that he would lose one lot with the maintenance of the strip.

308-11

Mayor Bujacich agreed. He feels that the one foot strip becomes a nuisance. There would be ample protection provided through our driveway permit requirement.

Mr. Short said they plan to abide by the Planning Commission requirement along Soundview Drive. They will remove the existing green belt, construct a decorative fence and plant manicured evergreens along this fence. The mayor cautioned about the safety of the corner view.

Councilwoman Melton moved that the preliminary plat of Islandview East be approved as submitted with the inclusion of the 10 foot screening easement. Councilwoman Bogue seconded. Motion carried with Councilman Malich voting no. Councilwoman Bogue added that she also deplored the minimum lot size but saw no way to require more. Councilman Malich felt that Stanich Avenue should have been dedicated but he had brought this up at the previous hearing and no one else agreed. Hearing closed.

The bills were approved upon motion of Councilwoman Melton, seconded by Councilman Malich. Carried.

MINUTES: Councilwoman Bogue said that, under the Kinner sign variance hearing, it was councilman Malich voting no instead of Councilman Hanson. The minutes then stood approved as corrected.

#### CORRESPONDENCE:

1. Merwin Parker letter on the County Commissioner's approval of the preliminary 1977-78 Community Development Block Grant program which includes the town's grant of \$94,300 for water system improvement. The application has been forwarded to the Council of Governments for review. The enclosed environmental checklist is to be completed as soon as possible.
2. Pierce County Fire Marshal's letters concerning various projects planned in the town.

#### SPECIAL GUESTS:

Mr. Herb Griffin of City Sign Company was present regarding the proposed sign for Spot Realty when they move into this building. They plan a small illuminated sign to be used only during the occupancy of this building. After that it will be moved to their Lakewood office. The rate - 10% of the valuation - was felt to be unfair especially for such short occupancy. The objection was the fee but he would like to have immediate approval for the sign. Since the sign is within the size permitted by the ordinance it was felt there was no need for approval of the sign. There is no possibility of fee reduction because it would mean that a change in the ordinance was required.

Mike McKean was present to apply for his building permit for Norwegian Wood. Glen Sherwood had submitted a plan to McKean regarding his proposed routes of sewer and water lines. The only drawback is that part of the lines are in the county. McKean said the county would grant a franchise to the town for the lines that are in the county but Glen felt it was up to the council to apply for the franchise if they so approve it. Glen said this plan is better than the alternate--that of going to Stanich Avenue. Also, this route serves more properties immediately. Glen feels this franchise is only permission for the route--not permission for county customers to hook up.

Councilwoman Melton read that portion of the minutes that dealt with WRITTEN request for use of the high level system and the proposed meeting of various department heads. She felt that we cannot be in a position to okay the request but would like to go over the report. A short recess was called for this purpose.

McKean commented on the fire marshal's report. He said they have approval based on the plans they submitted. They have permission based on increasing the size of the firewalls and the installation of smoke alarms connected to annunciators at the fire hall. These changes, coupled with the money they gave previously toward the booster pump, should make it possible for the town to issue the permit.

There was a discussion on the report from the AWC and the supposedly conflicting letters from the fire marshal's office. Glen Sherwood said that the booster pump mentioned in the report is for domestic flow--not fire flow. Attorney Johnson explained the situation thus: The town has sufficient water for domestic flow but not fire flow. The fire marshal would allow the lack of fire flow through other means and there is no reason for holding up the building permit.

Councilwoman Bogue asked if the principal can have an amended letter from the fire marshal and the county's letter of approval on the water and sewer line franchise by the next meeting of March 28. She moved that we table the request for the building permit until next meeting and the applicant can have with him prior to that time a letter from the county and an amended letter from the fire marshal. Councilwoman Melton seconded. Carried.

BARBARA PIERSON and JOAN BASSETT of the HISTORICAL SOCIETY were present regarding the letter of January 18 pertaining to the available space in the new town hall. Mrs. Bassett had with her a letter requesting this same thing. Mayor Bujacich said the question has been researched and the answer is that the town can set aside an area for their use. The area will have a door installed with a key but the janitor must have access to the area because of their supply closet which would be within the locked area. The attorney was asked to write a letter to the members of the society. Councilwoman Bogue and the mayor will meet with the society on



10.  
Wednesday morning to negotiate a reasonable rent.

TOM GALBRAITH EIS WORKSHEET: Councilwoman Bogue moved that the project has no significant environmental impact and the application is to be processed without further consideration of environmental impact. Councilman Malich seconded. Carried.

REPORTS:

Street & Water - Jim said the bleachers are now installed in the park. Now the area needs a fence of 15 to 20 feet to protect the spectators.

Sewer Treatment - Gary reported rainwater infiltration. The problem is being worked on.

Police - Towing Bids were to be opened tonight but it had been reported to Chief Tomlin that there are inadequacies on the bid sheets. He asked that all bids be rejected tonight and he requested help from the Towing Association in rewriting the bid sheets. He will contact the association.

Building Inspector - Wayne presented a plan from Fircrest Realty for a sign to be affixed to an existing board at the Buck and Sons building. The board measures 3 x 10 feet and Wayne asked the council if it needs to go before the Planning Commission and the Council since it is a pre-existing sign. A lengthy discussion ensued concerning the overall size of the sign. Councilwoman Bogue told the council that the intent, at the time the sign ordinance was written, was to limit the size of the sign according to the number of "faces" the sign has. It was finally decided that if the petitioner reduced the overall size of the sign he would need no permission.

Wayne went on to tell of the construction being accomplished in the north end. Mr. Lambert is building a deck on his house and it was felt that Mr. Lambert would need a Shoreline Management Permit. Clerk Avery said he should appear and request a variance from our master program. The council's recommendation would then be sent to the State Department of Ecology and they make a ruling on whether they issue a permit or not.

Engineer - Glen Sherwood said we received the contract from Lige Dickson on the sidewalks. The pre-construction conference is scheduled for next week. Within ten days of that date they will proceed with the work.

There is no new information on the Markovich stub. He is still waiting for a price from the contractor.

Attorney - Dave Johnson said he wrote to the fire marshal on the Stutz Fuel problem. He has also filed the sign complaint in court.

He furnished a lengthy report on the Ryan subdivision. The real issue is implied acceptance by the town. He advised that the council read the report. If the town continues with the position that it has taken it can defend that position.

Mr. Bampton said it is wrong to call the area the Ryan subdivision; there are many property owners involved.

The attorney said it is the council's decision but the burden of proof rests with the property owners. Mayor Bujacich said, "The crux of the matter seems to be that if the town does put in this road then they could end up paving roads all over town and it could break the town."

The matter was tabled pending the reading of the report.

HIGH LEVEL SYSTEM: The mayor advised that we use the monies we have received to start the project or we might lose the money entirely. He advised laying out a program. Glen will bring the report to the next meeting.

HUBER/ANTILLA EIS WORKSHEET:

Councilwoman Bogue moved that the project has no significant environmental impact and the application is to be processed without further consideration of environmental impact. Councilwoman Melton seconded. Carried.

The attorney said that tonight is the formal acceptance of the annexation. Technically it is not in the town until after the second reading of the ordinance but the prosecuting attorney said the council can issue a provisional building permit until the property is, in fact, in the town.

The report regarding water supply is meant to read that if there is trouble on the high level system the user is to connect to the lower level system at his own expense and install a booster.

The fire marshal's letter was discussed and the paragraph concerning the inadequate flow was felt to be important. Councilwoman Melton did not feel the fire marshal substantiates the fire safety of this building like he did in the letter to Norwegian Wood.

Mayor Bujacich feared it could obligate the town to provide 2500 g.p.m. even if the high level system is not capable of providing it. Glen Sherwood said the system would provide 1000 g.p.m., maybe even 1500 g.p.m., but never 2500.

Councilwoman Bogue would like a letter from the fire marshal spelling out exactly how they feel the project would meet their requirements and a letter from Glen on what the system supplies now and what it could supply in the future. She then asked what the sewage collection plans are.

Glen Sherwood provided plans for an 8" main for water and sanitary sewer extension from Stinson along Foster Street. These mains can be placed in the same ditch if they are separated three



feet vertically or 10 feet horizontally.

Attorney Johnson said he thinks the fire marshal is tacitly agreeing that it is okay to proceed but the Norwegian Wood letter is much better, much clearer. If the fire marshal writes a letter acceptable to Glen's recommendation then the building permit could be issued.

Councilwoman Melton moved that a building permit be issued to Huber/Antilla for a 33 unit complex if the following stipulations are met:

1. The town receives a letter from the Pierce County Fire Marshal worded in the same language as the letter that the town received on March 1 speaking to Norwegian Wood, and that will be checked by the engineer and that letter will be kept by the engineer and the attorney, and that the town and Huber and Antilla enter into an agreement incorporating not only a booster pump but also an acknowledgement of the amount of flow that is available and that they fully understand that the amount of water that can be expected. Mayor Bujacich had a question concerning the access to the tank site. Don Antilla agreed that the tank site will be provided an access through the Huber/Antilla property.

Councilwoman Bogue moved to amend the motion as follows: The memorandum to the Gig Harbor Town Council from David Johnson dated March, 14, 1977, regarding the Gig Harbor high level water system, page 2, paragraph b, be amended to read that: Huber/Antilla to be connected to the high level system subject to the understanding that if such a connection creates a drain on the system that, at Huber and Antilla's expense, they will connect to the lower level system and install a booster pump.

Councilman Melich seconded the original motion and the amendment. The amendment was carried and the original motion was carried.

ANNEXATION ORDINANCE FOR HUBER AND ANTILLA - First reading

SEWER RATE REVISION - Postponed until Councilmen Ekberg and Hanson can be present.

DIRECTIONAL SIGN ORDINANCE - Postponed until Councilman Ekberg can be present.

SKRIVANICH BUILDING PERMIT - CHINOOK AVENUE:

The firemarshal had written on March 10 stating the conditions under which Skrivanich could meet their requirements.

Glen Sherwood said the only possibility of getting adequate flow (the required 750 g.p.m.) out of a hydrant would be getting a 6" tie from Tarabochia to Chinook and replacing the 2" line with a 4". He specified portions of the line that should be replaced. Mr. Skrivanich said he was in a bad position with his financing arranged and his lumber bought--he would be willing to participate in the upgrading of the entire line.

The council wondered if they could treat this like the Huber/Antilla problem. David Skrivanich would be willing to replace the two inch line with a four. This would be at town expense to install. The only way the town could do this is in case of replacing an inadequate line. Skrivanich could not afford to install it.

Councilwoman Melton suggested that Skrivanich return to the fire marshal and attempt to get them to write a letter similar to that written for Norwegian Wood spelling it all out very clearly and maybe in the meantime investigate the possibility of the Tarabochia Street line easement.

Mayor Bujacich suggested inviting Mr. Smith the fire marshal, to our next meeting.

MYERS DEVELOPMENT - Fred Crase, the builder of the proposed project, was present. This is not site plan approval tonight. The council, cursorily perusing the plans, found no glaring errors. A decision will be made at the next meeting. He was advised that this, too, requires approval of the fire marshal.

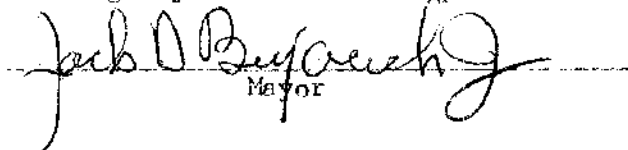
SHORE ACRES WATER COMPANY DEVELOPMENT: It was felt that this requires further information. The clerk will write to them.

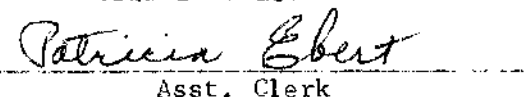
COUNTY SEWER CONTRACT: The attorney will send a copy to Hagestad.

Councilwoman Melton asked about the Pierce County seminar. She would like to attend and will confer with Steve and Jim about dates. They settled on May 11 if it meets with the approval of the rest of the council.

Meeting adjourned at 12:27 p.m.

Tape #56, Side 1 All  
Side 2 0-239

  
Mayor

  
Asst. Clerk

JUL 1977  
TOWN COUNCIL MEETING - March 28, 1977

This is the first meeting to be held in the new town hall. The mayor called the meeting to order with the first public hearing. Present were Councilwoman Bogue, Councilmen Malich, Ekberg, and Hanson, Attorney Johnson and Clerk Avery.

PACIFIC ALPINE SITE PLAN REVIEW:

The Planning Commission had approved the plan at their meeting of March 15. There were no voices in opposition to the plan.

Councilman Ekberg was concerned with the continuation, in some form, of the sidewalk in front of the property. Even a graveled pathway would be acceptable. It would encourage public access. Also he was concerned with the preservation of the trees between their building and the new town hall. Councilman Hanson thought it would be commendable to retain the trees but was concerned that the sidewalk be required. If it continues in a straight line it would mean losing two trees, but if it were narrowed it would be possible to retain the character of the property as it now exists. He said that other towns on this coast have retained their trees and curved the sidewalks and have considerable charm.

Tom Orser, in the audience, was not in favor of meandering the sidewalk through the trees but would go along with a long range plan to put a sidewalk in if it is someday required. He felt it was ridiculous and strained the reason to want curved sidewalks. He felt that the trees are really in the way but they are willing to trim the trees or whatever is required.

Three businesses are planned for the building--maybe one more. The parking is sufficient. Councilman Hanson moved that the council approve the site plan for the property on Judson Avenue adjacent to the new town hall with the understanding that sidewalks or a pathway be constructed to Gilich Street and that said pathway is not to entail removal of trees. Councilman Ekberg seconded. Carried.

ELS WORKSHEET - Councilman Ekberg moved that it has no significant environmental impact and this application is to be processed without further consideration of environmental impact. Councilwoman Bogue seconded. Carried. Hearing closed.

CRAM SITE PLAN REVIEW:

Councilman Ekberg excused himself from the table because of a possible conflict of interest. The favorable recommendation of the Planning Commission was read. The site plan is for an open garden store adjacent to the Mustard Seed florist shop.

MARLIN CRAM, 10119 Cherry Lane NW, said his proposed use of Skansi Avenue to the rear is a necessary part of tonight's decision. He needs it for egress and it is imperative that it be decided tonight.

Wayne Goodno said the site plan meets all the requirements of the R-2 zone.

Is there sufficient room for backing without having to back out onto busy Pioneer Way? Mr. Cram felt there was ample room for backing.

A chain link fence would extend around three sides of the property. It is needed because the inventory is open to the elements. Councilwoman Bogue felt it would help the appearance of the fencing if it could be moved in a bit and a row of trees planted next to the fence to screen it.

Councilman Hanson said he saw no apparent drawbacks and moved that the council approve the site plan for Peninsula Gardens as submitted. There was no second and Councilman Hanson withdrew his motion. Councilwoman Bogue asked if it might not be possible to provide the parking in the rear in order to alleviate any possible traffic hazards of backing out. Mr. Cram said it would be possible but it would not attract customers that way. Councilman Hanson felt that if the parking is the only thing at fault that the parking area could be moved back five feet.

Councilwoman Bogue moved that the site plan review be tabled with the request that the petitioner bring in an amended plan with the things discussed changed or improved upon. Councilman Malich seconded. Councilman Hanson asked that the council be specific. In fairness it should be specified what needs to be changed. Councilman Malich felt that his concern was the traffic hazard. If the stalls were parallel or turned it would be different. It only adds to the confusion because the corner there is not well defined. Councilman Malich withdrew his second and Councilwoman Bogue withdrew her motion and Councilwoman Bogue then moved that the site plan be amended to provide parking to the rear of the building and that the chain link fence be indented from the property lines and the street side enough so that dense evergreen plantings can be effected to screen the property. Councilman Malich seconded. Carried. Mr. Cram was advised to alter the plan and Mr. Goodno can then issue the permit if it meets the requirements.

ELS WORKSHEET: Councilman Hanson moved that the project has no significant environmental impact and the application can be processed without further consideration of environmental impact. Councilwoman Bogue seconded. Carried.

The regular meeting was called to order at 8:20 p.m and recessed for the review of the bills Motion to approve by Councilman Ekberg with second by Councilman Hanson Carried

MINUTES: As there were no corrections or additions the minutes stood approved as posted

CORRESPONDENCE:

Letters from the Pierce County Fire Marshal concerning fire extinguisher needs

SPECIAL GUESTS:

Architect Bob Davey, concerning the Uddenberg height variance He told of the need for a greater height variance than was granted under the recent application The reason for the discrepancy is that the height had only been estimated at the time the variance was granted Now, as a result of the actual drawing of the plans, it was found that a height variance of 21 feet is more realistic He asked if the height variance can be changed informally The attorney felt that, to comply with the law, it would require the normal public hearing process for a variance The mayor then asked them to file another application It could be heard in the month of April at both levels The architect then went on to discuss average grade as specified in the zoning ordinance He showed the council how high the bank is at the rear of the proposed building If that portion of the ordinance concerning height is applied to the average grade here the building is within height limits The finished building would be lower than the bank behind There was some discussion on this point but it was finally determined that it meets the variance granted last fall because the floor of the building would be measured from the existing grade

PIERCE COUNTY FIRE MARSHAL: The fire marshals had been asked to attend the meeting tonight in hopes that some differences could be ironed out They went on to tell the council that the letters read tonight are only a matter of clarification and information--no action is required

Fred Smith told of the way that plans are approved by their office and how flow requirements can be relaxed through provision of thicker fire walls and smoke alarms connected to the fire department He said their big concern, though, is the limited supply of water on the hill He told of the compromises effected in the three recent development requests He told of why the fire requirements were relaxed He then went on to ask that any time the fire marshal is asked to qualify requests they only respond to the request of the city--not the developer He asked that a letter be directed to him by the city if there is a question In addition, he would like to seriously discuss with the council where we are going as long as the lack of water exists He is fearful of a hillside full of unprotected properties Mayor Bujacich agreed, saying that there would be no more middlemen involved There will be no more jeopardizing of the town's fire rating or the life safety of its citizens The development on the hill can stop

Regarding the negotiations between the developers and the fire marshal's office, Councilman Ekberg said he thought it would be best if the council were notified only after the developer and the fire marshal have settled on the final terms

Regarding the letter of March 8 with the guidelines suggested by the fire marshal's office, Councilman Hanson would like us to adopt these as regulations Councilwoman Bogue moved that the letter of March 8 pertaining to policies be incorporated into a resolution and adopted Councilman Ekberg seconded Carried (Resolution #126)

Ken Mosley asked the council what they thought of Item #5 Is it the intent of the council to accept this? Could we set up some early meetings to make long range plans?

Councilman Malich suggested that property developers submit conceptual plans before money is invested in expensive plans and prints that must be changed

One other point brought out was that the council had asked for another letter from the fire marshal regarding Norwegian Wood Smith said he did not write it because he felt the existing letter was very clear

JOHN GUSTAFSON - KIWANIS CLUB:

The Kiwanians had planned to develop the landscaping around the new town hall with the help of various garden clubs and to this end they had plans drawn up The plans are now submitted and they would like the council's approval Allan Bucholz, the architect, has approved these plans

Councilwoman Bogue said that she very much appreciates the work that they have done to but she could not approve of the plan for the waterfall because it requires a luxury use of energy She felt that perhaps the town should set an example in this manner Councilman Ekberg felt it could be a liability exposure He would rather see the area put to use as a path and benches perhaps

The mayor did not agree He felt it was a small expenditure of energy He felt that the architect had okayed it and he is a professional He said he was grateful for the interest shown and the generosity proffered

Councilman Malich moved that the request be approved as submitted. Councilman Hanson seconded but asked if there could be an alternative worked out on the area in question. Could something else give the same aesthetic quality? The Kiwanians said they relied on the professional ability of the designer, Vogn Olson. They are not trying to railroad something here. They would also agree to maintain the area. Councilman Hanson said he would like to see if the question can be resolved. He will get together with Allan Bucholz and Olson. Councilman Ekberg moved to table the action until Councilman Hanson has arrived at an agreeable solution. Councilwoman Bogue seconded. Carried with Malich voting no.

MIKE McKEAN asked if he can have his building permit tomorrow. The only discrepancy is the county street and water franchise. The mayor and council said they had no record of the franchise. McKean said he could bring the county document tomorrow for the mayor to sign. Councilwoman Bogue said she is willing to accept the fire marshal's statement tonight and if the franchise is signed she has no objection.

#### REPORTS:

Street and Water - Jim showed the council an attachment for the tractor of a rear-mount blade. Councilman Hanson asked about the hydrants on Chinook Avenue. What has been resolved? The answer was nothing--we got no easement yet. They can't have over 280 gpm.

Mr. Scrivenich read the letter from the fire marshal requiring hydrants, mains, firewalls, etc. Councilman Hanson felt that if the line goes in the basement the town should install it. Mayor Bujacich did not agree.

Councilman Ekberg felt the building permit could be issued but no occupancy be permitted and he moved that the building inspector be instructed to issue the permit based on the letters of March 1 and 8 and with no occupancy allowed. Councilman Hanson abstained from voting. Councilman Malich seconded. Motion carried.

#### BAMPTON - CASCADE AVENUE:

Mr. Bampton, in the audience, told how he had written to each council member concerning errors in the attorney's report. The town does have street lighting, grading and spraying on that street, he said. He asked Attorney Johnson if he still considers the town's position defensible. He also found the filing fee receipt for the plat. He felt the town should be responsible for what a previous council did.

The attorney said the decision is up to the council. Mayor Bujacich reiterated that upgrading this street could break the town. He felt the only alternative is a LID on the part of the residents of that street.

The clerk answered Mr. Bampton's claim about grading and spraying. He said that ALL the streets were graded by the sewer contractor--this was not grading on the town's part. No spraying has ever been done by the town.

Councilman Ekberg feels that the town's present position IS defensible. He felt the present council should take no action at this time. The council proposed coming up with a cost factor, proposal of a LID and helping out all possible with town services.

RALEH SHULLICH Jr. said he has earnest money on a piece of property on Rosedale Street near the freeway overcrossing. He would like to establish a different CS line by trading one small triangle of R-1 land for one small equal triangle of CS land. In this way he could come up with a straight line for his development.

The attorney advised that the rezone procedure should be followed. There is no logical reason not to do it properly.

#### MYERS RR-1 SITE PLAN REVIEW:

There is only one access planned onto Pioneer Way. Councilman Ekberg moved that the site plan be approved as submitted with a sidewalk of 6 feet in width. Councilman Hanson seconded. Councilwoman Bogue amended to retain the evergreen trees along the north boundary. Councilman Hanson seconded. Amendment carried and original motion carried.

ELS WORKSHEET: Councilwoman Bogue moved that the project has no significant environmental impact and the application is to be processed without further consideration of environmental impact.

Roy Myers went on to tell of the lack of legal access to the tank site off Foster Street. He said the town attorney could make a correction. The mayor said he will have the engineer redraw it.

#### REPORTS:

Sewer Treatment - Gary Tennahill reported that they worked on the Conar Fuel Oil sewer stub and the flow dropped about 40,000 gallons per day.

He went on to ask about the radio page equipment. It costs \$33 a month to lease and he found a cheaper model to buy. Councilman Ekberg proposed to postpone this discussion to next

year because of the budget.

Building Inspector - Councilwoman Bogue told the inspector that a new business in town has erected three signs and they are in an R-1 zone. Also, the lawn mower repair shop still has too many signs. The council asked the attorney to write to them.

The Harbor Wood West signs (supposedly existing on a county right of way) probably are not permitted under county zoning either, said Councilwoman Bogue. The attorney would like to handle these at the same time as the pending court action.

Attorney - He would like to get together with Councilman Ekberg concerning the sign ordinance and he would like to postpone the site plan review amendment.

PARK COMMITTEE: The consultant had prepared a booklet on the Park and Recreation Plan and asked for a special meeting. A public hearing was then set for April 4 if the clerk can publish it in time.

