

GIG HARBOR CITY COUNCIL MEETING OF FEBRUARY 27, 2006

PRESENT: Councilmembers Ekberg, Young, Franich, Conan, Dick, Payne, Kadzik and Mayor Hunter.

CALL TO ORDER: 7:00 p.m.

PLEDGE OF ALLEGIANCE:

CONSENT AGENDA:

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

1. Approval of the Minutes of City Council Meeting of February 13, 2006.
2. Pioneer Way / Stinson Avenue Intersection Landscape Improvements – Consultant Services Contract.
3. Liquor License Renewals: Water to Wine; Eagles; Tides Tavern; Tokyo Teriyaki; Judson Street Café.
4. Payment of Bills for February 27, 2006.
Checks #49572 through #49688 in the amount of \$351,320.12.

MOTION: Move to adopt the consent Agenda as presented.
Franich / Conan – unanimously approved.

OLD BUSINESS:

1. Second Reading of Ordinance – Acceptance of the Donation of a Salmon Sculpture. Mark Hoppen said that the issue of placement of the sculpture had been taken to the Gig Harbor Arts Commission. A recommendation was made to place the sculpture just outside the window of the Court Clerk's area at the foot of the stairs.

Councilmembers praised the Golfs for this generous donation.

MOTION: Move to adopt ordinance no. 1032 as presented.
Franich / Conan – unanimously approved.

Bill Fogerty, Gallery Association. Mr. Fogerty thanked Barb Harder for coordinating the donation of the salmon sculpture. He gave a brief overview of the success of the auction, explaining where the proceeds would go. Mr. Fogerty recognized the artist of the sculpture *Salmon Advent*, Marshal Johnson, his wife Bonnie, and Brenda and Ethan Golf, who were all present in the audience.

2. Second Reading of Ordinance – Performance Based Height Exception - Museums. John Vodopich presented this text amendment brought forward by the Gig Harbor Peninsula Historical Society which would add museums to the list of performance based height exceptions.

Owen Dennison – AHBL – 1200 6th Ave. Ste. 1620, Seattle, WA. Mr. Dennison, speaking on behalf of the Peninsula Historical Society, explained that they believe that this meets the intent of the performance based height exception code and consistent with prior Council decisions. He offered to answer questions.

Councilmember Franich said that performance based height exceptions should be used sparingly, adding that he wished that the PHS had gone a different route.

MOTION: Move to adopt ordinance No. 1033 as presented.
Ekberg / Young – unanimously approved.

3. Second Reading of Ordinance – Animal Control. There was no discussion on this item.

MOTION: Move to adopt ordinance no. 1034 as presented.
Young / Franich – unanimously approved.

4. Council Committees. Mayor Hunter asked for a motion accepting the committee assignments.

MOTION: Move to accept the Council Committee assignments as presented for 2006.
Conan / Payne – unanimously approved.

NEW BUSINESS:

1. Resolution – Historic Registry Listing – Eddon Boatyard. John Vodopich explained that this would place the Eddon Boat structure on the city's historical record.

MOTION: Move to adopt Resolution No. 660 as presented.
Ekberg / Franich – unanimously approved.

2. First Reading of Ordinance – Amendment to Building Code Advisory Board Membership Requirements. Dick Bower, Building Official and Fire Marshal, presented this ordinance that would remove the residency requirement for members of the Building Code Advisory Board. He explained that they had advertised for an open position and were unable to get an applicant within the city. He added that this is a technical board that deals with state adopted codes. The removal of the residency requirement will allow a broader area in which to draw qualified applicants. This will return at the next meeting for a second reading.

Councilmember Young asked if any active recruitment had been done. Mr. Bower responded that they had called several people that they thought would be interested.

3. 2006 Grant Awards – City of Gig Harbor Arts Commission. There was no staff report presented.

Councilmembers asked for clarification on the total budget for the grants and what would happen to the remainder of the funds if not awarded. It was explained that the total grant funding budget is \$25,000 and that in the past, there has been only one grant process during the year.

Councilmember Franich asked for clarification on one application and then commented that he hopes that admissions to any of the events that receive grant funding are not excessive.

Councilmember Kadzik said that it is important to note that these applicants are non-profit and any proceeds go to benefit others.