HUBER ANTILLA ANNEXATION ORDINANCE #247 - 2nd Reading:  
Councilman Ekberg moved that Ordinance #247 be adopted. Councilman Hanson seconded. Mention was made that it should be clear that this pertains to the property at the end of Foster Street. Motion carried

SHORE ACRES WATER COMPANY PROPOSED HOOKUP:  
a real estate office proposes an office opposite the veterinary clinic. It was asked if there would be sufficient water available for this hookup. This brings up the fire marshal's recommendation concerning sufficient water on the high level system. The clerk was asked to write to the Shore Acres company and tell them we cannot allow the hookup because of insufficient water supply

Concerning the Islandview East EIS Worksheet, Mayor Bujacich felt it was a shame not to require road dedication on the west end of this property. It would have been the extension of the road already dedicated by other property owners to the north. The mayor asked the attorney if this dedication can now be required. The attorney will research it

SEWER RATE REVISION:  
The council felt the \$6.25 basic rate will be more than adequate. The public hearing will be scheduled for 7 pm at the next meeting

DR HRUZA'S RECOMMENDATION ON CODE MODIFICATIONS:  
It was not understood why Dr Hruza wrote this. The council asked the attorney to look into it and report at the next meeting

WATER FLOW IN HARBORVIEW SECOND ADDITION:  
Councilman Hanson, who lives in this area, feels that there is nowhere near adequate pressure and feels that something should be done as more and more homes are being built here. The problem is being compounded. Jim will look into it and talk with Sherwood about it

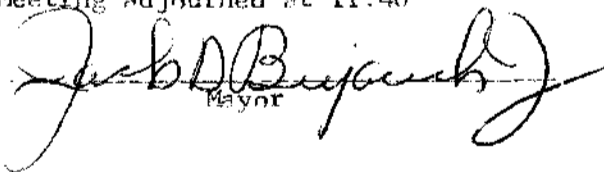
Councilman Ekberg asked that the fire marshal's resolution be copied and given out to prospective developers

Councilwoman Bogue asked how much money might be available for the 75/25% park funding for Dennis Clarke's use.

The clerk mentioned problems with unpaved roads where development is taking place. He asked if a policy can be set

Meeting adjourned at 11:40

Tape #56, Side 2, 239-End  
Tape #57, Side 1, 0-420



Patricia Ebert  
Asst. Clk.

REGULAR COUNCIL MEETING - APRIL 11, 1977

The first public hearing was scheduled for 7 p.m. but a quorum was not present until 7:30. The meeting was called to order by Mayor Bujacich. Present were Councilwomen Bogue and Melton, Councilmen Ekberg and Hanson, Attorney Johnson and Clerk Avery. Councilman Malich was ill.

PUBLIC HEARING - SEWER RATE REVIEW:

No one appeared in favor or in opposition. The clerk had asked Forrest Davis, former State Auditor, to do a study and he wrote a letter concerning his conclusions. It was felt that the \$6.25 proposed residential rate would provide sufficient coverage for the bonded indebtedness. Councilman Ekberg said he was in favor of basing it on the \$6.25, the smallest rate raise possible, and he so moved that the proposed rates be approved. Councilwoman Bogue seconded. Councilman Hanson felt the \$6.25 is an equitable rate--not a drastic increase but enough to raise the revenue to cover the bonded indebtedness and provide the

001  
funds needed for maintenance of the system. Councilwoman Bogue felt it was not out of line. Carried unanimously. The rate raise will be effective after passage of the ordinance, the first reading of which is tonight. It will become effective on June 1. Hearing closed.

The public hearing scheduled for 7:30 had been postponed at planning commission level.

The regular meeting was called to order at 9 p.m. and recessed for the second hearing.

#### ISLAND EMPIRE COMPREHENSIVE PLAN APPLICATION AND ANNEXATION:

The recommendation of the planning commission was read. In favor in the audience was Bob Scott of Telephone Utilities, who reported on the measurements requested at the previous council meeting. He measured the existing berm as it lies in relation to the east property line and in relation to the SR-16 right of way. The berm starts at 40 feet, extends to 50 feet and the fenced area which is defined now is at 70 feet. That is at its closest point.

There were no voices in opposition.

The distances quoted will be made a part of the record and a drawing is to be kept on file at the town hall. At the previous meeting the council approved the application of the comprehensive plan. This is the second hearing of that application. Councilwoman Bogue moved that the request of Island Empire Telephone Company for zoning for the piece of property proposed to be annexed with a General Service classification be approved with the understanding that from the property line which adjoins the right of way on the highway to the existing cyclone fence, a distance to be included on a site map, be retained as natural area left as a green belt and open space. Councilman Hanson seconded. Motion carried. The applicant stated that he wished to proceed with the annexation under the zoning designated. Councilman Hanson then moved that the petition for annexation be approved. Councilman Ekberg seconded. There was no comment in favor or against from the audience. Carried. Public hearing closed.

**BILLS:** The bills were approved upon motion of Councilman Hanson, seconded by Councilwoman Melton. Carried.

**MINUTES:** As there were no additions or corrections the posted minutes stood approved.

#### CORRESPONDENCE:

1. Pen West Real Estate Company request for connection to sewer and water for their property in East Cip Harbor. They had previously applied for annexation for this piece of property and the annexation was denied. Mr. Hagedstad had replied to Mr. Holmas' request, saying that the successful negotiation of the county's sewer contract could make it possible for them to hook this parcel up to the town's sewer system. \*\* See end of minutes.
2. Dan Cagle letter on Seacoast Management grant submission of estimate on costs involved. He offers to make the survey of shoreline installations and infractions at a cost of \$135. The clerk said the grant money is more than sufficient to cover this bill. Also the grant money must be used before June 1 or we lose it.
3. Senator Beck letter to Mayor Bujacich thanking him for his recommendation on updating of the Narrows Bridge. He asked for a resolution from the council and he will have a study made.
4. Clerk Avery cited the completion of the census report. The town's population now stands at 2001.

#### SPECIAL GUESTS:

David Skrivanich asked if the town would accept a recommendation from the fire marshal in lieu of upgrading the water system. He said the upgrading of the line would be prohibitively expensive and if he went the easement route the easement might not be signed at the time the triplex is ready for occupancy. Skrivanich would like to provide firewalls and smoke alarms connected to the fire station as was accepted for the Norwegian Wood project. Councilman Hanson felt that if we accept the criterion for one project then we must accept the same criterion for another project. Councilman Ekberg moved that we accept the same standard as was used for Norwegian Wood situation in which we will accept the existing fire flow at the location sufficient provided that the owner install a smoke and heat detector system connected directly to the fire department to meet their specifications. There was no second at this time. Instead the council took a five minute recess to study the guidelines from the fire marshal's office. When the meeting resumed Councilman Ekberg amended his motion that the motion in no way is intended to add to or delete from the fire marshal's recommendation. Councilwoman Bogue seconded. Carried with Councilman Hanson abstaining.

#### REPORTS:

**Street & Water** - Jim Hibbs asked the council if they had decided about the prader blade he brought up at the last meeting. Okayed. He went on to report that repeated checks show that the water table has not changed.

Regarding increasing the pressure near the Woodworth Addition tank, he finds the town can get better pressure with a booster pump and he can get the necessary pump from the Harbor Heights booster system when the new system is built. Glen Sherwood drew the recommendation on the board--they will put the upper area on a closed system thereby increasing the pressure about 10 pounds. He will get a cost breakdown.

**Sewer Treatment** - Gary Tannahill reported that they had another main line sewer repair job at a cost of considerable man hours and equipment. This, of course, is not budgeted.

**Police** - Chief Tomlin reported that his department is revising and condensing their filing system.



Attorney - Regarding Mr. Bampton's quit claim deed, Mr. Johnson said he checked with the Prosecutor's Office and found a provision in the statute allowing him to go back three years; this, however, is not the town's responsibility.

Mr. Johnson reported that he put together an ordinance on the change in the municipal code.

He asked for a continuance on the site plan ordinance and the sign ordinance amendment.

He made a slight revision in the sewer contract and will get it back to the council.

He reported that the large sign on the highway side of Harbor Wood West is down. He will get on them about the small signs now.

Engineer - Regarding the sewer agreement, he went over it with Hagestad and made very few changes in it. The council can go over it now or have Dave revise it. Mayor Bujacich said he was in on the conference and the changes made were mostly at our request or changes in wording. The council asked David Johnson to go ahead.

There was a discussion on acquisition of a well site because the water system improvement funding analysis must have a program followed. This was postponed to the end of the meeting.

MARKOVICH STUB: Parametrix got an estimate. Regarding the two separate 6" side sewer lines laid in the same trench, the price went two and one half times the previous layout because of Mrs. Puratich's request that it be laid as deep as possible. Parametrix feels the most practical way to go is a single line deep enough to serve Markovich and Mrs. Puratich by gravity and pump the lower house. He recommends that the single 6" line be a city sewer--it would become the town's responsibility to maintain but they do not feel it would be much of a problem. Glen asked the town to communicate with Puratich and Markovich. Councilman Hanson moved that we follow Glen's recommendation and that the town ~~CLERK~~ sign a letter to be drafted by Glen and sent to Markovich and Puratich. Councilman Ekberg seconded. Gary Tannahill felt we should ask for an 8" line. Motion carried.

TOWN HALL LANDSCAPE PLAN: Councilman Hanson said he had talked with two of the principals. He had checked and the designer is a businessman who makes and sells fountains and he is not only willing to donate one to the town but has drawn plans as well. Councilman Hanson would like to talk to this man and will report next meeting.

APPLICATION FROM RON EDWARDS FOR WATER SERVICE:

An application was received from Edwards and also from Darrell Hedman. Both applications deal with the same area--the foot of the hill where the tank is located on the east side. Mr. Edwards well has failed and it was his property on which the tank is located. Councilman Ekberg felt we should maintain our policy to not hook up anyone outside the town--the Burki hookup is a different situation because it is a special circumstance. Mayor Bujacich felt it was a shame because the line is there. It would not mean an extension. These are single family residences. Councilman Hanson moved that we not allow the requested hookups following the policy established in the past. Councilman Ekberg seconded. Carried.

RESOLUTION TO DEDICATE THE TOWN HALL:

This is just a matter of record--not a formal dedication. Resolution #127 was passed upon motion by Councilman Hanson that we dedicate the new town hall in memory of Judge Thurston. Councilwoman Melton seconded. Carried.

Mr. Edwards was now present. The mayor told him of the council's denial. Mr. Edwards told the council that the mayor had told him he could have water from this line if he needed it. Mayor Bujacich denied this although he did approve of giving Edwards the water. If Edwards goes to the Department of Ecology for a permit to drill a well they will force the town to provide him water. Councilman Hanson said he would like an opinion from the engineer or the attorney. He would like it resolved. The attorney will check on it. He will check the franchise agreement to see if we are compelled to serve them. Ekberg asked Attorney Johnson to check for limitations regarding service

PARK AND RECREATION PLAN:

Councilwoman Bogue said she had no changes to make other than obvious typographical errors. Councilman Ekberg agreed, feeling that it was very well prepared. The priorities can be changed if need be. Another concern was funding with the entire 100% to be paid at the time by the Town and the 75% reimbursed. Regarding priorities, the council decided that the order at this time will be:

1. Development of a public dock at Jerisich Park.
2. Development of a deck off N. Harborview Drive.
3. Development of a barricaded asphalt section above the old ferry landing.
4. Doubling the size of Jerisich Park.
5. Installation of a bulkhead to maintain access to and preserve the beach at the old ferry landing.
6. Development at the end of Saller Street.

Councilwoman Bogue then moved that Resolution #128 adopting a park and recreation plan be adopted. Councilwoman Melton seconded. Carried.

The council went on to discuss the first priority project--the recreation dock at Jerisich Park. It was decided that it should not include a public beach.

The last phase of the park plan was authorization for the mayor to sign. As a result Resolution #129 was passed - a resolution authorizing an application for outdoor recreation for waterfront and related development of Jerisich Park. This was moved by Councilman Ekberg with second by Councilman Hanson. Carried.

Clerk Avery brought up a state statute regarding the setting aside of funds by developers

of subdivisions for park purposes. The council would like to ask Dennis to expand on this and the clerk will do some research also.

The mayor said that, regarding the property on the well site, Mr. McKenzie should be contacted and asked if he will accept the price. Councilwoman Melton offered to approach him.

CZM GRANT: Councilman Ekberg moved that Cagle be hired with the total cost not to exceed \$1500. Seconded by Councilman Hanson and carried.

SENATOR BECK'S LETTER: Councilman Hanson questioned the environmental impact statement on the Trident project. He felt a complete study had been made. Mayor suggested that both letters be turned over to the Peninsula Helmsmen road committee. Councilman Ekberg would like a copy to PAC.

Councilwoman Bogue asked Attorney Johnson about the Islandview East road dedication. He will report next meeting.

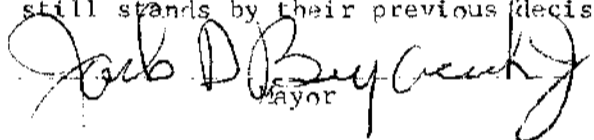
The portions of Charles Hunter's bill concerning the table and the door were considered too high. Councilwoman Melton did not feel the table met with the requests. There is no room at the ends and there are no shelves. Perhaps the problem lies with the design. The mayor will speak with the architect. The council felt the price of the door should be adjusted.

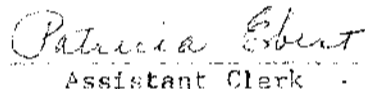
Mayor Bujacich brought up the problems he had seen with the volunteer fire fighters who work for the town. The town employees are going to fires and using town equipment--sometimes with lights flashing. He feels that their Number 1 obligation is to the town and it leaves the town in a vulnerable position.

Meeting adjourned at 10:25

Tap #57, Side 1, 420 to End and  
Side 2, 0-82

\*\* The council felt that Mr. Holmas could reapply for annexation for this parcel. The council still stands by their previous decision to not extend sewer service outside the town limits.

  
Mayor

  
Assistant Clerk

TOWN COUNCIL MEETING - APRIL 25, 1977

The first public hearing was called to order at 7:30 p.m. by Mayor Bujacich. Present were Councilwoman Bogue, Councilmen Hanson and Ekberg, Attorney Johnson and Clerk Avery. Councilwoman Melton was not present and Councilman Malich arrived after the public hearing started.

PUBLIC HEARING - EKBERG VARIANCE REQUEST:

Councilman Ekberg excused himself from the Council table. Councilwoman Bogue said it was her policy to not sit in on hearings involving her neighbors. Councilman Malich had not yet arrived and a quorum was not present without her. Attorney Johnson advised that it would not be in conflict for her to remain.

Mr. Ekberg requests a variance of 20" to allow him to add a small addition to his home and carry out the present roof line. The Planning Commission had recommended favorably on this request. It would block no view and will allow the architectural design to be carried out consistently. Wayne Goodno showed a copy of the plans.

There were no voices in opposition.

Councilman Hanson moved that the variance be granted as requested with the height to not exceed two feet over the legal limit. Councilman Malich seconded. Hearing closed at 7:45 p.m.

The council looked over the bills before the regular meeting convened. Clerk Avery explained that the final bill for retainage was included. This includes payment for the door but does not include the table. He explained why the price of the door was so high. It includes framing in of the entire wall to accommodate the door and also includes roughing in of a door in the wall between the Historical Society and the Police Department.

The regular meeting was called to order at 8 p.m.

BILLS: The bills were approved upon motion of Councilwoman Bogue with second by Councilman Malich. Carried.

MINUTES: Councilman Hanson clarified a portion of the last minutes concerning the Markovitch stub. He said it should read town "clerk" sign the letter, instead of town "council". Otherwise the minutes stood approved as posted.

CORRESPONDENCE:

1. IAC on Outdoor Recreation letter. They had received the town's parks and recreation plan and found it eligible to participate in the grant-in-aid program. They should be kept notified of any changes in the plan in the future.

#### SPECIAL GUESTS:

Mr. Sid Jones of S & W Construction was present to request town maintenance of Prentice Avenue. He constructed two homes on Prentice just off Burnham and has received earnest money on both under VA mortgages. He had assumed that the town maintains Prentice but has now found that the town does not. It is a requirement of VA or FHA-insured loans that the street be maintained by the town. He felt it was unreasonable that S&W Construction would have to upgrade the street since there are two homes there already. The cost of paving would be out of reason but he could put a good gravel base there.

The council explained that the town does not upgrade streets. It was suggested to Mr. Jones that he approach the other property owners in the area to form a LID. It was felt that the project should be laid out by the engineer and approved.

Daryl Hedman was present to again ask that he be allowed to hook up to town water. His property lies along the 8" line from the east side tank. He noted a recent hookup on to this 8" line and he cannot understand why that hookup should be allowed and his own denied. He cannot drill a well because he does not meet the specs of 200 feet around the well. He asked for hookup by the town at 1½ times the monthly rate.

Attorney Johnson had contacted the DOE. He was referred to the Attorney General's office who indicated that the town could restrict the use of their water even though the line runs past the property in question. If the town wanted to hook them up they could consider it because the area might possibly be an area of future expansion, but there is no prohibition to hooking them up. The county franchise does not require hookup.

Further discussion revealed that the line extends through about 2000 feet of county property. Councilman Ekberg agrees with the policy of not extending out of town. Since we have already had two or three other requests for this particular area he would like to have a detailed map made and an assurance from the attorney that it would serve single family use only; it should be looked at as a package. Councilwoman Bogue moved that the request be tabled pending further information from the attorney and a map of the area drawn by the engineer with the property owners designated. It should be limited to immediate owners on either side of the line only. Motion seconded and carried. The meeting was recessed at this point and a second public hearing called to order.

#### RALPH SHULICH PETITION FOR REZONE:

There was a discrepancy in the request from Shulich. The only advertising done had been that of exchanging one R-1 triangle for one GS triangle and now Shulich indicated that he would like the entire GS parcel rezoned to R-2 use. Attorney Johnson said we have not complied with the state statute in informing the public if we went ahead with this request tonight. There was then a motion made by Councilman Hanson to table for further hearings under new advertising. Seconded by Councilman Ekberg. Carried. Hearing closed.

The regular meeting was recalled and recessed for the third public hearing. Councilwoman Bogue felt the planned three foot setback was not acceptable. She felt that 10 feet should be the absolute minimum and preferably more with green belting.

Further consideration was the amount of coverage on the property as it now exists. Mayor Bujacich felt that there is an overlapping of this present site plan on the old site plan. It was felt the method to follow is to redraw the entire parcel and draw in the buildings that are presently there. Then draw in the new buildings and the council can then see if it meets the overall density of the ordinance. Councilman Ekberg moved that the site plan review be tabled. Councilwoman Bogue seconded. Carried. Hearing closed. Regular meeting reconvened.

#### REPORTS:

Sewer Treatment - None

Police Department - The patrol vehicle should be here by Friday. Chief Tomlin asked permission to get the old patrol vehicle ready for sale. It was okayed to put it up for bid.

Street and Water - Jim Hibbs said that, regarding Prentice Avenue, the utilities are usually included. He would like to check and see if a water line should be included. Will delete on this plan.

Attorney - Wrote to Dennis Clarke on parks. He prepared a formal resolution on the dedication of the new Town Hall. Regarding Islandview East subdivision, Mayor Bujacich talked with Mr. Kruger, the attorney. He was to ask Mr. Short to come in to the town hall to look at the maps.

The engineer was not present. Mayor Bujacich said he had asked Glen to look into the situation existing on Harborview Drive near the triplex and the fourplex and Glen had reported on nine points that need to be remedied. Mayor Bujacich would like Attorney Johnson to write to Huber and Antilla regarding these deficiencies. Councilman Ekberg moved that we instruct Attorney Johnson to write the letter. Seconded by Councilman Hanson. Motion carried.

Councilman Hanson asked what can be done about the road breakup on Foster Street. Clerk Avery has documented the breakup by taking pictures of the street before and during the construction activity of the apartments. Huber and Antilla blame the breakup on the sewer construction. Councilman Hanson asked that another letter be drafted on this.

Councilman Hanson went on to speak of the land fill existing on Rosedale and Stanson's corner. There is more to be concerned about than just drainage. They have changed the contour of the property. The attorney will look into it.

GABRIEL OLBERG PROPERTY: Joe Quinn, Mr. Olberg's attorney was present. He plans to prepare a package concerning the required permits on this parcel of property but in the meantime he needs to know if the council considers the eaves of the proposed house an overhang. Councilman Ekberg excused himself because of conflict of interest. Mr. Quinn feels the eave would not interfere with Shoreline master program regulations. Attorney Johnson felt it was a matter of council policy that the eaves be excluded. The council agreed that they have no objection to the overhang.

COUNTY SEWER AGREEMENT: Mr. Bagstad was present. A letter had been received this morning with a few requested changes from the county. Mr. Bagstad explained the changes he suggested. There was a reduction in the amount of capacity--not substantive changes. He hoped the council would consider passage tonight.

Councilman Ekberg said he would like written opinions by the attorney and the engineer on these changes and he moved to table the passage of the agreement to next meeting pending these written comments. Councilman Hanson seconded. Motion carried. Attorney Johnson will redraw the document after Glen Sherwood's okay. The clerk was asked to get it to Glen Sherwood in the morning.

SITE PLAN ORDINANCE - Postponed

SIGN ORDINANCE - There were some comments about the changes made. The attorney will go over it before the next meeting. Postponed.

ORDINANCE MODIFICATION PROPOSED BY DR. BRUZA - ORDINANCE #248 - Second Reading: Motion by Councilman Hanson with second by Councilman Ekberg to adopt Ordinance #248. Carried.

OSWALT ANNEXATION: The clerk explained that the BPR was advised by the Prosecutor's Office that the annexation must include the road in the legal description. The council agreed.

LANDSCAPE PLAN: Councilman Hanson had talked with Mr. Olson and also with Mr. Bucholz and members of the Kiwanis Club. He felt the question was one of value judgement--what someone likes or not likes.

He had viewed the waterfalls in Tacoma. It would be a small pond with a riverbed effect. It does require a pump but would draw only about 3 amps--it would not be a large energy user. Allan Bucholz did not think it would be out of balance with the building. Hanson felt the main issue was what people like. The Kiwanis are eager to get going. His feelings were that we graciously accept the plan. He feels that it is in balance and the pump could conserve energy by being on a timed basis so it did not run all night. Councilman Hanson moved that we accept the plan as submitted. Councilman Malich seconded. Councilman Ekberg felt that it could be a liability exposure and he amended the motion to exclude the waterfall and fountain. Councilwoman Bogue seconded the amendment. The vote was taken on the amendment--the score was 2 to 2. Mayor Bujacich voted to break the tie and he voted against the amendment so the amendment failed. The vote on the original motion was also 2 to 2. Mayor Bujacich again voted to break the tie and he voted for the motion. Motion carried.

RESOLUTION ON DEDICATION OF TOWN HALL TO JUDGE THURSTON - RESOLUTION #127: Councilman Hanson suggested adding the Judge's community service to the Town to the resolution. They asked the attorney to insert this paragraph so the resolution could be passed tonight. Councilman Hanson moved to accept the altered resolution. Councilman Malich seconded. Carried.

Councilman Hanson asked if a copy of the Planning Commission recommendation could be given to the applicant. Clerk Avery said he will do this but the time schedule sometimes makes it difficult. Councilman Hanson then went on to ask that the Planning Commission minutes be elaborated on with more discussion included.

Councilman Ekberg felt the employees of the Town Hall should be commended on their efforts to make the open house a real success.

Councilman Ekberg went on to question the occupancy of the Molgaard building until the owner has complied with the site plan requirements. The attorney was asked to write to Molgaard.

Regarding the completion of the comprehensive plan, Councilman Ekberg asked if the Planning Commission could be contacted and asked to report on their time schedule.

Councilman Ekberg went on to say that he realized that it was difficult for petitioners to face the raised platform and the arrangement of the table at the foot of the platform makes it difficult for the petitioner to approach the council table, so he wondered if some other arrangement couldn't be made of the furniture. He also asked for courtesy and efficiency on behalf of those who appeal.

Councilwoman Bogue asked that a letter be sent to various department heads and to the Gig Harbor Public Library asking for conservation of various forms of energy. She asked that thermostats be set no higher than 68 degrees.

Clerk Avery pointed out the copies of the CEPA regulations. He felt the council might find them a useful reference tool.

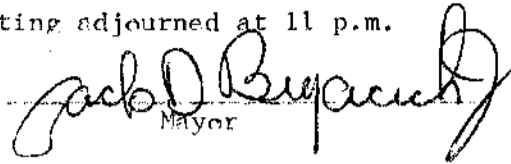
ANNEXATION ORDINANCE FOR ISLAND EMPIRE TELEPHONE COMPANY - First reading

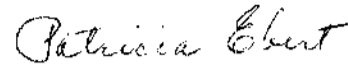
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SEWER RATE ORDINANCE: This was to be the second reading tonight so that the ordinance could be published in time to be in effect for the next billing period. There was, however, a discussion of the sewer rate for the shopping center. It was felt to be too high but had been worked on by Glen Sherwood. The council asked for copies to study. The attorney will check to see if the effective date could be made retroactive to the first of the month even though it would not be passed by the council until May 9.

Meeting adjourned at 11 p.m.

Tape #57, Side 2, 82 to End.

  
Mayor

  
Assistant Clerk

TOWN COUNCIL MEETING - MAY 9, 1977

The first public hearing was called to order by Mayor Bujacich at 7:30 p.m. Present were Councilwomen Bogue and Melton, Councilmen Ekberg, Hanson and Malich, Attorney Johnson and Clerk Avery. Mayor Bujacich then excused himself from the hearing because the principal is a relative of his and Mayor pro tem Bogue took over the chair.

PUBLIC HEARING - LINDNER VARIANCES:

The Planning Commission's recommendation was read. They had recommended favorably with the proviso that the setback be retained at the point where the yellow house is now located. The Planning Commission also found no conflict with the possibility of a short plat, deeming that the parcel did not lie in a sensitive area.

Mayor pro tem Bogue asked for comments from those in favor of the variances:

CHARLES LINDNER explained that they asked for a setback variance on three sides and an increase in site coverage because of the greater amount of impervious cover, mostly in favor of sidewalks. They plan almost double the parking required under RR-1, but they felt this was preferable to allowing parking on the busy streets. Kae Paterson of the Planning Commission had recommended no development closer to the corner than the yellow house. The site plan does not comply with this request as it was drawn prior to the recommendation.

There were no voices in opposition to his plan. He went on to say that he would like to short plat the area into three parcels at a later date and said he would like some comment on this prior to the expense entailed in preparing a short plat. The council made no comment on the proposed short plat.

Councilman Hanson felt the site plans should be revised to follow the Planning Commission recommendation if the council does intend to follow this recommendation. There was discussion on the meaning of the recommendation. Councilwoman Melton felt the variance request was not specific enough--there is no mention of the number of feet of setback variance being applied for and no number of percentage of impervious cover. Councilman Ekberg tended to agree with the recommendation of the Planning Commission and with Councilman Hanson's thought. He did go on to speak of the uniqueness of the property and how it could readily lend itself to variances.

Councilman Hanson felt the questions on setback, coverage, and so forth, should be resolved before the council acts on it. Councilman Ekberg moved that the hearing be tabled until the next meeting with the understanding that more specific requests be outlined. Councilwoman Melton seconded. Mr. Lindner again asked for an opinion on the possibility of the short plat. Councilman Ekberg suggested that the planner and the engineer give their comments--in other words, a preliminary review. Councilman Hanson asked that action for tabling be understood to be a postponement. Mr. Lindner asked for more specificity regarding the corner setback. To answer him, the council agreed with the recommendation of the Planning Commission. Motion carried and hearing closed.

The mayor returned and called the regular meeting to order and recessed it for the second public hearing.

GALBRAITH SITE PLAN REVIEW:

The Planning Commission had recommended approval and the building inspector said it meets the requirements of the ordinance.

Councilman Ekberg had one question--he asked about #4 in the EIW. Was the fir tree already existing? The answer was yes.

There were no voices in opposition. The parking will be increased and the landscaping will be the same as the existing buildings.

Councilman Ekberg moved that the site plan be approved as submitted. Councilman Hanson seconded. Carried.

Regarding the EIS Worksheet, Councilman Ekberg felt that there were no adverse effects. Councilman Ekberg moved that the project has no significant environmental impact and the application should be processed without further consideration of environmental impact.

Councilwoman Bogue seconded. Carried. Hearing closed and regular meeting recalled to order.

BILLS: Approved upon motion of Councilman Malich with second by Councilwoman Bogue. Carried.

MINUTES: As there were no corrections or additions the minutes stood approved as posted.

CORRESPONDENCE:

1. Urban Arterial Board concerning the proposed urban arterial projects in the 77-79 Biennium.  
2. Department of Social and Health Services letter on water transmission facilities. The plans are approved under the review process and they tendered a certification to be completed by the engineer.

SPECIAL GUESTS:

DICK ALLEN AND ESTHER SHULICH: The Shulich rezone petition was continued to this evening. The R-2 rezone is not requested at this time--only the request for rezone from R-1 to CS and from CS to R-1.

Dick Allen spoke on behalf of Ralph Shulich Jr. He gave the reasons for squaring up the zoning. Councilwoman Bogue asked if the legal description has been verified. Allen said that Nils Renhovde had verified it but Clerk Avery said that he would have Glen check it also. Councilman Ekberg moved that we approved the rezone request pending verification from the engineer. Councilman Hanson seconded. Carried. Hearing closed.

ANTONSON - GIG HARBOR REALTY:

Mr. and Mrs. Antonson plan to build a new real estate office on Wickersham Road directly opposite the driveway to the mini-warehouses. It would be served from the Shore Acres Water Company. Shore Acres had requested the right to service this location and it was turned down by the council on March 28 on the basis of lack of water on the high level system. Mr. Antonson now asks reconsideration. He plans to build a 2000 square foot office building that will have only rest room facilities. At that rate the building will use far less water than a two-bedroom home. They have met with the fire marshal and have received variances to make it meet regulations although there is a lack of pressure. They plan to install a 6" main from the new tank site to 28th Avenue for Shore Acres to use. The entire plan has received approval except for town water.

Councilman Hanson felt the fire marshal's letter was very vague compared with the other letters they received from that office. He felt we should follow our previously established policy. Thus the letter should contain the fire flow requirements and spell out the type of construction. There was a short recess while the council refreshed their minds on the requirements contained in the letter from the fire marshal.

Councilman Malich asked what the water flow is presently. Glen Sherwood said the bulk of the water pumped to Shore Acres comes from the low level system.

Antonson was asked the size of the building he plans to build. The initial structure is 2000 square feet. He plans to install smoke detectors and fire proof materials in accordance with instructions from the fire marshal's office. Councilman Ekberg felt the understanding was that the fire marshal's office would send a letter saying either yes or no but he realized that this building is very little larger than a dwelling and Antonson is willing to go to extensive means to meet the fire marshal's requirements, so despite the fact that there is poor water availability Councilman Ekberg moved that the water service be granted. Councilwoman Nelson seconded. Councilwoman Bogue felt the fire marshal's recommendation should have been more specific and that Antonson should realize that this approval does not approve future development of the site. Motion carried.

REPORTS:

Street and Water - Jim Gibbs asked permission to take the surplus equipment--one of the dump trucks and the oldest police vehicle--to the auction. Okayed.

Sewer Treatment Plant - no report

Police - No report

Building Inspector - Councilman Hanson asked the inspector which plans go before the fire marshal for review. Wayne answered that all but single family and duplexes do so.

Councilman Hanson asked the inspector to write out for him how he determines building height from the ordinance. Councilwoman Bogue asked Wayne when the access will be closed to the Margard boundary--in other words when are the plantings going in? Wayne said he has not been informed of this. Regarding the problem with Foster Street, Councilman Ekberg asked Attorney Johnson to write a letter on this.

Mayor Bujacich reported that with the new sidewalks Mrs. Hish cannot get in or out of her garage now. Glen Sherwood said it will have to be fixed so that she has access.

Glen said there is no development on the Markovich sewer stub.

Councilman Malich announced a meeting with Sen Grant on Friday night, May 20.

COUNTY SEWER AGREEMENT:

Waite Dalrymple had sent a memo to the council dated April 28. The council was asked their opinion regarding the final form of the contract. Councilman Malich feared that the town would lose control by signing the contract. The town should exercise control by requesting



permits for future connections.

Councilwoman Bogue brought up the comment regarding audit of the percentage of plant and systems used, made by Gary Tennahill. Gary said that he wanted to bring it to their attention. It was only his viewpoint and would not cost the town anything.

The possibility of limiting future hookups was discussed. Councilman Hanson moved that we authorize the mayor to sign the May 4, 1977, draft with the change in paragraph 2E to read: "There shall be no extension to the county system greater than 400 feet." Councilman Ekberg seconded. Hagstad felt the change means that they cannot make any connections without coming to the town for permission. The county should have the right to develop their own line. He feels the council is unduly tying the hands of the county. Surely the county wants to control its own destiny. Mayor Bujacich felt the meaning of the motion was really tying their hands and there would be no negotiation until five years from now. Motion carried with Councilman Malich voting no. Councilman Hanson asked to include the map as Exhibit A. The attorney will redraw the contract for signature.

ENGINEERING REPORT: The improvement plans for Prentice Avenue are drawn and have been submitted to Clerk Avery and Jim Hibbs.

CONNECTION OF WATER SERVICES along the 8" line from the East side tank:

Attorney Johnson had further information on this. He had posed the issues to Dr. Campbell at the AWC and asked if you can limit the number of hookups and the amount of water used. He was told yes, that some towns use an agreement with the property owners and you can limit the area served, the number of units and the types of units served. Councilman Ekberg felt we should make the service available to perhaps a total of 20 users. He was concerned with limiting to single family dwellings only. He said he would like to see the actual contract in question although he was agreed in principal that the area should be served. He asked the attorney if he would prepare a draft in coordination with the map prior to the next meeting so it can be passed then.

LOAD LIMIT ORDINANCE - #249 - Second Reading:

The first reading was accomplished on February 14. Councilman Hanson moved that the ordinance be adopted. Councilwoman Melton seconded. Carried. Chief Tomlin was instructed to get together with Jim Hibbs. He said he needs five or six signs. Okayed.

SITE PLAN ORDINANCE: The attorney said he had completed R-2 and R-3. He said that some of the remainder requires amendments or to be added to. They could either look these two over or pass these two tonight. The council decided to look them over and make comments to the attorney before next meeting.

SIGN ORDINANCE AMENDMENTS:

This is the second reading and is passed in three parts:

- ORDINANCE #250 - This refers to 17.80.020. Councilman Ekberg moved that ordinance #250 be adopted. Seconded by Councilman Malich. Carried.
- ORDINANCE #251 - This refers to 17.80.030. Councilman Ekberg moved that ordinance #251 be adopted. Councilman Malich seconded. Carried.
- ORDINANCE #252 - This refers to 17.80.050. Councilman Ekberg moved that ordinance #252 be adopted. Councilwoman Melton seconded. Carried.

SEWER RATE ORDINANCE - #253 - 2nd Reading:

Attorney Johnson had check on the possibility of passing the ordinance retroactively. Dr. Campbell had recommended against doing that. The council discussed the date this should become effective--feeling it was best to make it coincide with the billing period. It was decided that it will take effect on July 1, 1977. Councilman Ekberg moved that Ordinance #253 be adopted. Councilwoman Melton seconded. Carried.

MR. HAGSTAD again appeared. He spoke of a county franchise for a sewer line in Kimball Drive and said he will approve the sewer line franchise as soon as the agreement is approved and he read a letter that he had written.

Councilman Ekberg said he would like a copy of this letter to study but said he does not approve it because it is contrary to the plan that was drafted for the area. He asked that Glen Serwood comment in writing. Councilman Ekberg asked that Dr. Hruza be asked to comment also. Clerk Avery will copy the letter and map for each council member.

Clerk Avery brought up a problem dealing with Shoreline Management. The applicant requires a variance and Clerk Avery said it is practically unheard of that a variance would be granted. He wondered if the same consideration can be afforded this applicant to construct a deck as was given to Gabriel Olberg whose problem was overhang of the eaves. Councilman Hanson asked for a sketch and more information so the council can review it before next meeting.

Mayor Bujacich brought up the question of boats anchored in the harbor with people living aboard. He asked if it can be controlled by ordinance or some other means.

The sale of furniture at a north end residence was brought up. Attorney Johnson was asked to write to them/

The Shoreline hearing board will convene May 18-19 at the town hall for the Tarabochia/Ancich dock.

Part of Income meeting on June 23.

Regarding the Planning Commission's time schedule on completion of the comprehensive plan, no answer was given. The clerk was asked to write to them again.

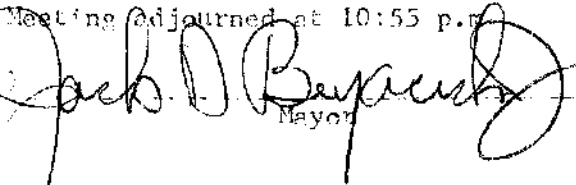
Regarding the policy agreement with the fire marshal, Councilwoman Bogue said there is a provision for reporting back at 90 days.

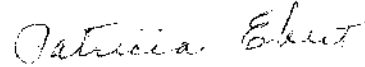
McKENZIE PROPERTY - No report.

Regarding the table on the platform, Councilwoman Bogue suggested moving the present table to the lower level and moving the old council table elsewhere. Then another table with the required size top and shelf space could be constructed. Charles Hunter said he would be willing to make an adjustment. Meanwhile, Clark Avery said he would provide a demonstration of a larger table top for the council's approval.

Meeting adjourned at 10:55 p.m.

Tape #58, all of Side 1

  
Mayor

  
Asst. Clerk

REGULAR COUNCIL MEETING - MAY 23, 1977

The first public hearing, scheduled for 7 p.m., was called to order at 7:30 p.m. by Mayor Bujacich. The meeting was late because a quorum was not present until that time. Present were Councilmen Hanson, Ekberg and Malich. Councilwomen Bogue and Melton were not present.

BRENNAN VARIANCE REQUEST:

The recommendation of the Planning Commission was read. The commission had felt reservations about the use of this land for multi-family housing but had voted favorably on the variance because this was all they were to be concerned about at that meeting. Councilman Hanson disqualified himself from acting on this hearing.

In favor was EUGENE BRENNAN, 10711 Moller Drive NW, who asked for the variance to enable the apartments to be spread out and not so highly concentrated. It is zoned General Service. The height has been kept to a bare minimum, he said. The buildings will be low profile with mansard roofs and will blend in well with the environment.

RICH OLSON, 14933 Creston Drive NW, was also in favor. These are three bedroom units, discouraging single parties. There will be play yards for children. The units will be built with the latest innovations. They will build a good unit which will last many years. Much area is going into development of the land. It will have a pleasing effect.

In opposition, HELEN WILKINSON, 4118 Rosedale Street, felt that development of three bedroom units would attract a great many people. She felt it would downgrade the area. In addition, she said she thought that the apartments would be located on the crests of hills, not in what is supposedly a residential area for single families.

HETTY WILKISON, 4223 Rosedale, felt the traffic would greatly increase in the area and she feared the downgrading of the street.

JERRY LARSON, son of the owner of the property, was not in favor or in opposition. He felt that since the town's General Service zone permits most anything that an apartment would be vastly preferable to a factory or the other varied uses permitted in a GS zone.

Councilman Ekberg did not like the General Service zone but we have it. He said he could sympathize with the neighbors but felt the property could be used for other less desirable uses. He moved that the height variance of three feet be granted. Councilman Malich seconded. Carried. Hearing closed.

OLBERG VARIANCE:

Councilman Ekberg excused himself from the council table.

This is a request for a variance of 19 feet in front yard setback. Mr. JOE QUINN represented Mr. Olberg.

The Planning Commission recommendation was read. The commission felt it would be the best use of the property and recommended approval with the condition that no one be allowed to back out of the driveway onto N. Harborview Drive.

Mr. QUINN said the width of the property is 76 feet not the 72 feet needed. He felt the only issue is granting of the front yard setback. All the other conditions meet the code. It would be an unreasonable hardship to require a setback of 25 feet. The next garage is closer than the setback on this garage would be. He felt no safety problem exists.

MR. GEORGE TYLER, County Engineer, found 28 homes on the shoreline with detached garages, 22 of which were below the level of the roadway. Of these homes only 11 were within the setback.

Out of 34 structures only 17 are not in violation of setback regulations.

Quinn said there are no plans to widen the roadway. No easements are required for utilities as sewer and water are already in. There is 26 feet from the edge of the asphalt not needed by the city. All the other limitations are satisfied. It will need a bulkhead and development is necessary to protect the shoreline in this area.

MR. & MRS. DON GOLDEN, 10212 36th St. NW., had sent a letter as being in favor of the project and MRS. TED WELLMING, 2102 14th Ave W. was in favor.

In opposition was MR. JOHN METEJKA who lives across the street from the proposed residence. His concern was the base of elevation of the building because of fairly recent fill. Will the fill be considered the basis for the grade or will the original grade be the basis? He feels there is circumvention of the grade because there appears to be 6 to 10 feet of fill. Wayne said he would consider the approximate road level the basis for the grade. Councilman Hanson felt the point of determination was the natural slope and not the fill. Metejka asked that the natural slope be determined in determining the height. Councilman Hanson said you cannot create height by filling. The depth of the property is based on platting into first class tidelands. The upland portion is a little more than 30 feet from front to back.

The attorney felt the height limitation was arrived at since the fill. The building inspector felt the fill has been in there 4 or 5 years and the height limitation is based on that height. The maximum building height will be fifteen feet above the roadway level.

Councilman Hanson moved that the variance of 19 feet in front setback be granted. Councilman Malich seconded. Carried. Councilman Hanson wished to clarify the issue of the land fill. He does not feel that 4 or 5 years alters the existing grade. Hearing closed.

The regular meeting was called to order and recessed for the continuation of the LINDNER VARIANCE HEARING AND SITE PLAN REVIEW. Councilman Hanson took the chair as Mayor Rujafelich disqualified himself on the basis of relationship to the principal.

Mr. Lindner withdrew his request for a short plat. He is now asking only for the side yard setback and site plan review. Mr. Lindner now requests a fifteen foot variance in setback from Pioneer Way and a ten foot variance in setback on Tract B from Grandview Street. In addition, there is presently 69% impervious coverage and they request a variance of 19% here as the maximum in the R3-1 ordinance is 50% impervious coverage. Mr. Lindner brought out that the Planning Commission felt there could be a visibility problem on that corner. This was disproved today when he took Councilwoman Rague to the site.

There were no voices in opposition.

Councilman Ekberg felt the position of the buildings on the property was not the major concern, but the lot coverage was. He moved to grant the setback as submitted. Since there was no second he withdrew his motion. Councilman Malich moved to approve the 19% impervious cover variance. Councilman Ekberg seconded for purposes of discussion. The vote was one yes and one nay and Acting Mayor Hanson voted in opposition to the motion. Motion failed. Councilman Malich moved to disapprove the fifteen foot setback on Pioneer, feeling that fifteen feet was excessive. Councilman Hanson asked if he could be awarded for less than that. Councilman Malich then moved that the variance be approved to ten feet only. Councilman Ekberg seconded for discussion purposes. The vote was Malich yes, Ekberg no. Acting Mayor Hanson voted in favor of the motion. Councilman Malich moved that the 10 foot variance on Grandview be approved. Councilman Ekberg seconded. Motion carried. Hearing closed. Lindner was told that he must return for site plan approval. He can use this plan or change his plan. Regular meeting resumed.

**ROLLS:** Motion to approve by Councilman Ekberg, seconded by Councilman Hanson. Carried.

**MINUTES:** As there were no corrections or additions the minutes stood approved as posted.

**CORRESPONDENCE:**

1. Site plan approval recommendation from the Planning Commission on the new high school site. All that was really necessary at this time was to write the school district a letter telling them that the area falls within the code for schools. The site plan can be approved later.
2. Planning Commission recommendation on the Williamson Marina Shoreline Management permit. The council will set June 13 at 8 p.m. for the hearing.
3. Fred Roberson letter stressing need for sewers in the county area beyond the 400 foot maximum. This was referred to new business.

**SPECIAL GUESTS:**

Carole Chalk spoke regarding a professional artist, Tom Torrens, who lives in the area and who would like to lend and install a sculpture to the town hall. He would also be responsible for it. Carole presented photos of his work and gave a background. Councilman Ekberg and Hanson highly approved of it and asked that the sculptor get together with the architect and then Carole and Rachelz can make arrangements. The mayor thanked Carole for the loan of her artwork for the grand opening. She will report next meeting.

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401 HAGESTAD on the Kimball Drive sewer line. Mike McKeen explained that Norwegian Wood has received their financing and government funds must be allocated by June 1 or they will be returned to the pool. He requires the building permit and sewer service is all that is holding up the permit. He asks that the county be granted permission to hook up Norwegian Wood and hold up the remainder of the contract if necessary. Hal Hagestad said the agreement is ready for the approval of the council. It would be a line built by the county--not a city sewer built in the county. The agreement is identical with the Burnham Drive sewer line.

There was a question of just where the city limit lies on Kimball Drive. According to the town engineer most of Kimball Drive is in the county although the town limits do extend across the road in one place. There were questions of revising the agreement to include a city line in a county road.

Councilman Hanson said "we made our opinion pretty clear on this at the time we approved the site plans." It was not his suggestion to enter in to something like this: this question is completely contrary to what was initiated. The site plan did not include a sewer in this direction. He went on to say that the council has never said we would not service the drainage basin but that it was inconceivable that the town could give the county an agreement to serve a town customer. He said that "in order to clarify this thing I would be agreeable to approve the utilities according to the short plat or allowing hook up to our own line or Kimball Drive."

Mayor Rujacich said the county is asking the town to sign a blanket contract where the town would like to see the complete plan and not sign something sight unseen. The council refused the county request at this time until the plans are completed and the council can see what they are getting involved in.

McKeen then asked for the building permit based on the sewer line going down the back of the property or down Kimball if the county commissioners can agree to that. The mayor told him to meet with Wayne Goodno.

ROSS ANDERSON, 9116 Goodman Avenue, asks council permission to use part of the right of way behind his house. He wishes to remove some of the dirt on the bank to provide more parking in his back area. He would use about 20 x 40 feet of the right of way. He wishes to pave it with the agreement that he will return the right of way if the town wants it. Jim Hibbs said the dirt removal would be necessary anyway if the right of way were developed. Councilman Ekberg moved that the request be granted if an agreement were drawn up by the town attorney. Councilman Hanson seconded. Carried.

JOHN HOLMAAS was present regarding the resubmission of a petition for annexation. This regards his property on Kendall Drive at the head of the bay. He said he had been informed by Hagestad that the county would serve him with sewers, at the same time as this notice from Hagestad is the imminent agreement on the part of the town to furnish water to one of his lots. Where does he stand?

Councilman Hanson felt that submission of intent to annex based on acquisition of sewer service as the only reason is likely to be turned down by the county. An application should include a showing of public interest to succeed.

LINDNER SITE PLAN REVIEW. It had been pointed out that the site plan could be reviewed tonight because the current zoning code decrees that a site plan only has to be furnished. He is entitled to be heard in this regard as RR-1 does not require publication of the notice of site plan review. Mayor Rujacich again excused himself. Councilman Ekberg felt the present plan can not be approved at this time as it does not meet the setbacks and pervious cover decided upon tonight. Lindner was advised on the needed requirements of the site plan to meet the council's approval. Lindner asked if the plan could be approved with the provisions just described as he is pressed for time. Councilman Hanson sympathized with him but felt there are too many things to change.

#### REPORTS:

Street & Water - Jim Hibbs said he had found a gas-driven weed cutter for about \$250. The purchase was approved.

Sewer Treatment - Tannahill reported emergency repairs on a submersible pump.

Police - Reported on plans for Harbor Holidays. Councilman Ekberg asked that the police department again submit monthly reports to the council.

Building Inspector - Wayne Goodno told the council that the Harbor Dental Center, in what was formerly the Ford agency, would like to erect a sign. It would be over legal height. Since this building is a non-conforming use in a R-1 zone, it was decided that a variance should be applied for.

Engineer - Glen Sherwood submitted plans for street improvement and storm drains on the Norwegian Wood development. He asked the basic concurrence of the council so that the contractor can grade the street. There were no objections.

Regarding the ULSH DRIVEWAY, the Mayor felt the problem is a hump created by the sidewalk paving. He felt a ramp could be constructed to ease that hump. They went on to discuss the problem of people driving or parking on the new sidewalks. It was suggested that a white line be painted to mark the border.

MARKOVICH SEWER STUDY: The last word was a rejection from Markovich and the premise of a suit. Glen thought the town should initiate some action. Councilman Hanson asked that a letter be sent to all parties involved. Glen will get together with Clerk today.