Councilmember Ekberg thanked the Gig Harbor Arts Commission for their efforts in sorting through the applications and making the recommendation for awards to these organizations that put on events that reach the entire community.

MOTION: Move to accept the recommendations from the 2006 Arts Grants. Payne / Kadzik – unanimously approved.

STAFF REPORT:

1. Dave Brereton, Director of Operations – Wollochet Overpass Pavement Repair. John Vodopich said that the estimate is just over \$900 for the city crew to do temporary patchwork until State DOT does the repaving this spring or summer. He asked if Council wanted them to move forward.

After discussion, Council directed staff to go ahead and patch the potholes and contact DOT to determine the start date for the overlay. If longer than ninety days, then the city crew should also do repairs on the abutment.

PUBLIC COMMENT:

Scott Hines – 4926 Old Stump Drive. Mr. Hines addressed two traffic issues. He first voiced concern with the 24th Street on-ramp, explaining that the narrowing of lanes and the merging of lanes would increase the accident rate by 18%. He then discussed the problem with the two-lane approach at the roundabout at Borgen Boulevard. He said that the roundabout would be more effective with a single lane approach.

Wade Perrow – 9119 No. Harborview Drive. Mr. Perrow voiced concern that there are inconsistencies in Ordinance 974 which amends and codifies the Design Manual and Ordinance 975 which amends Title 17 to ensure consistency with the Design Manual standards. He read from the Council minutes in which Steve Osguthorpe said that Ordinance 974 would amend the Design Manual and Ordinance 975 would amend the zoning district chapters to incorporate the Design Manual rather than either being a stand-a-lone document. Mr. Osguthorpe recommended adopting both ordinances, clarifying that neither would change the Design Review Process. Mr. Perrow said that he attended the public meetings and his understanding was that the reason for two

ordinances was for consistency. He continued to explain that the Tacoma City Light Right-of-Way is mentioned nowhere in the Design Manual but it is in Ordinance No. 975.

Carol Morris, City Attorney, advised Council that Mr. Perrow is talking about an application currently being processed by staff, and if he continues, Council should not comment with regard to the application.

Mr. Perrow stressed that he was not talking about his application, but an inconsistency between Ordinance 974 and 975. He said that Title 17.78.090 includes language that reads "Screening/buffering from SR16, the Tacoma City Light Right-of-Way, and the SR-16 Interchanges." The Design Manual adopted in Ordinance 974 refers only to "Screening/buffering from SR16 corridor and SR16 interchanges." Mr. Perrow asked if the intent was to be consistent. He then said that he wonders what others feel about the incorporation of the language "Tacoma City Light Right-of-Way powerline" in section 17 and if it is where it should be.

COUNCIL COMMENTS: None.

ANNOUNCEMENT OF OTHER MEETINGS: None.

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

MOTION: Move to adjourn to executive session at 7:43 p.m. for approximately sixty minutes to discuss potential litigation per RCW 42.30.110(1)(i) and property acquisition per RCW 42.30.100 (1)(b).
Young / Franich – unanimously approved.

MOTION: Move to return to regular session at 8:43 p.m.
Franich / Conan – unanimously approved.

MOTION: Move to adjourn at 8:43 p.m.
Ekberg / - motion died for lack of a second.

MOTION: Move to file an appeal on the Hearing Examiners Decision on the subject property discussed during Executive Session.
Payne / Conan – roll call vote:

Kadzik – yes; Payne – yes; Dick – no; Conan – yes; Franich – yes; Young – no; Ekberg – no. The motion carried four to three.

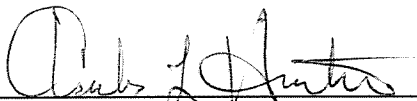
Carol Morris asked for clarification on whether they wanted to appeal all issues or just the Shoreline Exemption. Councilmember Payne clarified that his motion was just for the Shoreline Exemption.

MOTION: Move that all items including Design Review be part of the appeal.
Franich / - motion died for lack of a second.

ADJOURN:

MOTION: Move to adjourn at 8:45 p.m.
Ekberg / Franich – unanimously approved.

CD recorder utilized:
Disk #1 Tracks 1 – 13 (track 13
blank – error during recording).
Disk #2 Tracks 1 – 4.



Charles L. Hunter, Mayor



Molly M. Towslee, City Clerk