Mayor Bujacich asked that the Bicentennial flag be flown through Memorial Day.

Attorney - David Johnson reported that the Shoreline Hearing Board met here regarding the Tarabochia/Babich dock. All the evidence was taken but no decision was rendered because of the length of the trial.

Regarding the people living at marinas and on boats anchored in the harbor, the AWC is working on that.

The attorney returned the revamped contract and the mayor is authorized to sign it.

WATER LINE OUTSIDE THE TOWN: Regarding the possible contract with out of town property owners, the attorney had checked and such an agreement were it recorded would be a cloud on the title, which is what we wish to accomplish. The AWC did send sample agreements and he would like the council to look them over and advise him of their feelings before he makes up an agreement. It was decided that two things should be accomplished by this agreement:

1. Limiting the use of water to owners along the line only so long as the residents of the town have sufficient water, and
2. Limiting to single family use on the parcels described with no subdivision allowed.

SITE PLAN AMENDMENTS FOR EACH SECTION OF THE MUNICIPAL ZONING CODE:

The site plan amendment does not apply to single family and duplex use only.

The ordinance amendments were passed in the following order:

B-1 - Ordinance #254, Councilman Hanson moved that the ordinance be adopted. Seconded by Councilman Ekberg. Carried.

B-2 - Ordinance #255, Councilman Hanson moved that the ordinance be adopted. Seconded by Councilman Malich. Carried.

C-1 - Ordinance #256, Councilman Hanson moved that the ordinance be adopted. Seconded by Councilman Ekberg. Carried.

W-1 - Ordinance #257, Councilman Hanson moved that the ordinance be adopted. Seconded by Councilman Malich. Carried.

W-2 - Ordinance #258, Councilman Hanson moved that the ordinance be adopted. Seconded by Councilman Ekberg. Carried.

W-3 - Ordinance #259, Councilman Hanson moved that the ordinance be adopted. Seconded by Councilman Malich. Carried.

GS - Ordinance #260, Councilman Hanson moved that the ordinance be adopted. Seconded by Councilman Malich. Carried.

R-2 - Ordinance #261, Councilman Hanson moved that the ordinance be adopted. Seconded by Councilman Malich. Carried.

R-3 - Ordinance #262, Councilman Malich moved that the ordinance be adopted. Seconded by Councilman Hanson. Carried.

RB-1 Ordinance #263, Councilman Hanson moved that the ordinance be adopted. Seconded by Councilman Ekberg. Carried.

Regarding the sale of furniture by the Andersons in an R-1 zone, Attorney Johnson still must check on this. He will look into it tomorrow. Councilman Ekberg asked that the letter to them regarding the use of the right of way be held in abeyance until this problem is cleared up.

Councilman Hanson said that, pertaining to the purchase of the computer, we are attempting to define what we need and then we will see if what we are looking at meets that need.

RICHARD LAMBERT DECK: The council was to decide, at this time, if the Lambert deck could be treated like the Olberg eave overhang but the Lamberts applied to the Corps of Engineers and the council now feels that it is a certainty that they must make the application to Shoreline Management.

Mr. Roberson's letter was now discussed. The property lies beyond the 400 foot limitation imposed by the council's recent amendment to the sewer contract and, since the property lies beyond that 400 foot limitation, the council feels they can do nothing about it.

Regarding the Planning Commission's study session on the comprehensive plan, Councilman Hanson wondered if the council should not be present also.


At the last meeting Councilwoman Bogue had commented on the 90-day period set aside for reporting back on the planning aims of the town for the purpose of determining the ultimate fire flow requirements. Councilman Hanson asked that the Town Clerk write to the Fire Marshal's Office and ask if they plan to follow this policy.

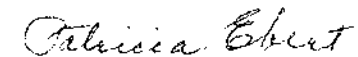
Councilman Hanson said that Dave Skrivanich asked him what is happening to the plans for water on Chinook Avenue. Mayor Bujacich said it is not the town's responsibility and Dave will have to get Nick Babich to agree to the easement.

Councilman Ekberg asked Wayne Goodno if a building permit fee was ever charged for those docks that were built without permission. He feels a permit fee should be charged and it should be doubled after the fact. Wayne will check on it.

Meeting adjourned at 11:20 p.m.

Tape #58, All of Side 2 and Tape 59, Side 1, 0-78

  
Mayor

  
Asst. Clerk

TOWN COUNCIL MEETING - JUNE 13, 1977

The first public hearing was called to order at 7 p.m. by Mayor pro tem Bogue. Present were Councilmen Ekberg, Hanson and Malich, Mayor Bujacich was out of town and Councilwoman Melton was not present.

LAMBERT VARIANCE FROM SHORELINE MANAGEMENT REGULATIONS:

The Lamberts had applied to the Army Corps of Engineers for permission to build a deck on their residence at 9109 N. Harborview Drive. The building is the former net shed that was converted to a residence between 20 and 30 years ago. The Lamberts need the deck to give access to the water side of their residence--otherwise there is no way to reach the outside of the walls or windows. They would like a deck 5 feet wide and the width and length of the residence to tie in with the bulkhead.

A neighbor, HILDEGARD ULLBERG, has no objection. There were no voices in objection.

Councilman Hanson felt that the council should be guided by Regulation #3 under Variances, page 38, Shoreline Management Regulations. He felt that it could be considered a hardship for the owners if the variance were not granted. Mayor Bogue pointed out that the regulations say that no variance should be granted to permit a use or activity specifically prohibited by these regulations. In this case, though, is it an already existing building.

Councilman Hanson moved that the town grant the variance as requested. Councilman Ekberg seconded. Councilman Hanson clarified his motion that the council has answered yes to all points in Regulation #3 and that the size of the deck is very reasonable. Motion carried and hearing closed.

HOLMAAS ANNEXATION HEARING:

John Holmaas had written a letter regarding his request. In the letter he stated that he will not be served with sewer or water by the county. He now requests annexation of Lots 1, 2, and 3 of Short Plat #74-17. He had submitted a request for annexation a year and a half ago and it was denied. He has asked for utilities through various agencies to no avail. The town's water and sewer lines run right past one end of his property and the only logical way he can achieve these utilities is by annexation. He has commenced clearing in hopes of selling the three lots--all for single family residences only.

In opposition ROBERT THORP, an officer of the East Gig Harbor Improvement Association, said his group represents about 130 people, about 40 of whom were present. He introduced the officers of the organization. They oppose piece-meal annexation of the East side by the Town but encourage the furnishing of sewer and water to Short Plat #74-17. They would like to maintain the low density of population now existing on the east side. They feel that once Crescent Creek is crossed, "this Brenner Pass of property," the boundary is gone. Their only alternative would be defense incorporation of the east side.

TOM KRILICH, attorney for John Holmaas, reminded the council that it was the duty of the council to make their minds up on what is best for the town--not what is best for the welfare of the east side. The annexation would enable the building of three homes that would add to the tax base of the town and help support the town's sewer and water system.

IRENE WIDNEY knows that the council is charged with the responsibility of doing what is best for the town and she asked for long-term consideration for the area on the east side.

Councilman Ekberg said that he abstained from voting on this issue 1½ years ago on the basis of the lack of a comprehensive plan. Now the Planning Commission, after many hours of work, has proposed just such a comprehensive plan and he feels he can now vote on this issue in the light that the plan is near completion.

Councilman Hanson said that the letter of intent from Holmaas asks for alternatives to annexation. He asked Glen Sherwood if he had made any study toward furnishing sewer service outside the town. The furnishing of water to this area is very easy but the sewers would have to go into an easement on the water side of these lots and Glen said he had made no study.

Councilman Hanson felt that the entire history of our town is one of piecemeal annexation. Regarding our obligation to provide sewer service to the drainage basin, our alleged commitment to serve the basin, Councilman Hanson asked how do we satisfy this or are we obligated to provide it? He said his other question is going across the street into that area, expanding the town in that area. Previously he had voted in favor of the annexation. He has since given a lot of thought to that decision and still feels the same way regarding his responsibility as an elected official of the Town and his community responsibility to his fellow citizens both within the town and outside the town. He said he feels that it best that the town annex this property because he is not in favor of extending the sewer service outside the town without controlling the area. He moved that we annex the parcel of real estate in question as submitted by the Holmasses. Councilman Malich seconded.

Councilman Ekberg felt that this was a very significant piece of property. We should look at larger areas, though. We must look at more than immediate revenue gains. We must look at the



larger picture, but if this motion is defeated we should get together to see if there is some means by which we can serve these areas. Then we should do so without annexation. The vote was taken. Motion carried with Hanson and Malich voting yes and Ekberg voting no. The hearing was closed. Councilman Ekberg left the meeting at this time as he was ill.

VENES VARIANCE AND SHORT PLAT:

The variances will be taken up separately from the short plat. The variances requested are a 14 foot front yard setback and a 21 foot rear yard setback. The Planning Commission had recommended approval of them and there were no objections from the neighbors.

David Venes was present. He explained that the property in question is a double lot. The Gladys Hemley log house is located on the front of this lot. He would like to divide the property into two lots the long way, parallel with Peacock Hill Avenue. The variance would be necessary in order to provide the rear yard with an easement access. Also, since the rear lot would be very shallow from front to back he could build a house only 13 feet wide without the variances.

HARALD JOHNSON, a neighbor to the north, had no objection. He felt it would be of benefit to all to allow this development of the property.

Councilman Hanson moved that both variances be granted. Councilman Malich seconded. Councilman Hanson was concerned, though, with granting variances on something that does not really exist--meaning the second lot does not exist as such without the passage of the short plat. His intent is to grant the variances but contingent on the approval of the plat. After further discussion both the second and the motion were withdrawn.

Councilman Hanson then moved that we grant the variances of 14 feet in front yard setback and 21 feet in rear yard setback subject to the short plat being approved. Motion seconded and carried.

Regarding the short plat Councilman Hanson moved to table the decision until the method of serving the utilities is resolved. Councilman Malich. Then this second and motion were withdrawn. It was agreed that the easements should be shown and the applicant's engineer should draw them in.

Councilman Hanson moved that in order to expedite the matter the short plat could be approved subject to the utility easements being approved by the Planner and the Engineer in conformance with standard policies used in the past. Councilman Malich seconded. Motion carried. Hearing closed.

GIG HARBOR MARINE SHORELINE MANAGEMENT PERMIT REQUEST:

The recommendation of the planning commission was read. They had recommended approval subject to setback and parking requirements.

Councilman Malich abstained from discussion, saying that he did business with the marina. Mayor pro tem Bogue and Councilman Hanson were hesitant about proceeding with the meeting since they felt they could not longer be considered a quorum. Attorney Johnson said that the two of them did constitute a quorum of the three that were present.

Mr. Williamson, of the marina, explained what he wishes to do. He would take out the largest of the boathouses and move it elsewhere. The other boat house will go eventually as soon as Tacoma Yacht Club has space for it. In the meantime he will make open moorage out of the space. He will pull 22 piling and drive 11 piling. The improvements will extend no further into the harbor than presently, which is the outer harbor line. The improvements will extend easterly about 44 feet parallel to shore.

At this point there was further discussion about the number of voting members present. The attorney said that he did not feel comfortable about the few voting members and feels that it does not coincide with the intent of fairness. The statute said that serving as mayor pro tem shall not affect the member's vote. Mayor pro tem Bogue said that this was quite a surprise to her as something had previously indicated that the pro tem had no vote and in the past, in this position, she has never voted. She felt it was not the proper thing to do. If she had felt that she had a vote she would have certainly have voted tonight on some of the issues that she felt strongly about. It was agreed that this hearing should be discontinued at this time and readvertised so that more members can be present at the hearing. Mr. Williamson felt it was unfair to postpone the hearing. He said he has already waited a considerable length of time for this hearing and a further delay could cost him a great deal of money. The pile driver must be contacted. If the driver returned to the upper sound it could cost an additional \$1600 to \$1800 to get it back. In addition, there is still a 30-day wait until the DOE acts on the council's recommendation. Mr. Williamson asked for a special hearing. This was discussed and it would be possible but there would be no guarantee that any more members might be present then than now. Mr. Williamson agreed to a postponement to next meeting at 7 p.m.

The regular meeting was recalled to order with approval of the bills upon motion by Councilman Hanson, seconded by Councilman Malich. Carried.

MINUTES: Councilman Malich pointed out an error of omission on page 1 of the last minutes. Regarding Mr. Quinn's statement change "no" to "not". Otherwise the minutes stood approved.

#### CORRESPONDENCE:

Harald Johnson letter on removal of a tree. Councilman Hanson suggested that the council review the situation and table action to the next meeting.

#### SPECIAL GUESTS:

ED McLOUGHLIN of the Pierce County Community Action Agency was present to inform the council of the County Housing Program. In recognition of the needs of the town's senior citizens they ask that the town consider their needs regarding housing in the area. They ask that the town write a letter to Peter DeMark, Tacoma Housing Authority. Senior citizens will then be able to apply for rent supplements. Later they ask that the council pass a resolution establishing a housing authority. Mayor pro tem Bogue asked that McLoughlin get together with Clerk Avery to write the letter to DeMark.

#### BRENNAN SITE PLAN REVIEW:

Mayor pro tem Bogue apologized to Brennan for overlooking the site plan review which was scheduled after the Shoreline Management permit hearing. The variance in height was granted to Brennan at the last hearing but the site plan was not reviewed. In actual fact, he applied for the variance before the ordinance was updated requiring site plan review. Mayor pro tem Bogue read that part of the municipal code which states that building in a General Service zone requires the approval of the council. It does not elaborate or explain what this means and the council was bewildered about what they were expected to do. Councilman Hanson had abstained from voting on this issue at the last meeting and would again abstain, so, in accordance with the policy established earlier at this meeting, then Bogue and Melich do not constitute a quorum.

Attorney Johnson said it seemed to him that the approval of the council was given in truth through the discussion at the previous meeting. Mayor pro tem Bogue said that, however, the EIS Worksheet must be scheduled and there is some question on approval. She suggested that this be continued to next meeting. Also, there is no water to the site now. She asked that Mr. Brennan denote the parking areas on his plan and that all council members look it over prior to next meeting.

JIM KORS of Kors Engineering appeared on behalf of Robert Ketner who owns lots on both sides of Shyleen Street near Stanich Avenue. Mr. Kors asked the road construction standard on the new road he plans to design for Ketner. If the town decides that he must pave to 22 feet then he will either have to excavate or bring in fill, but the grading is 18 feet wide and he asked if the town will consider paving it that wide. Glen Sherwood said that the water main is already in the street. In the existing dedicated right of way of Shyleen there is a jog at McDonald. Also, Mr. Kors has made no provision for a walkway.

Councilman Hanson said he felt there could be a basis for deviating from our standards if we are serving the public interests. He would like to see drawings on what Kors plans to do and Glen's recommendation for Shyleen from Pioneer Way to Stanich Avenue. The decision was postponed.

BOB SCOTT, TELEPHONE UTILITIES: He reported that the telephone company has plans to extend their duct system around the bay to Peacock Hill. He said that Hibbs and Sherwood have gone over the plans briefly. He would like to start the beginning of August and it would take about two months. His report was for information only--no action was required.

#### REPORTS:

Street & Water - Regarding another underground cable proposed by the telephone company at Pioneer and Kimball, Jim would like to place a water line in the excavation when they cut into the street. It would save opening the intersection at a later date.

The crosswalk in North Gig Harbor needs a hanging sign. There was discussion about this because Councilman Hanson felt the two crosswalks were too close together. Could the two be combined? No decision was made at this time.

Jim Hibbs went on to suggest that the speed limit be reduced to 20 m.p.h. in this area. The town will take the crosswalk under consideration and Mayor Bogue asked Jim to check further into speed limits.

Jim informed the council that the Gas Company will be installing a line along Grandview from Soundview to Stinson, the work starting in about a month.

Regarding Jim Hibbs Information to Citizens letter, the council will look it over.

Councilman Hanson had four requests for Jim:

Is there any schedule for street repairs this summer? Jim said that they have not established a schedule.

Are there any plans to widen the shoulders on Clay Hill? Jim said the type of sidewalk has not been determined. Councilman Hanson said he would like to see something planned there--perhaps this should be a priority area.

The bump situation on Grandview between Pioneer and Stinson needs attention.

Has any determination been reached regarding the poor water pressure near the north tank?

Jim Hibbs said he is still working on it. He must work out some small problems yet.

Sewer Treatment: None

Police Department - Chief Tomlin said that Harbor Holidays went off pretty well. He asked the council to take a look at the new police vehicle with the painted emblems on the sides and the logo painted on the back. He asked what the council would like to do about the old vehicle. They agreed that it too should be painted and a complete color change was authorized as well as the painted emblems and logo.

Building Inspector - None

Attorney - David Johnson said he had brought the outside utility agreement,

Regarding the Huber/Antilla project on Harborview Drive, he has spoken with their attorney and the builders will divert the water where it is damaging the street.

Regarding the sale of furniture on Anderson's business license, the attorney feels that the man and his wife may have a business license but not dealing with retail sales. The attorney had written a letter to them but had not found it to be deliverable since the town had no record of an address. The Attorney would like Anderson to come to the next council meeting.

Councilwoman Bogue brought up the matter of the driveway between the Molgard building and Sky Realty. She asked that they be instructed to desist from using the driveway. She felt that the owner should be forced to close the driveway even though he has not yet landscaped.

Engineer - Glen Sherwood brought up the Venes short plat which was considered earlier in the meeting. He said that the existing building on Lot 1 will become non-conforming as to rear yard setback as the short plat will cut that rear yard too short and it will become only a 20-foot rear yard instead of the 30 that the code requires. Councilman Hanson wondered if the question can be reviewed since he moved to accept the plat based on utility easements only. This point was not brought up before as the existing building was not shown on the papers that Venes furnished. Glen was just able to verify this during the recess. He will call them and let them know.

Regarding the water construction program, Glen asked for a determination of the well site. The Block Grant Fund decrees formal appraisal of easements and sites and this includes the Hildebrand property. The town must offer the owner the appraised value of the property if it is higher than that offered or paid.

It is time to set up another Six Year Street Plan. He said if the council has any suggestions please let Jim or Clerk Avery know.

The letters urging hookup to the MARKOVICH STUB are prepared and ready for mailing.

Clerk Avery had prepared a written recommendation on the accounting machine for sale by the Town of Fircrest. A representative is here tonight from Burroughs who services these machines to other small towns. The total cost would be \$14,000 to \$15,000 including the initial cost of \$10,000 for the machine. The remainder would be for programming and material. A maintenance agreement would run \$90 to \$100 per month. It had been determined that a bid was apparently not necessary as municipalities do business back and forth without having to resort to bid. The machine would ideally go in the room that was planned for it. This is the Mechanical Room where the Historical Society is now. The council did not want to evict the Historical Society so other arrangements can be made. Councilman Hanson moved that we authorize proceeding on the acquisition of the Burroughs L5000. Councilman Malich seconded. Motion carried. It was agreed that something mutually satisfactory will be worked out with the Historical Society.

Dan Cagle, the man working under the Seacoast Management Grant, will be through by June 30.

Pierce County Sewer Line Franchise: Regarding the Kimball Drive line a hearing has been set for June 28 at the county commissioner's chambers. Glen Sherwood made a few comments on this franchise. He said that manholes 1 and 4 should not be metering manholes. There are few county customers on this portion of the system. The town should ask that the franchise be redrawn. Councilman Hanson moved that the franchise be rejected. Councilman Malich seconded. Carried. The Clerk will write to Hagestad.

SHULICH REZONE ORDINANCE - First reading.

STREET NAMES: Names for streets had been suggested by the Historical Society. The only necessary naming to take place is the street where Norwegian Wood will be located. Councilman Hanson moved that the street in question be named ERICKSON and the unnamed street off Grandview be named SKANSI. Councilman Malich seconded. Carried.

SIGN FOR TOWN HALL: Jim Hibbs had a sign from the old pumphouse that would do very well for the present. A carved sign has been forthcoming from Hunter but it was felt that he may be holding it up since the town has not yet paid for the table. The council felt the cost of the table should be settled and felt that the estimated cost that Hunter had quoted, \$550., could be offered as fair.

Mayor pro tem Bogue asked that a wall-sized map of the town be placed in the meeting room.

Regarding subdivisions and the lack of open space in the Island View East subdivision, Mayor pro tem Bogue suggested looking over our subdivision ordinance with an eye to requiring open space, play areas, etc. She asked Clerk Avery to contact Dr. Hruza for possible consultation at the next meeting.

Meeting adjourned at 11:50 p.m.

Tape #59, Side 1, 78 to End and Side 2, 0-366

Ruth M. Bogue  
Mayor pro tem Bogue

Patricia A. Ebert  
Assistant Clerk

TOWN COUNCIL MEETING - JUNE 27, 1977

The first public hearing was called to order at 7:04 p.m. by Mayor pro tem Melton. Present were Councilmen Hanson and Ekberg, Attorney Johnson and Clerk Avery. Mayor Bujacich and Councilman Malich were commercial fishing and Councilwoman Bogue was out of town.

GIG HARBOR MARINE SHORELINE MANAGEMENT PERMIT HEARING, Continued from last meeting:

The Planning Commission recommendation was read and the attorney refreshed our recollection of what transpired at last meeting.

Mr. Walt Williamson was present. He told the council that fifteen new stalls would be gained able to accomodate boats up to 40 feet in length. He was asked how he will accomodate the parking these additional stalls would generate. He said he already has ample parking but will provide the additional 15 to 20 more spaces anyway.

There were no voices in opposition.

Councilman Hanson moved that the town grant the permit under Shoreline Management to Gig Harbor Marina for development as outlined in the letter of 22 February to the Department of the Army, with map attached. Councilman Ekberg seconded. Carried. Mr. Williamson asked if the town will kindly send a copy of the town's action to the DOE tomorrow morning since he still must wait 30 days for his permit from that agency. The minutes will be transcribed in the morning to enable the copy to be mailed. Hearing closed.

HARBOR RENTAL CENTER SIGN VARIANCE HEARING:

The favorable recommendation of the planning commission was read. JOHN THARP, one of the owners, had a large drawing of his proposed sign. The variance requested is for what is normal for commercial zones since the building maintains a non-conforming use in an R-1 zone. It is just a painted sign, the same colors as the background and trim of the building. Councilman Ekberg moved that the variance request as submitted be approved. Councilman Hanson seconded. Carried, Hearing closed.

CONTINUATION OF BRENNAN SITE PLAN REVIEW:

Mr. Brennan had brought updated plans. He said he had more than was required as far as parking goes.

Wayne Goodno looked at these plans and made a few suggestions. It was understood that all requests of the fire marshal's office must be met. Since General Service zones require no side yards the parking extends to the side property line. He had provided plenty of greenbelting, but since he has more than sufficient parking the spaces next to the side property line could be eliminated.

There were no voices in opposition.

Councilman Ekberg moved that the site plan be approved subject to the requirements of the Fire Marshal's Office and according to the plan, dated June 27, 1977, and marked Exhibit A. Seconded by Councilman Hanson. Carried with Councilman Hanson abstaining from voting.

EIS WORKSHEET:

Councilman Ekberg asked Mr. Brennan if the lot coverage had been broken down. Mr. Brennan said the buildings occupy about 17% of the site but the parking coverage has not been figured. Councilman Ekberg moved the project has no significant environmental impact and the application is to be processed without further consideration of environmental impact. Councilman Hanson seconded. Motion carried with Councilman Hanson abstaining. Hearing closed.

LINDNER SITE PLAN REVIEW:

Mr. Lindner also had some newly revised plans not yet seen by the building inspector. He proposes three separate buildings now, two story, with half of their basements under grade. If the council approves his site plans he could apply for financing. Later he could come back for a height variance if that would be acceptable--otherwise he would build like the site plan. He would also like greater coverage on the property. The initial price of the property is so high that lesser coverage makes it very costly to build. In addition, the RB-1 zone is very hard to work with.

Councilman Ekberg moved that we approve the site plans as submitted with the understanding that open spaces be planted with native evergreens that will attain reasonable height to cast shade, provide effective screening, yet not interfere with traffic visibility. Councilman Hanson seconded and noted that the site plan is dated June 22, 1977. Motion carried.

EIS WORKSHEET:

Councilman Ekberg moved that the project has no significant environmental impact and the application is to be processed without further consideration of environmental impact. Councilman Hanson seconded. Motion carried. Hearing closed.

The regular meeting was then called to order.

BILLS: Councilman Ekberg moved that all the bills with the valid three signatures be approved. Councilman Hanson seconded. Carried.

MINUTES: As there were no comments the posted minutes stood approved. At this point Clerk Avery noted that the Venes Short Plat was still on the agenda and not yet heard.

VENES SHORT PLAT, Continued from last meeting:

This is continued because at the last meeting Glen Sherwood discovered that short platting would leave the front lot with insufficient setback on the rear property line. Attorney Johnson had checked into it in the meantime and said he feels that the council could approve the short plat even though one building will be left with a lesser rear yard setback.

Mr. Venes added that the reason they they wish to short plat is so that they can build their own home near her mother and help take care of the elder woman.

There were comments with Glen Sherwood on the utility easements. There were no comments in opposition to the plat. Councilman Ekberg moved that the short plat be approved as submitted and we waive the curbs and gutters per Dr. Hruza's recommendation. Councilman Hanson seconded and motion carried.

CORRESPONDENCE:

1. Attorney Markovich's letter of June 14. This letter concerns the sewer connection.
2. Attorney Markovich wrote again after receiving the town's request to hook up to the connection designed by Parametrix. His answer was that he would agree to connect provided the connection IS constructed, and further that the town agrees to pay for any and all damage resulting to his building, and further agrees to restore the building and premises to the original condition. Also, that the town indemnify and hold him harmless as a result of the construction. Finally, that the cost of his connection to the sewer is not to exceed \$500.
3. State of Washington Department of Ecology Certificate of Competency for Jim Hibbs.
4. Glen Sherwood letter regarding the repair and improvement on S. Harborview Drive on the part of Huber and Antilla. There were eight items enumerated with the developers responsible for only some of them. Referred to later in the evening.

REPORTS:

Street & Water - None

Sewer Treatment - Gary Tannahill brought up the problem facing Dennis Clarke if he attempts to make a hookup to his property in the North Shore Hills area. The only reasonable means of hookup would be to connect to a 6" stub that already has two houses on it. The council felt they could approve such a thing but would like the recommendation of Glen Sherwood and Gary Tannahill.

Police - None

Building Inspector - None

Attorney - None

Engineer - Regarding the paving situation on Shyleen, Glen said he is not prepared to discuss this issue with the council tonight.

He then went on to discuss the S. Harborview situation. Regarding the broken sections of sidewalk, is there any indication of who is responsible? Does the council wish to notify the property owners to repair their own section of sidewalk? Should the town be responsible for that repair? The council asked that Glen check with the mayor because all of this was first brought to light by the mayor, and then Glen can verify whose property is affected. Jim Hibbs said he could add something to clarify the situation. He said they first cleaned that section of sidewalk about five years ago. They didn't even know the sidewalk was there because it was completely covered with dirt that slid down the hillside. The sidewalk has been nearly abandoned in the past years. They cleaned it again about two years ago.

PRENTICE AVENUE: Glen said they did inspect Prentice Avenue and recommend the town accept it as an improved street.

Mr. Fred Babbitt, 4219 Harborview Drive, owns property at the end of Prentice. He said the barricade that was recently placed there has made it impossible for them to have access to the rear of their property. The neighbors park in front of the barricade and make it impossible for them to get through. Jim Hibbs said that he is having a sign made right now, "NO PARKING - DRIVEWAY" and it will be erected in two weeks. In the meantime the police department can keep a check on the barridade and ask people to move their cars. This will be agendad in two weeks.

Councilman Ekberg moved that we follow Glen's recommendation and accept the street. Councilman Hanson seconded. Motion carried.

MARKOVICH STUB: Glen had no comment on this. He felt that any further comment should come from the town attorney. Johnson will look into it.

WELL SITE ACQUISITION: Councilwoman Melton will see Mr. McKenzie this week.

SHYLEEN STREET PLANS - KORS ENGINEERING:

Mr. Kors returned to again ask the council to consider the paving of a section of Shyleen to 18 feet wide. He named other streets in town and also in that immediate area that are paved no wider than this. Glen Sherwood agreed that Milton Avenue is paved to only 20 feet gutter to gutter because it is practically a cliff on the down hill side.

Councilman Hanson felt the only way that such permission could be given was if it was in the public interest and highly impossible otherwise. He said he would not like to lower the town's standards if it could set a precedent by so doing. He would like Glen's recommendation.

The council would like to look at it further. They agreed to table the issue and Glen can look over the plans and make his recommendation by July 11.

Dr. Hruza: SUBDIVISION ORDINANCE AMENDMENTS:

Dr. Hruza appeared at this meeting at the request of Councilwoman Bogue who had voiced concern over the minimum lot size being utilized in current subdivision plans as well as the fact that no provisions are required for green belting, play areas, open space., etc.

Dr. Hruza gave background information regarding changing minimum lot size. He said it would have to be consistent and minimum lot size would have to be changed in the municipal code. He did say that the RCW gives authorization to cities to require open space. We are in a good position to amend our ordinance to require such areas. He would like to know how much area to require. We can set minimums that are comparable with the general pattern of the community. It would require that the ordinance be changed for minimum lot size for the entire town. The council asked Dr. Hruza to make a preliminary study regarding open space and minimum lot size. This can then be turned over to the planning commission.

Councilman Hanson said that, in perusing the new map on the wall, he found that there is a duplication of the name of Skansie as a street in the town. He asked that this be checked on.

SHULICH REZONE ORDINANCE - postponed.

ANDERSON FURNITURE SALES: Attorney Johnson thought the Andersons had been asked to attend this meeting. This is postponed to next meeting.

TREE REMOVAL: This issue, brought up at last meeting, was referred to this meeting so the council could look at the tree. Councilman Hanson had looked at it and agreed that the tree should be taken down. This is to be at Mr. Johnson's expense. Councilman Ekberg moved that the town allow the tree to be removed by a reputable tree man at Johnson's expense and the lumber turned over to the town. Councilman Hanson seconded. Carried. Jim Hibbs told the council of another tree on Austin Way that badly needs to be removed. The council had no objection.

COUNTY SEWER AGREEMENT AND FRANCHISE FOR KIMBALL DRIVE:

Mike McKean presented new copies from the county commissioners. This agreement gives full and exclusive use to the town to serve town customers only. Glen agreed that the agreement does restrict to town use only which is right. Attorney Johnson also agreed.

Councilman Ekberg moved that on the strength of Attorney Johnson's recommendation that we authorize the mayor pro tem to sign the agreement. Councilman Hanson seconded. Carried.

Clerk Avery asked that official action be taken on the agreement tendered by Hagestad on May 9. The council felt this no longer had issue since tonight's agreement was signed.

DREW WINGARD was present regarding the fire department's use of town hydrants. Mayor Bujacich had told him that the town's water system is suffering through the use of the hydrants. Drew admitted that when the hydrant is shut down too quickly the system will hammer, but he feels that they have to drill and to use the system to acquaint their volunteers with fire fighting techniques. Their only possible means of reducing the hammer is to train the volunteers correctly and to constantly bring this up before the trainees. Finally, Drew said, the use of the system helps lower fire insurance rates for those that paid for that system. He asked the council's concurrence. He felt a letter would be appropriate. The council asked Clerk Avery respond.

THANK YOU LETTERS were authorized to be written to Kiwanis Club, Fortnightly Club, Harbor Holidays Clean Up Committee and to the sculptor who lent the piece to the new Town Hall.

Other business covered was:

Councilman Ekberg asked that the Directional Signs for the Shoreline Restaurant be in accord with the ordinance written for them. They should be metal, have symbols and name, and arrow. He asked Dave to help Wayne check into it.

Molgard Building: He feels they are occupying it without permission. Wayne said this is not so as he is now finishing the final inspection.

Ekberg asked Wayne to see that Bujacich pays a permit fee for his dock even though the permission is after the fact.

Meeting adjourned at 9:38 p.m.

Tape #59, Side 2, 366 to end and  
60, Side 1, 0-63

\_\_\_\_\_  
Mayor pro tem

*Patricia Ebert*  
\_\_\_\_\_  
Assistant Clerk



GIG HARBOR TOWN COUNCIL MEETING - JULY 11, 1977

The first public hearing was called to order by Mayor Bujacich at 7 p.m. Present were Councilwomen Bogue and Melton, Councilmen Ekberg, Hanson and Malich, Attorney Johnson and Clerk Avery.

OLUFSON VARIANCE:

Mr. Olufson was not present and it was believed that he did not intend to follow through with this variance application. Since any decision made tonight would run with the land, no further decision could be made for one year. The council decided not to act on it since the principal was not present. Councilman Ekberg moved that the application be tabled. Councilwoman Bogue seconded. Carried. Hearing closed.

PUBLIC HEARING - O'NEILL VARIANCE:

The favorable recommendation of the Planning Commission was read, and there were no voices in opposition from the audience. The O'Neill's were not able to be present but they did wish the application to be heard tonight. It was felt that the granting of the variance would create an improvement to the property. Councilman Ekberg moved that the variance of six feet be granted. Councilwoman Melton seconded. Carried. Hearing closed.

PUBLIC HEARING - ANTHONY VARIANCE:

The favorable recommendation of the Planning Commission was read. Mr. Anthony requested a variance of 10 feet in front yard setback. This would create the least obstruction to the view from the restaurant above. Councilwoman Bogue had looked the property over and found no objection. Chairman Root's letter had mentioned allowing a main floor level approximately even with the road in front. It was felt to have no bearing as the only item in question tonight is the variance in setback. Councilman Ekberg moved that a variance of 10 feet in front setback be granted. Councilwoman Bogue seconded. Carried. Hearing closed.

APPLICATION OF COMPREHENSIVE PLAN TO PROPOSED ANNEXATION - First Hearing:

This is an application for annexation of the Veterinary Clinic, Hogan's Olympic Village, and several parcels of land adjoining Olympic Village to the north. The Planning Commission had recommended B-2 and R-1 in conformance with the comprehensive plan and urge the acceptance of the annexation. The clerk said there are town houses and a planned real estate office that the Planning Commission failed to take under consideration so far as the zoning is concerned.

In favor was MIKE McKEAN, 4011 10th NW, Gig Harbor, representing those applicants who signed the petition. He cited examples of towns in Washington that were able to beautify themselves through the receipt of sufficient revenue and the action of their councils. He stated that revenue from the Soundview sewer line could be doubled if annexation took place. This would be the first step in the control of the entire Soundview line. Reasons he cited for the need for annexation are:

1. Septic systems no longer working in parts of the area to be annexed.
2. Sewer line on Soundview only half used.
3. Control of the main entrance to the town.
4. Shore Acres not sewered. Would pay more than county.
5. Use of water. Proposed area already has a water supply. He wondered if it might not be in town's best interest to purchase Hogen's water system and integrate it with the town system.
6. Police protection - The Pierce County Sheriff's Office has only ten deputies on duty at any one time to cover the whole of Pierce County while the Gig Harbor police regularly drive up and turn around in the shopping center at Olympic Village.
7. Estimates of at least \$50,000 revenue from taxes.
8. Only GAIN is to be had by annexing the area.

In opposition were:

MRS. MARVIN NATUCCI, 6311 Soundview Drive. She was concerned because she had heard that the section where she lives will be included in the annexation. They, and other property owners, would not be in a position to connect to the sewers but would be assessed anyway. Most of the houses there are much below the line and they would have to pump. She protests the inclusion of her property. Mayor Bujacich told her that the line is already paid for and she would not be assessed but Clerk Avery said new construction requires an equalization charge.

GEORGE UPTON, 6101 Soundview Drive, said it seems the Planning Commission's letter was not true. This letter was read at the beginning of this hearing and it stated that there were many Shore Acres people present at this hearing but most of them seemed to be protesting the water rates. The Shore Acres people were not protesting anything to do with the water system, but only the way this petition has been presented. He questions the procedures that were followed. Most lots are not in a position to hook up and asks that those areas that desire to annex do so and allow the people that live in that area to decide on their own.

KAZ KIMURA, president of the Shore Acres Water System, wished to inform the council that according to their attorney Gig Harbor will have to supply water to the annexees and Shore Acres can no longer do so. The franchise is being gone over in detail and he will report at our

next meeting. Town Attorney Johnson will also check into this.

JOE HOOTS, 2602 64th NW, spoke on ground water causing difficulty for the north east Shore Acres group. He said it is severely impacted in this basin and the town will inherit this problem if the area is annexed.

KIMURA brought up the surcharge on water. Naturally those annexed would expect the surcharge to be removed. He felt it could become a complex bookkeeping issue if these people are weeded out of the Shore Acres System. He felt the annexation should be all or nothing.

COMMENTS WERE RECEIVED FROM:

MIKE SKIDELL, 7421 Rosedale Street, partner in Olympic Village. He felt the highest and best use of the property was as a multi-dwelling site. Mayor Bujacich said this property was not included in this particular parcel.

BUDDY ANTONSON, owner of Gig Harbor Realty, said he proposes to build his real estate office on a part of Lot 34 and asks that it be zoned B-2.

Councilman Hanson said he would like written reports on the impact of annexation on the scope of the Water, Sewer Plant and Street departments. He would like an engineer's report on the long-term impact on the water system. How would the sewer assessment be handled for those people who abut the line and also the water from Shore Acres lines. He went on to say that he would like a report on the most recently available figures on sales and property tax revenues.

Councilman Ekberg would like a detailed map of the area with names of property owners and would like a comment from the town planner. The department heads should also look into the areas that might be included in the decision of the BRB.

Councilwoman Melton would like a map colored in with areas of possible zoning.

Councilwoman Bogue asked for a list of property uses in undeveloped areas of Shore Acres. How does it affect sewer system and water system. Also, she would like to see buffers on three sides of the shopping area.

Clerk Avery was asked to get the notices to department heads. Comments in writing must be received by the Council by July 21. The public hearing was closed and will be heard again, on July 25.

The regular meeting was called to order.

BILLS: Councilman Hanson moved that the bills be approved. Seconded and carried.

MINUTES: As there were no corrections or additions the minutes stood approved as posted.

CORRESPONDENCE:

1. Ron Peters, Cascade Avenue, wrote that he feels the town was negligent in not requiring a bond on the construction of Cascade Avenue. He suggested that the residents and the town share the cost of the LID. He asked that an estimate be obtained. To old business.
2. Kitsap County Fair and Rodeo asks permission to hang a banner. To new business.
3. Markovich Shoreline Management hearing. The Planning Commission letter of recommendation was read. They recommend approval. The hearing was set for August 8 at 8 p.m.

SPECIAL GUESTS:

BILL WEISS explained that he would like to build a residence on his lot on Grandview near the water tower. The lot is below the road and was graded at some time in the past. If he grades any deeper he will have a swimming pool instead of a basement. He would like to build a day-light basement home on this lot without going any lower. The council desired the proper variance procedure and told him he could be heard completely by August 8 within the proper time frame. He was instructed to submit an application for a variance.

ARCHIE McLEAN - Refunding the 1975 GO Bond Issue:

Mr. McLean was present. He explained that he proposes to issue a new series of bonds to replace the present issue and can save the town \$19,500 in the process.

Councilman Ekberg felt the proposal had not been submitted to the council in time for them to study it. He moved that the council make no decision until the next meeting. This motion eventually died for lack of a second. There was further discussion. Councilman Hanson then moved that the council accept the offer dated July 11 which encompasses the same philosophy as the offer dated July 8. Councilman Malich seconded. Carried with Councilman Ekberg abstaining.

BILL EDGBERT spoke relative to the storm sewer included on the plans for Norwegian Wood. Since he did not plan to have to put in the storm sewer, in addition to all the underground utilities he has already installed, he asked if he could construct it lot by lot as he sells more property in his short plat. He said he is not financially prepared for this expense at this time. All drainage on the entire parcel is planned to drain from east to west and he feels that this is an unnatural drainage pattern.

The engineer said the plans were prepared in May and presented to the council at that time and approved by them. A corrugated metal pipe was the choice of McKean's engineer. This provides a point of discharge for the parking lot and the drains from the apartment development. This was felt to be the best solution. It was felt best to drain to the west because there is no provision to drain to the east. He did not see where Edgbert has any choice. Drains are considered part of the total improvement.

Councilman Edgbert said the entire project can be shut down because he does not intend to follow the engineer's recommendation. He did say he would speak with McKean about it.

NORM McLOUGHLIN - Pierce County Community Action Agency on public housing:

He asked that the council pass a resolution to institute a housing authority in the town. This housing authority would extend 5 miles beyond the town limits. A committee would be appointed by the mayor and they would make the recommendation as to administration of it. Councilwoman Bogue said she would like to have the town attorney look it over and report to the council. She also had a few questions on taxes and phrasing in the model resolution. Councilman Ekberg suggested a comment from Dr. Hruza. This question is to be put on the next agenda.

ROBERT KETNER - Shyleen Street:

The developer was again present to ask the council's opinion about building this road off center and paving to 18 feet wide. The council had asked Glen Sherwood to make a recommendation on this road. Glen recommended an off-center street with slope all in one direction, paved to 20 feet with a one-foot thickened edge on the north side, an open ditch on the south side, and a five foot shoulder on the north side with catch basins.

Councilman Ekberg, citing special circumstances, moved that we accept Glen's recommendation of a 20-foot paved width with a one-foot thickened edge. Councilwoman Bogue seconded. Carried.

SHULICH REZONE ORDINANCE - #264 - Second Reading:

Councilwoman Bogue moved that this ordinance be adopted. Councilwoman Melton seconded. Carried.

Regarding the barricade on Prentice Street, Mayor Bujacich had the barrier removed. Fred Babbitt was again present in the audience and asked for the council's concurrence with the mayor's action. This is not a hazardous street end and the council felt the action was acceptable.

Postponed were: Sewer hookup, Northshore Hills,  
Remaning of a street off Grandview, and  
The sale of furniture by the Andersons. The attorney will call them again.

DRAWING FOR COUNCIL POSITIONS:

Position #1:	Hanson
#2:	Ekberg
#3:	Melton

CASCADE AVENUE: Regarding Ron Peters letter, the mayor said the only answer to the problem is the formation of a LID. He asked that a letter be written to him to that effect by the attorney.

REPORTS:

Street & Water - Jim Hibbs would like to have all the streets signed. He estimates it would cost about \$750. The cost can be split between two years. This was acceptable.

Jim went on to say that the street department will dig out a depression caused by previous sewer excavation in front of Borgen and Johnson's.. They will fill it with crushed rock and let it settle.

Sewer Treatment - None

Police Department: Chief Tomlin said they plan another Senior Citizen Crime Prevention Seminar next Wednesday and asked permission to use the Town Hall. Granted. He went on to thank Clerk Avery for the time he spent in establishment of the Civil Service hiring list.

Building Inspector - None. Councilman Ekberg had questions for him:

What is the progress on standardization of the highway follow-up signs? Wayne will be furnished a copy of the ordinance. Councilman Ekberg also questioned the continued use of the access through the Molgard property to the Sky Realty building. He felt that they have not complied with the council's decision since they did not plant and block off the driveway. Wayne said they had placed bark dust and plants in containers over this driveway. Next day the bark was gone and Molgard said he intended to maintain a legal easement. The attorney was asked to follow up. Councilman Ekberg asked if we have received permit fees for the after-the-fact building that took place at the Bujacich dock. Wayne asked if they should be contacted in person or be sent a bill. He was advised bill with an explanation. Councilman Ekberg asked that the fee be doubled.

Engineer - Regarding the Six Year Street Plan, he said a date should be set for a hearing on the updated plan. Mayor Bujacich suggested including Peacock on the plan. Mayor Bujacich went on to read a letter from the United Peninsula Road Committee wherein they recommended a road connecting Drummond Drive with Peacock Hill Avenue and eventually with the Swade Hill Interchange. He suggested that the council authorize a letter supporting their recommendation. Okayed.

Attorney - Attorney Johnson said he had received an application from the Boundary Review Board on John Holmaas' annexation.

Councilwoman Bogue asked attorney Johnson to check on the communication from the AWC regarding the Tarabochia Shoreline Management permit hearing.

Mayor Bujacich reported that the inventory of over-water structures has been completed and a list of violators made. He feels that the attorney should write a registered letter to each violator. The council approved.

RODEO AND FAIR SIGN: The council felt that a banner could be hung for ten days only. This means the ten days up to and including the day of the rodeo. They felt the same location as that used by the church would be appropriate. The clerk was asked to call the church and inquire the size of their banner. The council felt the rodeo banner would be okay if it were no larger than the church banner.

McKENZIE PROPERTY: Councilwoman Melton reported that Mr. McKenzie will give his decision at the end of this month.

The possibility of changing the council meetings to Thursday for the summer was discussed. There are too many council members who could not make the change so the plan was discarded.

MARKOVICH SEWER STUB: There has been no further development on this.

HUBER/ANTILLA STREET REPAIRS: Mayor Bujacich was to review the recommendation. He will meet with Glen Sherwood and Attorney Johnson on Wednesday morning at 8 a.m. to go over the list item by item.

Gary Tannahill brought up the CORNELL SEWER STUB: They have delayed in hooking up to the sewer even though they bought a permit. The mayor said the process of law should be started.

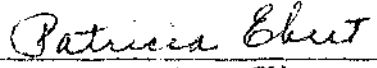
Councilman Ekberg brought up the June 7 copy of the proposed comprehensive plan. He suggested that all council members refresh their memory regarding this and plan to discuss it at the next meeting.

Councilman Ekberg suggested that a letter from the mayor be sent to the Planning Commission asking again that, regarding their written recommendations, items other than the actual recommendation be included in a separate letter.

Meeting adjourned at 10:47 p.m.

Tape 60, Side 1, 64 to End and  
Side 2, 0-16

  
Mayor

  
Asst. Clk.

SPECIAL COUNCIL MEETING - JULY 21, 1977

RESPONDING OF G.O. BONDS - 1st Reading. No action was necessary as this was only a reading.

  
Mayor

  
Asst. Clerk

REGULAR COUNCIL MEETING - JULY 25, 1977

Present were Councilwoman Bogue and Melton, Councilman Ekberg, Attorney Kelly and Clerk Avery. The meeting was called to order by Temporary Chairman Bogue and Councilwoman Melton moved that Councilman Ekberg be appointed Mayor pro tem for this meeting. Councilwoman Bogue seconded and the motion carried with Councilman Ekberg voting no. The first public hearing was then called to order.

The first public hearing of the evening, scheduled for 6:30 p.m., was officially postponed since it has not yet been completed at the Planning Commission level. The second public hearing was called to order by Mayor pro tem Ekberg.

APPLICATION OF THE COMPREHENSIVE PLAN TO AREA BEING CONSIDERED FOR ANNEXATION:

This deals with the Olympic Village area. Mayor pro tem Ekberg asked if there is any additional correspondence concerning this application of the comprehensive plan. Exhibit C was furnished and is now added showing that the remainder of Lot 34, purchased by Antonson, bears county zoning of Urban and Antonson would like it zoned in like manner under town jurisdiction.

The EIS Worksheet was submitted today on the area to be annexed. Mayor pro tem Ekberg then asked Clerk Avery to enumerate the various exhibits prepared for tonight:

- A. Property ownership by parcel number.
- B. Actual petitioners.
- C. Current use based on what is presently there.
- D. Planning Commission recommendation of proposed zoning. The commission was not aware of zoning in the area already awarded by the county.
- E. Assessed valuation by ownership: \$784,067.00
- F. Where utilities are located. The last sewer manhole is at the boundary of the veterinary

clinic.

G. Sewer Assessments.

H. Letters from various department heads, the engineer, and the attorney.

M. Financial report. Some large firms such as Sears, Food King, etc., do not have a breakdown on local income since they file joint returns with their other county outlets.

Regarding other council questions, the clerk said he did not see any immediate expansion for the police department. The drainage from the area would not affect us adversely since most goes the other way. The streets in the area are all in and in good repair. Property taxes are based on the current assessed valuation. Alcohol tax is a per capita amount and not significant. Hogan proposes a \$1.2 Million development so we would get the building permit fees and the business license fees.

Councilwoman Bogue asked what amount the treatment plant is handling now and what is its capacity? How much sewage would be generated by the proposed annexation and what would future expansion mean so far as capacity is concerned? She said her main concern was that the capacity of the treatment plant not be overloaded; otherwise the tax payers of the town might find themselves paying for enlargement of the plant. Gary Tannahill answered some of her questions. He said the plant is operating under capacity now and the pumps are running at their slowest speed. The only immediate need might be to lengthen the line in the harbor. About 1100 more people could be put on the system as it now stands. So far as costs are concerned, there would be some increase in the electric bill and added chlorine costs, as well as additional gasoline for the truck. They would maintain the same man hours. The maximum would be about \$100 a month at most.

Mayor pro tem Ekberg asked if anyone had figured the anticipated increase in revenue. Gary said he had had no time to look into that. Clerk Avery said it would be based on the square footage of the buildings involved in the shopping center. So far as the possible added cost of an additional pumping station in that area, the cost would be borne by the LID of the added area.

Mayor pro tem Ekberg then proposed that we move to the actual area of zoning since we are digressing here. The clerk again read the recommendation of the Planning Commission. This recommendation was to tie in with a zoning map but there was no map accompanying the letter. Comments in favor were:

MIKE McKEAN, attorney for the petitioners, said the city maps did not show the area of duplex use or the urban areas. The Town Planning Commission did not know of these.

Councilwoman Melton felt the Planning Commission should have a chance to make another recommendation concerning application of the comprehensive plan since they were not aware of the need for zoning the duplex and urban areas in addition to the veterinary clinic, Olympic Village shopping center and the private homes along Soundview Drive. She also felt that the two voting members present tonight were not sufficient. She moved that the process be tabled until there are at least four council members present and that Lot 34 be included in the application of the comprehensive plan recommendation. Councilwoman Bogue seconded and amended the motion that the Planning Commission present an accompanying map. Motion carried. Hearing closed.

#### ANNEXATION HEARING:

Councilwoman Melton moved that the annexation hearing be tabled until the hearing on the application of the comprehensive plan is completed. Councilwoman Bogue seconded. Carried.

The council asked that expenses in revenues in dollar figures, present and proposed, be furnished by next meeting.

The regular meeting was called to order and recessed for an advertised public hearing. This was officially postponed and the hearing was closed and the regular meeting recalled to order.

MINUTES: Councilwoman Melton moved that the minutes be approved as submitted. Seconded by Councilwoman Bogue and carried.

BILLS: Councilwoman Bogue moved that the bills be approved. Seconded by Councilwoman Melton. Carried.

#### CORRESPONDENCE:

1. Planning Commission recommendation of approval concerning Malich Shoreline Management permit. No date was set by the council as they wished to be sure he will be present.

#### SPECIAL GUESTS:

W.M. Braedt, 3903 10th St NW, was present to explain that he desires to rent a building behind Harbor Rental Center to use for his repair business. This would be a continuation of the same type of business that was previously there. The council did not understand why their approval was required so Clerk Avery explained that the building is located in an R-1 zone and the businesses therein are non-conforming. There are already two businesses there, the rental business and a dog grooming parlor. The parking situation is inadequate. The council decided that they would like the "regular" attorney to look into it. In addition, they request that the problem be clearly stated.

Don Johnson, 7106 Soundview Drive, has opened a real estate office on Harborview Drive next

to the Shell service station where the Bos'n's Locker once was. He has been issued a business license. Now he has been informed by the building inspector that the parking situation there is illegal. Wayne went on to tell the council that there are now three separate businesses in this one building although one is on the lower level. The proprietor of that business was present and he told the council that he was given 12 parking spaces by Williamson, the marina owner. The council felt, in view of this diversion of parking space, that they should look into the Gig Harbor Marina parking situation. Mr. Johnson said he felt it was unfair to require parking for an existing building--he said he feels it is virtually impossible to create space for parking for older buildings that should be under the protection of the grandfather clause. There are two, possibly three, parking spaces in the front of his building. He said he would like to remove these spaces and landscape the area to improve the look of the building. It was suggested to Mr. Johnson that he and his co-tenants get together with Wayne and work out some solution. The council would like maps drawn of the area to see just where the parking will be located and how many spaces. Mr. Johnson went on to ask if he can have a sign permit now as he hopes to open on the first of August. Mayor pro tem Ekberg felt the permit should be issued since he does have a legal business license.

Regular meeting recessed for a public hearing: A & O REZONE:

Councilwoman Bogue disqualified herself since her property adjoins the property being discussed tonight. Now there was no longer a quorum and the meeting must be continued. It will be heard again on August 8 at 8:30 p.m. Hearing closed.

The DIMANT VARIANCE hearing was cancelled at the request of the applicant.

Regular meeting reconvened.

REPORTS:

Street & Water - Jim Hibbs said a lighted crosswalk sign is needed at Harbor Heights before school opens. It should be placed near the tanks because of the new sidewalk. There was considerable discussion on where a crosswalk should be located and whether it was needed here but Jim feels it is the only logical place for it. He was asked to contact the principal about the first of August. He asked if a sign could be ordered now and the location decided later. The council authorized the ordering of one.

Jim went on to tell the council that the county wants the town to go in with them in fixing the east side of Soundview Drive. They feel the problem was partly the fault of the town because of settlement after the sewer line was installed. Glen Sherwood said the problem is a matter of erosion and no ditch below Hunt Road. It would not be accepting any liability if we help out. He feels there is merit to their position. Mayor pro tem Ekberg feels the matter should be put in writing to the town with an estimate of the cost.

Sewer Treatment - Gary Tannahill reported that the plant has been operating one man short for two weeks because Jim Landon was hurt off the job and he will probably be off another week or two.

Police Department - Chief Tomlin showed the council the material that is being sold at the Sound Record Shop in The Harbor Landing Mall. In addition to the questionable comic books the proprietors are selling material connected with grass smoking. Tomlin has checked the ordinance dealing with business licenses and there is no provision for revocation. Attorney Kelly felt they are not acting within the scope of the license. The question of obscenity is difficult. The council could enact an ordinance to limit access to this sort of thing.

Building Inspector - Wayne asked if a site plan review hearing could possibly be squeezed in for the new Thriftway Store. The fire marshal kept the plans longer than was expected and Uddenberg had no idea when the plans might be available for site plan review. In addition, Wayne said that he and the mayor attended the fire marshal's meeting and the Mayor assured Mr. Uddenberg that it could be heard at the next meeting. There are a great many hearings already scheduled for the first meeting in August so Councilwoman Bogue suggested setting a special hearing date just for the overload. The date suggested was not convenient so the council decided to schedule this meeting for the 8th also and most of the meeting will be devoted to hearings.

Attorney - No report.

Engineer - No report.

SPECIAL REPORTS: Jim Hibbs said that Mayor Bujacich asked him to find a water witcher to help locate the well. The council expressed skepticism but did ask Jim to get a price. He is to check the property where the tank is.

REFUNDING BOND ORDINANCE - 2nd Reading:

Mayor pro tem Ekberg questioned Archie McLean extensively but said he was not in favor of passage of the ordinance at this time. He felt the issue should be analyzed in a more lengthy manner. No motion was made by any council member. Councilwoman Bogue felt she was not qualified to move on it and Councilwoman Melton felt the market does not move so quickly that we need to be pressured into it although she feels the figures are accurate and well prepared. The issue died for lack of a motion.

COMPREHENSIVE PLAN:

The Planning Commission had asked for the council's comments prior to their public hearing. Since the council must hold two public hearings of their own they agreed that they are ready for the Planning Commission to proceed with theirs.

Councilwoman Melton asked why our police department maintains and answers the alarm for a bank



so far away as Tacoma Savings and Loan located in the Safeway shopping complex. Chief Tomlin said that the alarm, installed at their own expense, is connected to the nearest manned police department. The Pierce County Sheriff's deputies are often many miles away and not available in case of trouble.

MOLGARD BUILDING:

The attorney did write a letter to Molgard and Molgard has been in touch with our building inspector. Molgard expects action from the town attorney, he said. Wayne will contact Dave Johnson and pass the word along.

Planning Commission Vacancy: John Finholm's term is up and the council can submit names in writing.

Meeting adjourned at 10:10 p.m.

Tape 60, Side 2, 26 to 1088

\_\_\_\_\_  
Mayor

*Ekberg*

\_\_\_\_\_  
*Patricia Ebert*  
Asst. Clerk

TOWN COUNCIL MEETING - AUGUST 8, 1977

The first public hearing was called to order at 7 p.m. after Councilman Hanson was elected mayor pro tem for the evening upon motion of Councilwoman Bogue with second by Councilman Ekberg. Mayor Bujacich and Councilman Malich were commercial fishing and Councilwoman Melton was ill. Attorney Johnson and Assistant Clerk Ebert were also present.

PENINSULA SCHOOL DISTRICT COMPREHENSIVE PLAN APPLICATION:

No one was present from the school district. The property was located on their map as bounded by Rosedale Street and Highway 16. The Planning Commission had recommended a designation of R-1 single family residential for the area for which annexation is proposed. This would be the first consideration of the application of the comprehensive plan and the second consideration and the vote on annexation could take place consecutively at the next meeting.

Councilwoman Bogue asked Attorney Johnson if there are limitations in town size for fourth class designation. She wondered if this annexation could affect size limitation and asked Dave to check on this by next meeting.

There was no voice in opposition to the proposed application of the comprehensive plan. Councilman Ekberg moved that we designate the property R-1. Councilwoman Bogue noted that site plans are not required in an R-1 area and wondered if some dispensation could not be made at this time to require site plans. She seconded the above motion that the area be zoned R-1 with the stipulation that site plans be required on this particular parcel. Councilman Ekberg seconded the amendment and asked that this map be designated Exhibit A. Motion carried.

SCHOOL ANNEXATION HEARING: There was no one present from the school district in regard to the annexation. The pro tem mayor asked the secretary to notify the school district of the application of the comprehensive plan. The council felt the district should respond to this application in writing by next meeting because they could not legally respond without this written correspondence. This hearing is tabled to August 22 at 7:45 p.m.

The council heard an unofficial complaint from Mrs. Myhre and it is recorded on the tape.

BOOKER VARIANCE REQUEST:

Mr. Booker had started to enclose a carport when he was stopped by the building inspector and told to apply for a variance in side setback on a non-conforming building. The variance requested is a four-foot side setback. The Planning Commission had favorably recommended that this variance be granted with the provision that the outside wall be brought up to code and the height be maintained under the maximum limitation. There were no voices in favor or in opposition.

Since there were no changes other than this enclosing of the existing carport Councilman Ekberg moved that the variance be granted provided the height of the building not be changed. Councilwoman Bogue seconded. Carried. Hearing closed.

MARKOVICH SHORELINE MANAGEMENT PERMIT HEARING:

Nick Markovich, Jr., was present. He explained that he and his father wish to construct a dock on their property described as Lot 3, Block 2, Millville Addition. The Planning Commission had favorably recommended approval. There were no voices in opposition.

Mr. Markovich described what they wish to do. They wish to construct a dock to moor two commercial fishing boats belonging to his father and his uncle and some day possibly they would moor a small sailboat. The road adjoining the property would be used for access and eight to ten parking spaces would be provided on the lower part of his lot. Councilwoman Bogue said that, since the council can restrict the use of the facility, the council would specify only commercial craft and family pleasure boats. She would like Markovich to submit

a letter saying that he had discussed the proposed dock with the adjoining property owners and these adjoining owners have no objection.

Councilman Ekberg moved that, subject to the receipt of the above letter, an application be processed to allow the Markoviches a permit for a private dock limited to commercial fishing boats and/or private pleasure craft of the immediate family. Councilwoman Bogue seconded. Hearing closed and regular meeting called to order.

BILLS: Councilwoman Bogue moved that the bills be approved as submitted. Councilman Ekberg seconded. Carried.

TELEPHONE UTILITIES ANNEXATION ORDINANCE - First reading.

Regular meeting recessed and last public hearing called to order.

WEISS HEIGHT VARIANCE HEARING:

Mr. Weiss was present. He explained that he needs a variance to construct a home that would have less than 50% of the basement below grade. The height would cause no inconvenience to anyone; only the town park is affected since it is immediately across Grandview Street. The total height would be less than 22 feet. There were no voices in opposition.

Councilman Ekberg moved that we grant the variance to allow the house to be constructed with less than 50% of the basement underground. Councilwoman Bogue seconded. Carried. Hearing closed.

The A & O Rezone Hearing, the Comprehensive Street Program, the Uddenberg site plan review, and the Olympic Village comprehensive plan application could not be heard tonight as Councilman Hanson had a conflicting meeting and had to leave this meeting at 8:30 p.m. On behalf of the hearings yet to be heard the council has postponed the balance of the meeting to Wednesday, August 10, at 5:30 p.m.

AUGUST 10, 1977

The first public hearing was convened by Mayor Bujacich. Present were Councilwoman Bogue, Councilmen Ekberg and Hanson, and Assistant Clerk Ebert. Councilman Malich was commercial fishing and Councilwoman Melton was not present.

A&O REZONE:

Councilwoman Bogue disqualified herself from hearing this rezone request as her property adjoins that in question.

Mr. John Scott represented Mr. Vasilatos who had a prior meeting tonight. Mr. Scott explained that they had previously asked for 78 units, all one and two story, on 4.4 acres of land that they wish to rezone to R-3 use. They have now reduced their request to 70 units, all one story, with a maximum occupancy of about 92 people. Under single family use 91 people could reside there. He said they would create a good looking unit--not like an army barracks. It will be single story and will block no view. There was no opposition from the floor but Nellie Erickson had written opposing it on the basis of view for others on the hillside. She also corrected the location which had previously been stated as being across the street from the Gateway office. It is, in reality, much farther up the hill. She also urged single family use for the entire area. The Planning Commission had recommended against it, feeling the R-1 classification should be retained.

Councilman Ekberg said the land use itself should be looked at. R-3 was designed as a multi-family use buffer this would not be a buffer situated right in the middle of R-1 zoned land. The height could be in excess of R-1. He moved that the council deny the request for rezone. Councilman Hanson seconded for purposes of discussion but asked Mr. Scott what makes the request unique that we should rezone it to such high density? Mr. Scott answered that the size of the parcel is what they need--the recreational facilities and the needs of the handicapped require a great deal of space. The rezone to R-3 could affect all the property around it, Hanson felt. The motion was carried.

Mr. Scott asked if the council might entertain the possibility of a P.U.D. for this area. The mayor said it was possible and Mr. Scott should meet with the building inspector. The hearing was closed.

COMPREHENSIVE STREET PROGRAM:

Glen Sherwood said the plan was reviewed two meetings ago but there are now two sections and he brought a UAB supplemental and the streets in this program according to priority are:

1. Rosedale, from Stinson to west of the town limits.
2. Harborview, around Clay Hill.
3. Soundview, from Harborview to Grandview.
4. Pioneer, from Grandview to Harborview.

The costs for these various projects range from \$650,000 down to \$446,000. The city's share is 10% if they are offered funding. The town could revise the priority rating if the council chooses. The Rosedale Street priority was assigned on the basis of the high school and the possibility of sidewalks. The plan has to be adopted by resolution. Councilman Ekberg moved that Resolution #130 be adopted. Councilman Hanson seconded. Carried. Hearing closed.

UDDENBERG SITE PLAN REVIEW:

The fire marshal has approved the plans and Wayne said the plans conform to the B-2 zone. The parking spaces conform since employee parking is provided in the rear. The recommendation of the Planning Commission was favorable. Plantings were discussed and Mr. Uddenberg was agreeable to whatever was required.

Councilwoman Bogue moved that we accept the site plan as presented with the added recommendation that the area along the east side of the bowling alley, along Judson Street, along the old parking lot and eastern side of the building be planted with suitable material to include a planting of shade trees to be selected by the landscape architect. Councilman Hanson seconded. The motion was amended by Councilman Ekberg to space the shade trees no further than 50 feet apart. The amendment was seconded by Councilman Hanson. The amendment carried. The original motion was then clarified to show that the planting is only to encourage a softening effect, not complete visual blocking out. Original motion carried.

EIS WORKSHEET:

Councilman Ekberg made the statement that this worksheet was the most complete that he had ever seen. He moved that the project has no significant environmental impact and the application should be processed without further consideration of environmental impact. Councilman Hanson seconded. Carried.

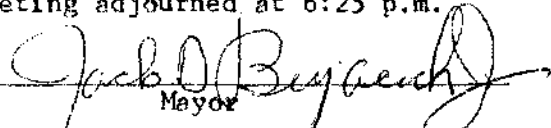
OLYMPIC VILLAGE COMPREHENSIVE PLAN APPLICATION:

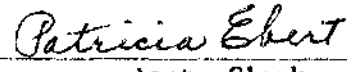
The Planning Commission had tendered an additional consideration of the application of the comprehensive plan and a map. Mayor Bujacich brought up the fact that there are still only three council members present and it had previously been agreed that no decision should be rendered without a full complement. In addition no report has been received from the planning consultant. Councilman Ekberg moved to table the hearing. Councilwoman Bogue seconded. Carried. The Planning Commission's recommendation and map will be copied for all council members.

TRAFFIC ORDINANCE AMENDMENT - First Reading.

Meeting adjourned at 6:25 p.m.

Tape #60, Side 2, 1088 to End  
#61, Side 1, 0-579

  
Mayor

  
Asst. Clerk

TOWN COUNCIL MEETING - AUGUST 22, 1977

The first public hearing, scheduled for 7:45 p.m., was called to order at 8:25 p.m. as a quorum was not available until that time. Present were Councilwoman Melton, Councilmen Ekberg and Hanson, Attorney Johnson and Clerk Avery. Mayor Bujacich and Councilman Melich were commercial fishing and Councilwoman Bogue was ill.

Councilman Hanson was appointed mayor pro tem upon motion of Councilman Ekberg with second by Councilwoman Melton. Carried.

PUBLIC HEARING - SCHOOL DISTRICT COMPREHENSIVE PLAN APPLICATION AND ANNEXATION:

Mayor pro tem Hanson recapped the action that had taken place at a previous meeting. Mr. Martin of the School District was present and accepted the land use designation. He asked the council to go ahead with the petition for annexation.

No voices were heard in favor or against. Councilman Ekberg moved that we proceed with the annexation as outlined with a predetermined zone of land use of R-1. Councilwoman Melton seconded. Motion carried. Hearing closed.

PUBLIC HEARING - DR EDWARDS VARIANCE:

Dr Tom Edwards is asking for a height variance of six feet for an office building he plans to erect on the corner of Judson and Glich. The Planning Commission had recommended favorably on this. Also in favor, Dr Edwards explained that the land slopes even more sharply than does the land on which the new Town Hall was built and thus decrees the building of a daylight basement structure. The basement would be at least 50% below grade.

There were no voices in favor or in opposition. Councilwoman Melton moved that the height variance of six feet be approved for the office building to be constructed at 3019 Judson Street. Councilman Ekberg seconded. Motion carried. Hearing closed.

PUBLIC HEARING - ANDERSON CONDITIONAL USE PERMIT:

Ross and Mattie Anderson, dba Anderco, 9116 Goodman Avenue, were present to explain their request. They have an interior decorating business, mainly furnishing condominiums, and conduct business mainly by telephone out of their home. They coordinate the business by appointment and make deliveries out of warehouses. Some, not much, of the furniture is stored on the premises. He would like to reassure the neighbors that his home is his residence and would not do anything to jeopardize it. He hopes to solve the parking and traffic problems through a right of way clearance behind his house and thereby alleviate

any complaints the neighbors might have. The Planning Commission recommendation had been favorable.

In opposition, E. E. Snyder, neighbor to the north, opposes any sort of business from the property. He feels the traffic situation has been very bad and feels the value of his own residence would be depreciated if this property could be used legally for retail sales. He said there have been from five to eight ads in the local paper each week and droves of people buying furniture, coming with trucks and hauling it away. He feels this is definitely retail sales. Ross Anderson said that 75 to 85 percent of their business is done through one of the warehouses. There has been only a small amount of sales made from their display area behind the house.

Mr. Snyder said it was cars and boats before furniture. Mrs. Snyder wonders if the conditional use permit, if it were granted, would be passed on to the next owner of the property if the Andersons moved away. She was assured that the permit is personal and does not go with the land. Wayne Goodno was asked if he feels that a conditional use permits retail sales in an R-1 zone; he answered that he did not feel that retail sales could be permitted under conditional use.

The council members present felt that the Anderson's home could be used as an office and a display space but no cash and carry-type business should be permitted. Councilman Ekberg moved that the town grant a conditional use permit for six months to permit the Andersons to maintain an office but to conduct no retail sales at that location. Councilwoman Melton seconded and said that the ads in the paper should reflect no retail sales to the general public from the residential property--only the warehouses. Councilman Ekberg felt the display space could be maintained on the property. Motion carried. Mayor pro tem Hanson asked the clerk to set up a tickler to remind the council of the end of the six month period. Hearing closed and regular meeting called to order.

BILLS: Approved upon motion of Councilman Ekberg with second by Councilwoman Melton. Carried.

MINUTES: The minutes stood approved as posted.

#### CORRESPONDENCE:

1. Planning Commission letter in reference to their public hearing on the comprehensive plan. A second letter conveyed the map to accompany the plan.
2. Old School Mates Association expressed their appreciation of the town park. They commented that the park is exceedingly well maintained and very much appreciated.

#### SPECIAL GUESTS:

Drew Wingard, Pierce County Fire District #5 fire chief, introduced Archie Matthews, a commissioner of the fire department. He explained that the department plans to submit a bond issue to enable them to build the new fire facility on Kimball Drive. They ask that the town submit a bond issue of \$71,650 for this facility. This would mean only 34 cents per thousand of valuation. In order to get on the November ballot it must be submitted around the middle of September. Councilman Ekberg asked that the proposal be put in writing and Drew was asked to work with Attorney Johnson. Mayor pro tem Hanson questioned the short notice. Drew said it was decided at the last commissioners' meeting which took place just a week and a half ago.

JOSE MARTINEZ of the El Rey Restaurant asked the council's approval to erect a sign for his restaurant. He said there is no sign directing people to the Peninsula Shopping Center. His request would mean an off-premises sign. Mr. Martinez would like to erect it near the town limits at the top of the hill. Councilman Hanson asked that Wayne and Attorney Johnson look at this for a method of dealing with the problem.

NORMAN McLOUGHLIN, with Senior Citizens Housing Program, was here again regarding a resolution for adoption of a housing authority for the town. He gave Attorney Johnson a copy of the resolution last meeting. Councilman Hanson felt that the Town has not determined a need for a housing authority. Mr. McLoughlin said he had previously distributed a packet of information based on census records for the council's information.

On behalf of McLoughlin, Peri Moore of County Outreach, cited the need for housing on behalf of the senior citizens with limited income being displaced by rising taxes.

Councilman Hanson said that he, personally, had not had time to study this himself and Councilwoman Melton said she had not been present when this was discussed at previous meetings. She moved that the issue be tabled until all the council had a chance to review it. Councilman Ekberg seconded and asked that copies of this resolution be distributed to the council for preview. Motion carried.

#### REPORTS:

Street and Water - Jim Hibbs had a five part report:

1. the north tank booster system is complete. Gary Tannahill set up the control station and did an outstanding job. His labor saved the town between five and six thousand dollars.
2. Regarding the Harbor Heights School crosswalk, Jim said he had ordered the lighted sign. He took Gary Williamson to look at the location and Councilwomen Bogue and Glen Sherwood also looked it over, and they all felt the best place is just a bit below the tanks. This would

provide the best unobstructed view for the school children. He needs council approval because this location requires that the sidewalk be extended about 150 feet. This would cost between five hundred and one thousand dollars. He was given approval.

3. Since the booster system has been improved on Peacock Hill it leaves just two homes with inadequate water pressure. He proposes to tie this line in with the north tank line and this would not only give the required minimum of 20 pounds but would give ample fire protection. The cost would be \$1300 plus a hydrant. The council felt that approval for just two homes would be unrealistic but if the entire block would benefit it would be a different matter. Councilman Ekberg said that it is understood that the council approves it with the understanding that we are bringing a certain adverse condition up to standard.

4. Jim told the council that he ordered sign blanks for \$100. With them the town will make their own street signs at a total cost of only \$250.

5. Jim said he had found a water witcher who will do the job for \$50. He asked the council's approval to hire him. Glen Sherwood was asked his opinion. He thinks it should be done. The ground water geologist wrote reports that said he thinks there is water at certain sites--the witcher would point out the specific spot to drill. Glen said that even 13 feet one way or another can make a difference in the water you find. Councilwoman Melton moved that we approve the hiring of the witcher. Councilman Ekberg seconded for discussion purposes. The vote was taken: Councilwoman Melton, yes; Councilman Ekberg, nay. Mayor pro tem Hanson broke the tie by voting in favor. Motion carried.

Police Department - Chief Tomlin said one of his officers is at two-week summer camp so there will be some overtime coming up soon. In addition, there will be a basic academy offered in September and he would like to send each one of his patrolmen on a rotating basis. The officers would either work overtime to cover for the missing man or he would have to hire someone extra. Clerk Avery pointed out that there are two officers coming off probation that must either be hired by the town or let go. Chief Tomlin was asked to get together with Mayor Bujacich regarding this.

Fewer Treatment - No report.

Building Inspector - No report. Mayor pro tem Hanson asked if the building next door is in compliance with the site plan that was approved. Wayne answered yes. Councilman Ekberg asked that this building and the Molgard building be allowed no occupancy until the site plan has been met.

Attorney - Dave Johnson reported that the Molgard suit has been instituted.

Engineer - Glen asked Councilwoman Melton what she had found out about the McKenzie property. She answered that she has not been able to find him at home.

Glen went on to report on the improvements to Shyleen Street. He had been asked to go over this plan and make recommendations. Glen said that Kors did work up a plan and he went on to explain that the development includes six lots--three on each side of Shyleen Street. The fourth lot is owned by Ketner also but the street improvements were terminated on the third lot. Ketner intends to sell only six lots now and not Lot 4 on the north side. He asked if it was the "intent" of the council to see that the full length to the end of Lot 4 be paved? The council did not want a segment to remain unimproved but they were unsure of how to require it in the future. They asked Glen to inform Kors of their intent and they asked Clerk Avery to check the minutes in this regard.

TELEPHONE UTILITIES ANNEXATION ORDINANCE #265 - Second Reading - The ordinance was adopted upon motion of Councilman Ekberg with second by Councilwoman Melton. Carried.

TRAFFIC ORDINANCE AMENDMENT - Postponed at the request of the town attorney.

PLANNING COMMISSION APPOINTMENT - Tabled until more council members are present.

OCCUPANCY OF GIG HARBOR MARINA BUILDINGS: This was brought up at a previous meeting. Wayne told how one business license was issued for a building then two more businesses applied for permits for the same building. There is very little parking available for any of these businesses. The council felt that variances could be applied for.

LID REQUEST ON WOODWORTH: Tabled for lack of signatures. It will be sent to Glen Sherwood when sufficient signatures are obtained.

DSHS WATER CONSTRUCTION GRANT:

The State offered the town a grant of \$108,465.00 for water construction but the town must comply with certain stipulations. Out of town customers must be allowed to connect to the system and the town must furnish a plan for it. The offer must be accepted by Sept. 1.

Glen said we would really have about a year to prepare the plan for submission so he didn't really see a big problem. Attorney Johnson saw no problem either, accepting on a contingency basis. Councilman Ekberg moved that we go along with the suggestion of Attorney Johnson to accept the grant with the stipulation that conditions 'P' and 'Q' in the letter be clarified and agreed to by the council. Councilwoman Melton seconded. Carried. Clerk Avery will clarify conditions 'P' and 'Q' and will contact the council for their approval prior to writing to DSHS.

SHORE ACRES WATER HOOKUPS:

The Shore Acres Water Company had asked permission to allow the hookup of three duplexes. Jim Hibbs agreed that it would not burden the system. Councilman Ekberg moved that we authorize the hookup of the three buildings. Councilwoman Melton seconded. Carried.

Councilwoman Melton brought up Mayor Bujacich's letter regarding the possibility that Tacoma might supply the Purdy Treatment Center with water piped over the Narrows Bridge. He advocated that the town write and ask if it would be possible to buy bulk water for the town thereby eliminating the need for a new high level system. The request was okayed and Clerk Avery was asked to write the letter.

COMPREHENSIVE PLAN HEARING: The date was set for September 26 at 7:30 p.m. The council would like a copy of the map mentioned in the letter from the Planning Commission. They would also like verification of this map.

Clerk Avery was asked to set the date for renewal of the conditional use permit for the Kinner residence.

Councilman Ekberg asked that Wayne remove the temporary follow-up signs belonging to the Sherline Restaurant and deliver them to the business in question along with a copy of the ordinance.

It was asked if it would be possible for the party desiring follow-up signs to contact the town and then the town could install them as well as supplying them. This would assure that they are placed properly and are of the proper type. Attorney Johnson will look into this.

Regarding the repairs to be made by Huber/Antilla on Harborview Drive, they should be given a deadline.

MARKOVICH SEWER HOOKUP: Glen said he believed that the town had written Markovich a letter and he in turn wrote back giving a lot of stipulations. Councilman Ekberg said he wants something done and asked that the record be checked and reported on at the next meeting.

Meeting adjourned at 11 p.m.

Tape 61, Side 1, 597 to End and  
Side 2, 0-307

Mayor

*Patricia Ebert*  
Asst. Clerk

SEPTEMBER 12, 1977

No meeting was held this evening because it lacked a quorum.

SEPTEMBER 26, 1977

The first public hearing was called to order by Mayor Bujacich at 7:09 p.m. Present also were Councilwomen Melton, Councilmen Ekberg, Hanson and Malich, Attorney Don Kelley. Clerk Avery was attending a meeting in Spokane, Attorney Johnson was on vacation and Councilwoman Bogue was ill.

MALICH SHORELINE MANAGEMENT PERMIT HEARING: Councilman Malich stepped down as he is the principal in this hearing. This hearing was postponed from an earlier date as the previous meeting lacked a quorum.

The favorable recommendation of the Planning Commission was read as well as a letter from Attorney George Dixon representing Mike Castelen. Mr. Castelen objected on the basis of the possibility of encroachment on his own property.

Councilman Hanson attempted to disqualify himself on the basis of a family tie. It was agreed that a quorum would no longer be present if he left the table and he was advised to remain ~~for~~ the discussion but abstain from the vote as well as discussion.

Mayor Bujacich asked for comments from those in favor and JOHN FAGLIA, attorney for Kenneth Malich, gave a resume of the situation. He stated that his client's netched and dock is within the ordinances of the Town of Gig Harbor and, according to the Shoreline Management Plan, preference should be given to those with a fishing-industry-related project. Mrs. Ivanovich to the south has no objection as long as the improvements are within the 50 feet of the Malich waterfront. There is upland on Novak Street so there is some parking facility.

SCOTT HARRINGTON, who lives two lots south, said he is favor. He stated that there is a lack of moorage in the area and he feels that any and all planning for docks should be approved.

There were no voices in opposition.

Mr. Feglic was asked how many fishing boats would be moored here. He felt there would be a maximum of eight. Malich said there are 3 gillnetters and 2 skiffs now that use the dock. Mr. Feglic was asked to review the parking situation for Councilwoman Melton. It was decided that even though he lacks sufficient parking space on the property itself, the SMP does not decree that parking space must be located on the same lot. Therefore, his father's property on Harborview Drive could provide the additional needed space.



Councilman Ekberg moved that we accept the proposed project as submitted by Mr. Kenneth recognizing:

1. The unique situation as outlined by the Planning Commission in their letter of July 25,
2. Limiting the maximum moorage to the facility to no greater than eight vessels and limiting the vessels to that of commercial fishing use, and,
3. Limiting the fact that the number of vessels moored there must equal one parking space per vessel as outlined by the SMP either on the immediate property or on an adjacent property and that proper written proof of this be approved by the attorney.

Councilwoman Melton seconded. Motion carried with Councilmen Hanson abstaining. Hearing closed.

NORTHVIEW SUBDIVISION:

The Planning Commission had recommended denial of the plat as the interior lots are narrower than the subdivision ordinance allows.

In favor, JIM KORS, representing Vanderstey and Davis, asked that the council reconsider the recommended denial of the Planning Commission. He reviewed the plan for the council. He said that their recommendation was unfair because the subdivision ordinance is the only place that decrees 80 foot lots--not the short plat ordinance or the zoning ordinance or anywhere else does it insist that lots must be a minimum of eighty feet wide. He feels there is discrimination in this regard. They would lose three lots if they are forced to stick with the 80 foot width.

There were no voices in opposition from the audience, but Glen Sherwood had commented that the interior road is only 50 feet as shown on the drawing but a 60 foot road is required.

regarding

Councilmen Ekberg moved that/the Planning Commission letter of 18 August, citing the non-compliance with the ordinance, and also the fact that the interior road does not meet the requirements of the ordinance, we deny the Northview Subdivision. Councilman Malich seconded. Councilman Hanson questioned the procedure here--what would be the next step for the developers? It was agreed that if it is turned down a year must ensue before reconsideration. Motion carried with Councilman Hanson abstaining. Hearing closed.

The Comprehensive Land Use Plan was to be considered here but was postponed.

PENINSULA GATEWAY SITE PLAN:

The Fire Marshal's letter to Wayne Goodno and the favorable recommendation of the Planning Commission were read by the Mayor.

In favor, Mr. Platt of the Gateway was present. All the basic requirements have been met. The property is bi-zoned, he said, but lies adjacent to an apartment house and a clinic. Planting was discussed as well as the fact that there is ample parking. Councilman Hanson wished to know if all fire requirements are met. The answer was yes and Councilman Hanson moved that the site plan as submitted and dated August 18, 1977, with plan marked Exhibit A, be approved. Councilwoman Melton seconded. Councilman Ekberg moved to amend the motion to mark on Exhibit A where the trees are to be planted. Amendment seconded and carried. Original motion carried. Hearing closed.

DAVID TURNER VARIANCE:

The Turners request a variance, identical with that given to their neighbor William Weiss. Their situation is identical with that next door. The ground is considerably below the street and very wet. Thus, they request a basement less than 50% below grade. The Planning Commission had recommended favorably. The overall height mentioned was 22 feet.

Mr. Turner said his house would be lower than that of the Weiss's and he would block no view as only the park is across the street. Councilman Hanson asked Wayne Goodno how many more lots there are in this area that this situation might apply to. Goodno said this is the only one. Again, the overall height was discussed. Mr. Turner said he had better say 23 feet overall since the house is a few inches over 22. Councilman Ekberg moved that the request by Mr. Turner for a variance from the 50% requirement of the basement being below ground level be granted citing the unique situation of the property and the variance granted to the neighbor. The overall height of the house is not to exceed 23 feet. Motion carried. Hearing closed.

ISLAND VIEW SUBDIVISION - FINAL PLAT:

The favorable recommendation of the Planning Commission was read. This letter explains that screening will be installed as per the preliminary plat at such time as the building is complete.

MR ROBERT SHORT, developer, 7510 89th Ave SW, Tacoma, said he would like to correct an earlier understanding. The houses in this subdivision will not be prefabs but will run in the range of \$58,000 to \$75,000 instead of the lower range previously stated.

There were no voices in opposition to the acceptance of this final plat.

Screening and greenbelting were the main items discussed by the council. It was asked when

the developer plans to do the planting and whose obligation it will be to maintain it. Mr. Short said this goes with the property as a restrictive covenant. Councilman Ekberg asked if all the technical requirements have been met. The engineer answered that they have been. Councilman Ekberg moved that the council approve the final plat of Islandview East with the understanding that screening on the northwest and south sides is understood to be fir, hemlock and cedar trees reaching normal heights. Councilman Hanson seconded. Councilman Hanson seconded. Motion carried and plat accepted. Hearing closed.

#### EDWARDS SITE PLAN:

The recommendation of the Planning Commission was read by Mayor Bujacich. They had recommended favorably, feeling that the building would be an asset to the town.

Plans and pictures were presented by Dr. Edwards for his office building. Parking has been provided for ten cars. There were no voices in opposition to the plan but the council's main concern was that the sidewalk be continued along Judson Street. Councilman Hanson moved that the site plan, dated August 2, 1977, and as submitted, be approved with the understanding that a sidewalk in Judson be provided as required pursuant to town specifications. Councilman Malich seconded. Carried. Hearing closed.

#### OLYMPIC VILLAGE COMPREHENSIVE PLAN APPLICATION AND ANNEXATION HEARING:

Reports of Dr. Hruza were reviewed and letters of recommendation, dated July 11 and August 5 from the Planning Commission, were read.

In favor, MIKE McKEAN, 4011 10th NW, Gig Harbor, attorney for the petitioner's thirty-one acres located just outside the town limits, summarized the arguments on both sides. The land use was considered first. McKean explained that the Olympic Village shopping complex would be zoned B-2 and the zoning categories become less and less intense as they move toward the town. He explained that the existing duplexes are permitted in an R-1 zone if that zone abuts on a non-residential zone. They do abut--on an RB-1 zone. Our planner found the suggested zoning agreeable and the petitioners also agreed.

There were no voices in opposition to the recommended land use. Councilman Ekberg moved that the land use designations for the proposed area of annexation as outlined in Dr. Hruza's letter be accepted as drawn. Councilwoman Melton seconded.

Councilman Hanson questioned the fact that two years ago the council established a buffer zone around Olympic Village. Yes, the Mayor said, it was asked that a 40-foot buffer be set aside. Councilman Hanson said he would like to include this 40 foot buffer in the adoption of the comprehensive plan for this area. He proposed a 40 foot barrier of evergreens, planted no farther than 20 feet apart. Councilman Hanson then moved that the comprehensive plan be amended so the area designated as Olympic Village have a 40 foot greenbelt area around it to be planted with evergreen type trees to give a visual screening from the outside of the shopping center and the trees to be planted no farther than 20 feet apart. Councilman Ekberg seconded.

There was further discussion, with Councilwoman Melton asking if this had been discussed with Mr. Hogan. McKean said that the most land that could be devoted to buffer would be fifteen feet--beyond that Mr. Hogan would withdraw.

Councilwoman Melton amended Councilman Hanson's amendment to make the buffer a maximum greenbelt of fifteen feet. Councilman Malich seconded. It is agreed that the greenbelt can be used in the overall square footage required for construction. The amendment to the amendment carried. The original motion carried. Councilman Hanson clarified the action. The council approves the comprehensive plan application as in the letter to Clerk Avery as amended by Councilman Hanson and Councilwoman Melton.

The annexation question was then taken up. McKean mentioned the pros and cons of this issue. He said that Shore Acres is concerned about the water situation--serving town customers from the Shore Acres lines. The Shore Acres residents feel this is the first step in bringing their area into the town limits. On the plus side McKean told of the revenues to be expected from the area. Other voices heard were:

MIKE SCANNELL, 7421 Rosedale St NW, who owns six and one-half acres north of the shopping center. He said that he was in favor of the annexation. The various services--sewer and police protection--are needed.

In opposition: KAZ KIMURA, 2912 61st St Ct NW, an officer of the Shore Acres Water System, spoke for GLADYS KNUTSON, owner of Lot 35. He said she has never been personally informed of the impending annexation proceedings. She is very seldom gone from her home and would have been there if anyone had attempted to contact her. He went on to say that sewer service is not possible except for about three or four residences on the east side of Soundview. All the other residences are below the sewerline and a substation would be necessary to serve these homes with an ensuing capital outlay. He felt that the procedure of informing property owners was not well carried out.

It was mentioned that there were six additional names on the petition at the outset but these people later backed out. McKean said the original petition went to people on top of the hill and then he went down Wickersham; he had phone conversations with these people, they indicated yes, and then later these people changed their minds. Councilman Hanson asked if an attempt

was made to notify all the people. Mr. McKean said that Mrs. Knutsen was the only one not notified. It was agreed that the law has been followed.

Councilman Hanson said he wished to say that the reports prepared by the department heads and Dr. Bruza and others are very informative and well done making it easier to deal with a situation like this. Councilman Ekberg added that he too found the reports very well done and informative and the petition well done and compliment to the petitioners themselves. This particular application was done much more thoroughly so that the council could assess the situation much better and proceed more fairly.

Councilman Ekberg moved that the annexation be accepted and passed and that the town put all its departments behind the drive toward the approval of the Boundary Review Board, pointing out this particular annexation's many benefits to the town and our ability to handle the services to this area stressed. We should assist the petitioners in whatever manner we can with our planning consultant and our legal department. Councilman Malich seconded. Motion carried. The mayor said it was unclear if there had to be a second reading. If this is only first reading of two the final passage will take place at the next regular meeting. Hearing closed.

The regular meeting was called to order at 10 p.m.  
MINUTES: As there were no corrections or additions the minutes stood approved as posted.  
BILLS: Postponed until later in the evening.

**CORRESPONDENCE:**

- 1. Mr. and Mrs. Warren Crum wrote to complain of the dangerous school crossing at the top of Pioneer.d They would like to have a traffic monitor there.
- 2. The Historical Society wrote to apprise the town that the lower floor of the town hall is presenting a great deal of moisture which needs a solution. The architect and George Borgen will be consulted.
- 3. Ron Peters presented a petition for LID on Cascade Avenue. Sherwood will prepare it for a resolution.

**SPECIAL GUESTS:**

DAVE STANTON requests water service to two lots on Harborview Drive where there is no water line. He asked if he could put a line across private property from Burnham Drive. Jim Hibbs said the water line goes as far as the Kappus residence and this could be extended.

It was suggested that Stanton be allowed a temporary hookup. The attorney was asked to write a letter and draw up an agreement.

JIM CARLSON of HCE Engineers was here for School District #401. He wished to discuss the sanitary sewer and water extension to the new high school. He must prepare the plans because it goes to bid on October 3. Glen Sherwood, Jim Hibbs and Gary Tannahill had already looked the situation over and said they were prepared to discuss this tonight. Glen said the only question is where the service lines are terminating--whatever is acceptable to the town. The southeast corner of the property is where they plan to terminate the lines and the question is whether the utilities must be taken to the middle of their property. Glen went on to tell that the school plans to install pumps that will give them 150 gallons a minute. It will cause no service loss on Rosedale. Future connections to this line were discussed and it was agreed that the district could have a contract that would allow them to recover a portion of their cost. Glen was asked if he concurs with the plan. He answered yes, but with two stipulations:

- 1. If either the water or sewer line needs extending they share the cost.
- 2. They agree to a late-comer charge or reimbursement to any that hook on to the line.

Councilman Ekberg moved that the town accept Glen's plan as stated with the two stipulations. Councilman Hanson seconded. Motion carried.

**FIRE DISTRICT BOND ISSUE:**

Drew Wingard was present to answer questions concerning this proposal. Councilman Hanson said he had met with him and thinks the bond issue is in the town's best interest. He moved that the town adopt Resolution #131 agreeing to submit for a bond issue a share in the cost of the fire station and that amount is not to exceed \$72,000. Councilman Ekberg seconded.

There were questions. Councilman Malich asked what if the district rejected the issue and the town accepted it. Would the fire district still collect from the town? Drew answered that it would be dropped at this time and resubmitted at a later date. Mayor Bujacich wondered what if the county votes for it and the town rejects it. If the issue passed in the county the district could construct the station and the town would still be assessed. Mayor Bujacich was very concerned because it could cost the town a great deal. He would like a contractual agreement. Drew answered him that the state auditor will not permit a contract any more because it was not acted upon by either party. When the question was put the motion was carried.

Councilwoman Melton was excused from the meeting at this point. It was now 11:10 p.m.

**KINNER CONDITIONAL USE PERMIT RENEWAL:**

In favor were Don Kinner and Peter Stanley. They brought up that the appearance of the building has been upgraded by painting and asphaltting. Landscaping will be done in the near future. Perhaps the council could grant the permit to the individual instead of the business in hopes this would prevent the growth of more businesses in the same area.

Councilman Ekberg said his only concern was that this is a residentially zoned property, but that perhaps granting the permit to the individual would alleviate the problem. He moved that the conditional use permit be renewed for another year and tied to Don Kinner and not the business. Councilman Hanson seconded. Carried.

CRESCENT VALLEY WATER SERVICE LINE:

The clerk requires a certified copy of the council's approval for the Boundary Review Board. Councilman Ekberg moved that the council approve the Crescent Valley Water Service Line. Councilman Hanson seconded. Carried.

PLANNING COMMISSION APPOINTMENT:

Mayor Bujacich asked Attorney Kelley if a temporary appointment could be made until it was decided who the new mayor would be. The attorney said he felt it was possible. The mayor said he will attempt to make an appointment of a temporary nature to either John Finholm or to another party, Carole Chalk.

WATER SYSTEM CONSTRUCTION:

Mr. Waite Dalrymple of Paramatrix warned the council that they might lose the loan for engineering for the water system. October 1 had been set as a deadline for completion of the engineering of the project. The SDHS needs a letter with deadlines indicated to reinstate the loan portion.

The town has been unable to decide on a well site, consequently the project could not be designed until the site was chosen. We need a well site as soon as possible, in addition to comprising a letter to SDHS asking for an extension. The ground water geologists have indicated that they believe there is water at both sites. Hibbs said that a site man consultant is to be available in a week and a half. The mayor said this was not soon enough. Jim agreed to try to get someone right away.

BILLS: The bills were approved as submitted upon motion of Councilman Hanson with second by Councilman Ekberg. Motion carried.

REPORTS:

Street and Water - Jim asked permission to purchase an acetylene torch from Tennahill for \$800. Jim says it is a good price and he needs it for the shop. The approval was given.

Regarding the light on the hill, Jim is still waiting for contact.

Councilman Ekberg asked Jim about the problem on Pioneer. Will they replace the gravel? Jim answered yes.

Sewer Treatment Plant - No report.

Building Inspector - Wayne Goodno said the School District wishes to go to bid the first of the month. He asked if the council would look over the site plan. Consideration was given to the traffic pattern on Rosedale. Councilman Ekberg was concerned with left turn lanes. No action was taken.

Wayne then brought up a proposed residence on Soundview. The owner would like to construct a home with a less-than-50%-below-grade basement; otherwise he could not hook up to the sewer. He was told to tell the owner to apply for a variance.

Wayne asked the council how they feel about the Coast to Coast sign. The business has changed hands and the new owners asked if they can take down the old sign and put up a new one which would be lower. Since the regular town attorney was not present it was decided to postpone the question until it can be researched.

Attorney: The attorney told the council that the Doel apartment complex developers would like to provide their own water. It was felt that their plans were very incomplete. No action was taken.

Regarding the mini-storage site plan, the owner wishes to add more buildings to the complex. It was felt that this encroaches on the original site plan. The council felt that Mr. Hildebrand should bring in a new proposal showing the entire area.

The attorney announced that the hearing of Tarabochia vs the Town of Gig Harbor will be held on June 7, 1978, at 9:30 a.m. with Judge Morrison presiding.

Engineer - Glen Sherwood reported that the Urban Arterial Board has awarded the town sixth place on their tentative grant schedule. This concerns resurfacing of Harborview Drive.

Glen recapped the time schedule laid out for the water system improvement design. He presumes that the council agrees that he proceeds with all due speed.

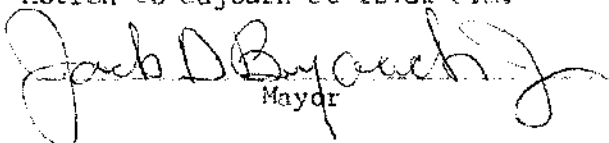
Councilman Hanson asked Glen if the high school on Rosedale meets all fire requirements. Glen said yes, as far as he knows.

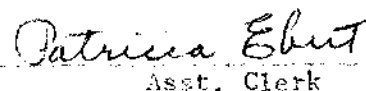
Councilman Hanson asked Glen the status of the Markovich sewer stub. Glen said it is now going to litigation.

Councilman Hanson questioned the position of the driveway bulldozed on the Darrell Erickson property on Mountainview Place. It was felt that it infringes on a neighbor's property. Councilman Hanson asked Glen to submit recommendations to the owner to move the driveway.

Motion to adjourn at 12:32 a.m.

Tape 62, S.1, 0-End & S.2, 0-523

  
Mayor

  
Asst. Clerk

TOWN COUNCIL MEETING - OCTOBER 10, 1977

The first public hearing was called to order at 7:30 p.m. by Mayor Bujacich. Present were Councilwomen Bogue and Melton, Councilmen Ekberg, Hanson and Malich, Attorney Johnson and Clerk Avery.

CELLAR RESTAURANT SIGN VARIANCE:

The Cellar Restaurant requests permission to erect a sign seven feet tall extending out 17" from the side of the building. Mr. Robert Drohan, owner of the business, explained that it would be made of extruded aluminum, painted a dark color, and incorporated with the sign would be a handrail extending along the edge of the dropoff to block off a dangerous situation. There were no voices in opposition to the proposed variance.

The Planning Commission had recommended favorably that the variance be granted. Councilwoman Bogue moved that the request from the Cellar Restaurant for a variance for a sign 7 feet tall and 17" wide, as described in Exhibit A, be approved. Councilman Malich seconded. Carried. Hearing closed.

CORNELL HEIGHT VARIANCE HEARING:

The favorable recommendation of the Planning Commission was read and the meeting was opened for discussion.

DR JOHN CORNELL was present. He had brought plans and he showed that he wishes to construct a wing on his office building at Stinson and Grandview. The roof line of the addition would be higher than the existing building by about 8 feet. The addition would be a two-story building but Dr. Cornell said he needs so many square feet (about 2500) that he could not possibly meet the setbacks unless he gets the additional height variance. There would be plenty of parking.

Councilman Ekberg moved that, for purposes of discussion, the variance of 8 feet 6" be approved. Councilman Malich seconded, feeling that it cannot possibly obstruct any view since the property is situated over the crest of the hill and this is the main reason for height restriction. Councilwoman Melton felt that it would allow more open space and she was in favor of it on this basis. Councilwoman Bogue would like to see green belting and she would go for the additional height for this reason. There were no voices in opposition. Motion carried. Hearing closed.

The regular meeting was called to order at 8 p.m.

BILLS: The bills were approved upon motion of Councilman Ekberg with second by Councilman Malich. Carried.

MINUTES: The minutes were corrected by Councilman Hanson concerning the Malich Shoreline Management hearing. He said he was advised to abstain from DISCUSSION as well as voting. Also, on page 4, Olympic Village hearing, paragraph 3, that a part of the motion was to include in the file and pursuant to the motion, was that all the information that was submitted the support documentation in regards to the annexation question, was to be made a part of that recommendation. Councilman Malich wished the gender corrected on the first page, last paragraph. This was a mistake in the name and should read Councilwoman MELTON. Otherwise the minutes stood approved as posted.

CORRESPONDENCE: None

SPECIAL GUESTS: None

REPORTS:

Street and Water - To later on.

Sewer Treatment - None

Building Inspector - None. Councilwoman Bogue asked Wayne to check into the proliferation of signs on the Myers Professional Building. Also, she asked if the Fircrest Realty sign (at the Cornell Building) is over legal height.

Police Department - Chief Tomlin said that the end of the warranty period is approaching on the Pontiac. He asked permission to remove the converter (muffler system) on the LeMans. Other law enforcement agencies have removed theirs and he asked permission to legally remove this one. Councilman Ekberg moved that we do not remove it as it is an emission control device. Councilwoman Melton seconded. Carried 4 to 1 with Malich voting no.

Attorney - Regarding the fire station resolution, this is the first reading of an ordinance instead of resolution. Mayor Bujacich said we should have a resolution to adopt the LID on Cascade. Glen Sherwood said he is still working on it.

Attorney Johnson said that all the letters went out on the violations of the SMA. Clerk Avery said most have responded and he asked if they will be taken individually or en masse. Several violators claim their applications predate the SM Act. It was felt that each should be researched and taken individually. They could be listed and looked at further. The clerk will put together a research project by next meeting.

Street & Water - Jim said that Moe Batra of BSHS was here today and it looks like he will approve the well site choice.

Regarding the light on Pioneer - he should have something in about two days.

Jim went on to tell the council of an old water line on Shyleen Street that should be replaced. The work should be done now before the street is paved and he asked if he can replace it with plastic. Approved.

Jim said that part of Woodworth Avenue caved in today. The sewer line had settled below the grade and it must be dug and more material put in.

Councilman Ekberg asked again about the work mentioned at the last meeting--the corner of Stinson and Grandview. He asked when the stop bars and the post will be put in. He was answered by Jim that the work will be done.

Engineer - Glen said he did not check out the LID yet. This will be done next week. Regarding the well site at the top of Soundview, the people have indicated that there is water at this site so they propose to get a bid call for well drilling and they need releases from the adjoining property owners that they intend to do nothing to contaminate the site. He will proceed with specifications with the council's approval. Councilman Hanson asked Glen if the choice of this site means that the budgeted \$8800 for well site acquisition is eliminated. Glen answered yes and we will net out about \$17,000 on the total since we eliminate the booster pump and pump house.

Dock Site - Glen said he will come back to the council about this after he has consulted with his Vancouver Office.

The EIS will be looked into since there is a change in the site.

FIRE DEPARTMENT BOND: Councilman Hanson wondered if it can be coordinated with the Fire District regarding the expense on the bond issue. Mayor Bujacich said he would like to read the ordinance and would like Jim and Don to get their plans by our next meeting.

Councilman Ekberg said he had written a memo to the members of the council regarding their attendance at council meetings. He asked that the clerk be notified by noon on council meeting days if a member cannot attend that night. That way the clerk could notify the principals if no meeting will take place.

Councilman Hanson said he will not be present next meeting.

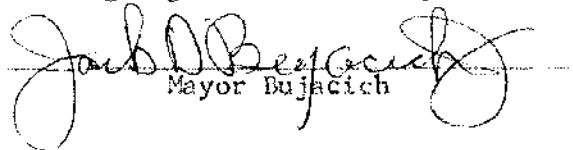
BUILDING PERMIT UPDATE: First reading last meeting.

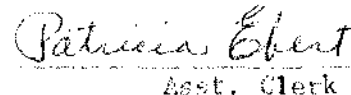
LEE CHARGES: A recommendation was submitted by Clerk Avery regarding a possible updating of fees. The council would like time to consider the proposal.

Clerk Avery said he had written a letter to the County Commissioners regarding the Burnham Line some time ago. They have never signed the contract. Hagestad asked for relief from the six-month stipulations; they agreed they would sign the contract now and pay upon connection to the system. They also asked that the insurance clause be deleted from the contract. The council would like the matter postponed to the next meeting and Councilman Ekberg will check on the possible deletion of the insurance clause.

Meeting adjourned at 8:50 p.m.

Page 62, Side 2, 623 to End.

  
Mayor Bujacich

  
Asst. Clerk

OCTOBER 24, 1977

The meeting was called to order at 8 p.m. by Mayor Bujacich. Present were Councilwoman Bogue, Councilmen Ekberg and Malich, Attorney Johnson and Clerk Avery. Councilwoman Melton and Councilman Hanson were not present.

The bills were approved upon motion of Councilman Ekberg with second by Councilwoman Bogue. Carried.

As there were no corrections or additions the minutes stood approved as posted.

CORRESPONDENCE:

1. Copy of the Planning Commission's letter of appreciation to John Finholm for his twelve years of service. Mayor Bujacich added that he feels that John has done an outstanding job being one of the original members of the commission. He will write to him also.

SPECIAL GUESTS: None

REPORTS:

Street and Water - No report. Councilman Ekberg asked Jim the status of the stop bars and posts at the top of Stinson. Jim answered that he had no time to take care of this now and he could not paint in this weather.

Sewer Treatment - None. Mayor Bujacich asked the status of the S. Harborview Drive street repair that was the responsibility of Huber and Antilla. Attorney Johnson said they have been sued but Mayor Bujacich felt that the town should start laying plastic pipe now to save the road. The bill can be sent to Huber and Antilla and they will have to pay but it is most important that we keep accurate records of all our hours, material and equipment used.

Police Department - No report. Councilman Malich asked the chief the status of the load limit signs. The chief answered that they will be up by December first.

Building Inspector - No report.

Attorney - In regard to the assessment notice on the water tank property, he thinks the issue is resolved. A discussion followed of the sewer assessment in Harbor Heights Park and the quit



claim deed on Crescent Valley Park. The clerk will call on this tomorrow.

Engineer - Concerning the BSHS approval of the tank site, it was verbally approved and we were given forms, restrictive covenants for the adjacent property owners to fill out. Now we have received the signed restrictive covenant from Hildebrand and the others--from Kjellesvik and City of Tacoma--are presently expected. We cannot advertise for bids until the above covenants are signed. Glen said he hopes we can advertise the opening of the bids for Nov. the tenth.

Glen went on to say that he has reviewed the Cascade Avenue LID petition. He did not verify the signatures but if they are all okay they do represent 75% in favor. The estimated cost of \$13,397 from Spadoni is considered a bit low. This figure did not include engineering, and Parametrix has increased it to an appropriate amount \$21,320, and the ultimate assessment will reflect only the true cost. The only concern is drainage. The only means of draining the street is through Dr. Ryan's property and down over the hill. Otherwise a more extensive drainage system might be needed. A rough estimate of the individual cost is \$11.50 a lineal foot. This is for a 24-foot wide street with no shoulders, no walkways or crushed rock. The figure does include some amount for storm drainage. As a consequence he present a resolution, RESOLUTION #132 - NOTICE OF INTENT TO CREATE THE LID. This was passed upon motion of Councilman Malich with second of Councilman Ekberg. Carried. Hearing dates to be set later.

In regard to the high level system that is proposed, Mayor Bujacich asked Glen if hydrants are planned in front of Harbor Heights School and Goodman School. Glen said there are already hydrants there and the flow will be at least tripled when the system is completed. Jim Hibbs went on to recommend the placement of a hydrant at the back of the school coming off the line through the park.

BUILDING PERMIT FEE ORDINANCE AMENDMENT #266 - 2nd Reading:

Wayne Goodno said the amendment of the ordinance would adjust our rates to be comparable with that charged now by the City of Tacoma. The City of Tacoma plans to upgrade their rates by 10% on January 1, 1978. Councilman Ekberg moved that Ordinance #266 be adopted. Councilwoman Bogue seconded. Carried.

FIRE HEADQUARTERS BOND ISSUE ORDINANCE - #267 - 2nd Reading:

Clerk Avery read a paragraph that had been modified since the first reading. The ordinance needed a statement that it had been voted on by the people. Councilman Ekberg moved that Ordinance #267 be adopted. Seconded by Councilman Malich. Motion carried.

REVIEW OF PROPOSED APPLICATION FEES:

The sewer main opening fee was discussed. Councilman Ekberg said he was not prepared to take care of this tonight and asked that Clerk Avery work on it before next meeting. A fee plus cost would be preferred. Councilwoman Bogue suggested contacting the AWC for any information they may have. Gary Tannahill will check with other towns.

REVIEW OF SHORELINE MANAGEMENT VIOLATIONS:

Clerk Avery had made a list of said violations and the council went over each one on the list that had not yet made application. Some on the list claim that they had previously existing permits.

2. Boat Barn: Cagle claims that a section of float was installed as an addition after the original permit. It was felt the original Corps of Engineers permit places their application prior to the SMA.
3. No response yet. Attorney Johnson said Attorney Paglia is handling the application for some owner but he has not yet received the communication.
4. Tides Tavern: They have filed their application.
6. Puget Sound Herring Sales. They contend their addition was put in in accordance with the Corps permit but they have two very large process houses and 14 herring pens presently there while the drawing shows only 3 pens. The council suggested that the attorney check further.
7. Gig Harbor Marina. The past minutes will be checked on this.
8. Pleasurecraft Marina - No action to be taken.
9. Darrah - No response. To be turned over to the attorney.
10. Stanich Dock - No action by council.
15. Floating Boat House - In addition to this violation, Mayor Bujacich reported that a scow has appeared in the harbor and there are two people living aboard. The first mentioned, the floating boathouse, may be the one mentioned earlier that Paglia is taking care of. The matter will be postponed pending Attorney Paglia's letter.

PIERCE COUNTY SEWER CONTRACT: Councilman Ekberg proposed that we postpone action on this. He will do more research on the insurance.

Mayor Bujacich asked Jim Hibbs the status of the Skrivanich triplex. Jim said that Skrivanich has installed a hydrant and a direct line to the Fire Department. Mayor Bujacich felt that the records must be checked and Mr. Skrivanich forced to fulfill his obligations. The mayor believes the building is now occupied.

Mayor Bujacich asked the attorney to check in to the recording of the vacation of Gilich St. The attorney will take care of it.

Jack D. Bujacich  
Mayor

Tape #63, Side 1, 0-310

Patricia Ebert  
Asst. Clerk

The regular meeting of the City Harbor Town Council was called to order at 7 p.m. by Councilwoman Bogue. Councilman Ekberg moved that Councilwoman Bogue be appointed mayor pro tem. This was seconded by Councilman Hanson. Motion carried. Also present at the meeting were Councilmen Melich, Attorney Johnson and Clark Avery. Mayor Melich was out of town and Councilwoman Melton was not present. The meeting was then recessed for the first public hearing.

PUBLIC HEARING - WILLIS SITE PLAN REVIEW.

This concerns the building at 7716 Pioneer Way, the former town hall. Mr. Willis wishes to demolish this building and erect a daylight basement structure in its stead. The City Harbor Liquor Agency will occupy the lower level and the upper level will be medical offices. There will be parking at both levels. A four foot wide sidewalk is planned on Tarbochia Street and a five-foot sidewalk along Pioneer Way. Three egress/exits are provided. The building inspector said the site plan meets the requirements of the B-2 zone and the adjacent lot to the north is B-2 also.

Plantings and screening were discussed. It was felt that planting should be provided on the applicant's property-not on the unused right of way as depicted. Councilman Hanson felt that planting should be provided on the property in question as was requested across the street. Councilwoman Bogue asked that the five-foot area in the rear of the building be planted in permanent screening such as Cypress Gymeadalis which would form a high dense screen in a fairly short time. The architect criticized the procedure at this point. He said there is no criteria in the code for planting. Councilwoman Bogue said the council has refrained from making firm requirements in the code since some properties are unique. Mr. Wayne Willis, owner of the property along with Lloyd Silvers said he was not against either the sidewalks or the screening but would like to work it all out now. A motion was then made by Councilman Ekberg who moved to approve the site plan with the following changes: 1. That the planting areas marked "front" and "side" be located within the defined property line of the parcel. 2. That the back side (north) and entire five foot strip be planted in screening of plantings of the nature of evergreen trees and that a sidewalk be included on the city right of way in front along Pioneer Way only. Councilman Hanson seconded this motion.

Mayor pro tem Bogue, dissenting from the question, asked if there were any voices in the audience either for or against. There were none but the architect said that if, on Tarbochia Street, even two feet of the 40 foot depth is removed then they cannot handle the parking as depicted on the plan. If they must angle the parking here then they would be forced to exit on to Pioneer Way. He recommended that the parking area be retained as is on Tarbochia Street. Councilman Ekberg then amended his motion to allow the planting area on Tarbochia Street to be outside the property on the town right of way. Councilman Hanson agreed to the change and if the council wished to give examples of the types of plantings then it would require another amendment. The councilman withdrew the amendment and the second and the original motion and its second rather than create any further amendments. Councilman Ekberg then moved that the site plan be accepted as submitted with the following stipulations:

1. That the planting on Pioneer Way be within the property lines of the described location,
  2. That the planting on Tarbochia Street be allowed to remain outside the property lines,
  3. That screening be planted along the back of the property from property line to property line,
  4. That sidewalks be provided on the city right of way on the Pioneer Way side of property only,
  5. That the planting areas on Pioneer and Tarbochia Street should include deciduous flowering trees spaced no more than 20 feet apart on center. The ever screen is to be dense evergreen kind alluded to previously.
- Councilman Hanson seconded. Motion carried. Hearing closed.

NORTHWEST PRELIMINARY PLAT.

The Planning Commission letter of recommendation of November 15 was read. This is a subdivision of the plat as the first plat was found to be lacking in lot size and interior street width. The lot sizes have now been met and exceeded and the interior road has been widened to 60 feet.

Jim Kora, representing the applicant, said that screening along Stinson, Lots 1 through 7, has been provided but all lots abutting Stinson can be provided with the same screening. There were no voices either in favor or in opposition to the plat.

Councilman Melich moved that the plat be approved as submitted with the recommendation of the Planning Commission included for screening along Stinson. Councilman Ekberg seconded and amended the motion that the strip shall be fifteen feet wide and with the understanding that it goes along any lot that borders Stinson and means evergreen screening as opposed to lawn. Councilman Melich seconded the amendment. The amendment carried and the original motion carried. Hearing closed.

WILLIS EIS WORKSHEET. Councilman Ekberg moved that the project has no significant environmental impact and the application should be processed without further consideration of environmental aspects. Councilman Hanson seconded. Carried.

#### McADAMS CONDITIONAL USE:

The conditional use permit was requested to permit construction of three duplexes on three lots in an R-1 district. The Planning Commission had recommended denial on the basis that the lots would become too small once the road alongside Lots 2, 3 and 4 is utilized.

There were no voices in favor or in opposition. No principal appeared on behalf of the request. Councilman Ekberg felt it was an obvious attempt to utilize R-1 property for R-2 use. He moved that the request be denied. Councilman Malich seconded. Carried. Hearing closed.

#### BUJACICH VARIANCE REQUEST:

Mr. John S. Bujacich requests a height variance of eight feet in order to add on to his present home on Rosedale Street. This older home is over legal height but exists under the grandfather clause. He would like the addition to be in keeping with the flavor of the old home.

The Planning Commission had recommended that the variance be granted. There were no voices in opposition. Councilman Hanson moved that the application for variance of eight feet be granted. Councilman Ekberg seconded. Carried. Hearing closed.

#### DOEL SITE PLAN REVIEW:

Dr. Doel had appeared before the council in 1976 to request that part of his acreage be zoned from R-2 to R-3. He had believed that the zone change had been granted. A review of the minutes disclosed that a motion was made to grant the rezone but no legal action (ordinance change) was undertaken. Dr. Doel now wishes to develop the R-3 portion of the property and had site plans showing plans for 54 units.

The council felt that the entire parcel was to be developed as one entity and they did not care to consider a two-stage proposal. Also, they felt that the several sets of site plans were too divergent. One set shows the landscaping, another the utilities, but there was no landscaping plan present coordinated with a current plan that includes the easement road.

The Planning Commission had recommended in favor of the approval of the site plan provided that Dr. Hruza's recommendations be carried out and the storm drainage meets any criteria of the town engineer. There was no report in the file from Glen Sherwood. Dr. Doel had written and the letter was read by Mayor pro tem Bogue. He explained in the letter why the property was to be developed in two separate sections. Councilman Hanson felt that the topic should be listened to and a determination made as to handling it in two separate parcels. It was felt the original intent was a single package. Dr. Doel told of the original intent in asking for R-3 here. He said he had held the property for some time. Subsequent changes to the municipal code decreased the density allowed and in order to regain the lost value he requested a change to R-3. He said a compromise was reached with the Planning Commission for rezone and presented to the council. An agreement was passed by the council but a two-stage development was not precluded, he felt. He said he was under the impression that the rezone was approved and that the town would send him the necessary forms. He has followed the assumption that he is dealing with a parcel of 3 acres of R-3 zoned land and 4.4 acres of R-2 zoned land.

Allan Bond of Bellevue was also present at those former meetings and feels that they indeed received approval at that time. He guesses that Clerk Avery said it is not legal since there is no ordinance on the books but he feels the property was zoned. He hopes that any necessary zoning could now be done concurrently with the approval of the building permit.

Councilman Ekberg suggested that the matter be referred to the town attorney for an opinion as to whether it is rezoned or not and he asked that the council be furnished copies of the pertinent correspondence. He felt that the site plan should be clarified to include all the necessary requirements so far as landscaping and utilities are concerned. It was agreed that it is better to have the two separate plans but they should correspond.

Attorney Johnson said that, if the council so desires, this could be considered the first reading of the rezone ordinance tonight in order to save time.

Councilman Ekberg moved that we continue the hearing. He asked that Dr. Hruza's letter, the Fire Marshal's letter, and all other pertinent correspondence be copied for the council. Councilman Malich seconded. Slervin, the engineer, asked Glen Sherwood if he is satisfied with the utilities. Glen said the plans are basically fine and he is satisfied with the utilities. Councilman Hanson would like a letter written from our engineers--written to the file regarding the utility easements.

Attorney John Paglia, present in the audience, asked that the engineer look into the 60-foot easement roadway regarding the drainage. Glen Sherwood asked for the Planning Commission minutes and Dr. Hruza's comments. Motion carried. Hearing closed.

The regular meeting was called to order at 8:58 p.m.

The bills were approved upon motion of Councilman Ekberg, seconded by Councilman Hanson.

Carried. The minutes stood approved as posted.

At this point Councilman Hanson said, since his term will expire at the end of the year, that he would like to resign at this time and requests that the elector be sworn in to fill his position now. Mayor pro tem Bogue said she would accept his resignation with regret but said she could understand his position. Councilman Ekberg said he would indeed miss his fellow councilman's expertise. Clerk Avery, not forewarned of the impending resignation, was not prepared to swear in his replacement at this time. Mrs. Ross will be sworn in next meeting.

CORRESPONDENCE: None

SPECIAL GUESTS: None

REPORTS:

Street & Water - none

Sewer Treatment - none

Police Department - None

Building Inspector - Wayne Goodno explained that the Harbor Landing Restaurant would like to install a freezer on the outside of the building on the north side. Do they need a full site plan or can a permit be issued without the site plan review? The council felt a development plan should be submitted since landscaping and screening could then be required.

Attorney - None

Engineer - Glen Sherwood presented a negative declaration on the well site. If the council acknowledges it they can make a negative declaration if they feel there is no significant effect. Councilman Ekberg moved that we adopt the negative declaration on the recommendation of the engineer. Councilman Malich seconded. Carried.

The engineer went on to tell the council that he attended a meeting on November 23 on the Community Block Grant Program. They fund part of the Water System Improvement. The county feels that HUD will be more specific and they request that the community involved better identify the project. He was in possession of an agreement for Planning and allocation of CBG Funds. The clerk said he also received it today and it must be returned by December 9. A copy of the minutes must accompany this signed agreement. The attorney was asked to look it over within the next few minutes and render an opinion.

Councilman Ekberg asked Jim Hibbs to report back at the next meeting regarding a patch on Stinson and Foster Street.

HEARING DATE SET ON COMPREHENSIVE PLAN: December 12 at 8 p.m.

INSURANCE ON PIERCE COUNTY CONTRACT to next meeting.

FIRE BOND ISSUE - The attorney is to do the groundwork on this and it can be postponed.

FIRE DEPARTMENT CONTRACT - Drew Wingard, present in the audience, said this should be squared away by the first of the year.

BID OPENINGS:

Well Drilling: The engineer's estimate had been \$44,780.00 and the bid received from Burt Well Drilling was \$43,394.50. Councilman Ekberg moved that we accept the low bid from Burt with the engineer's recommendation. Councilman Malich seconded. Carried.

Dump Truck Bid: Bids were Arrell Equipment: \$5200; County Line Equip. \$5000. Councilman Ekberg moved that the low bid of \$5000 be accepted. Councilman Malich seconded. Carried.

Front Loader Bid: Only one bid was submitted. Postponed to next meeting upon motion of Councilman Ekberg with second of Councilman Malich. Carried.

SCHOOL ANNEXATION ORDINANCE - First Reading

TAX LEVY ORDINANCE - First Reading. Assessed valuation is \$36,359,262.

BUDGET ORDINANCE - Councilman Ekberg moved that this be considered the first reading. Councilman Malich seconded. Carried.

Regarding the above agreement reviewed by the attorney, Dave Johnson said it is couched in very technical terms and he felt it best that the engineer make the explanation. The council felt they would prefer not to accept this agreement until they had a chance to look it over. It was agreed that the county would be informed that it is postponed until our next meeting.

Councilman Ekberg moved that the following illegal signs be removed. Seconded & carried:

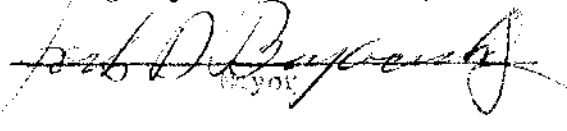
1. Sign at Foster and Stinson, and, 2. Sign in front of Town Hall advertising waterfalls.

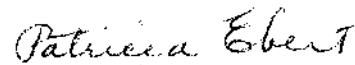
Regarding the Reed Burt funeral on Tuesday, Clerk Avery said he ordered flowers to be sent by the town since Mr. Hunt had given generously of his time and money to the park fund.

Gary Bunchhill brought up a minor change necessary in the code regarding serving water to Olympic Village.

Meeting adjourned at 9:35 p.m.

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Mayor

  
Asst. Clerk