

## **GIG HARBOR CITY COUNCIL MEETING OF JUNE 9, 2008**

**PRESENT:** Councilmembers Ekberg, Conan, Malich, Payne, and Kadzik and Mayor Hunter. Councilmembers Young and Franich were absent.

**CALL TO ORDER:** 6:00 p.m.

### **PLEDGE OF ALLEGIANCE:**

Mayor Hunter recommended amending the agenda to move New Business Item No. 1, Proposed Closure of Canterwood Boulevard to the beginning of the meeting before Old Business.

**MOTION:** Move to amend the agenda as recommended.  
**Kadzik / Malich** – unanimously approved.

### **CONSENT AGENDA:**

1. Approval of the Minutes of City Council Meeting of May 27, 2008.
2. Receive and File:
  - a) Skansie Ad Hoc Committee Minutes of May 20, 2008
  - b) AWC RMSA Loss Control Grant.
3. Appointment to the Planning Commission.
4. Appointments to the Design Review Board.
5. 2008 Water main Replacement Materials Testing – CTL Testing Lab.
6. Crescent Creek Shelter & Restroom Re-Roof Contract.
7. Storm Water Facilities Maintenance & Restrictive Covenant Agreement – The Ridge at Gig Harbor (formerly Harbor Estates).
8. Resolution – Final Plat for The Ridge at Gig Harbor.
9. Approval of Payment of Bills for June 9, 2008:  
Checks #57862 through #57972 in the amount of \$345,062.97.
10. Approval of Payroll for month of May:  
Checks #5110 through #5136 and direct deposits in the amount of \$345,018.74.

**MOTION:** Move to adopt the Consent Agenda as presented.  
**Kadzik / Ekberg** – unanimously approved.

### **PRESENTATIONS:**

1. Recognition of Betty Willis – Service on Gig Harbor Arts Commission. Mayor Hunter asked Betty Willis to come forward and be recognized for serving two terms plus one year on the Gig Harbor Arts Commission. He presented her with a plaque. Ms. Willis said that it was a rewarding effort and she enjoyed the time she served.
2. “Outstanding Wastewater Treatment Plant” Award Presentation. Mayor Hunter presented the award to Darrel Winans, Treatment Plant Supervisor while explaining that this plant is one of 73 out of 300 in the state receiving this award. He praised the efforts of the crew in dealing with an antiquated system. Darrel thanked the Mayor and Council for the continued support before he introduced the members of his staff present: Norine

Landon, Joe Pominville, Matt Quinlisk, and Chuck Roy. Members not present: Jim Landon, Larry Washburn and Shane Colglazier, Summer Help. He said that the city is blessed with this outstanding staff and he looks forward to working through the upgrades to the plant.

3. Destination Imagination Presentation – Students from Kopachuck Middle and Voyager Elementary Schools. Mayor Hunter introduced this presentation by students who were involved with this program.

Casie Lively came forward and introduced the two Destination Imagination teams from Gig Harbor that qualified to go the Global Final Competition in Knoxville, Tennessee where they competed against 1,038 other teams from around the world. Students from each team took turns coming forward to describe the program, their presentation at the finals and the skills that the students develop by being involved. They introduced Kathryn Stewart, Team Manager for both teams. The Kopachuck Middle School Team consists of: Casie Lively, Cheyenne Wong, Jacob Stewart, Phillip Olson, and Zoe Pollard. The Voyager Elementary School Team consists of: Blake Swanson, Cayla Berejikian, Mikayla Stewart and Reiley Diloreto. The Kopachuck Team won first place at the Global Finals with their presentation: “Not available in a store near you” and the Voyager Team won 6<sup>th</sup> with their presentation: “Fairytale Frenzy.”

Mayor Hunter congratulated the students on their success. Councilmember Kadzik said he is proud of the quality of these students and praised their ability to speak in front of the assembly so well.

Mayor Hunter then announced that because so few citizens signed up to speak on the Canterwood Boulevard Closure, he would feel more comfortable moving this until later to see if more people arrive.

**MOTION:** Move to amend the agenda to move the Canterwood Boulevard Closure back to New Business.  
**Malich / Ekberg** – unanimously approved.

**OLD BUSINESS:**

1. Third Reading of Ordinance – R-2 Zoning District Amendment (ZONE 08-0002). Jenn Kester, Senior Planner presented the background on this ordinance. She explained that the motion to adopt this failed at the last meeting but several Councilmembers asked that it be brought back for consideration.

Ms. Kester addressed Councilmember Malich’s questions on minimum lot size, density and impervious coverage.

**MOTION:** Move to adopt Ordinance No. 1130.  
**Kadzik / Payne** – five voted in favor. Councilmember Malich voted no.

2. Second Reading of Ordinance – PRD and PUD amendments (ZONE 07-0020). Ms. Kester briefly described the basics of this ordinance to clarify both PRD and PUD processes. She explained that additional language had been added for consistency in describing the increase in a PUD verses a PRD.

**MOTION:** Move to adopt Ordinance No. 1131 as amended.  
**Payne / Kadzik** – unanimously approved.

3. Second Reading of Ordinance – Nonconforming use and structures amendment (ZONE 08-0001). Ms. Kester presented this ordinance to amend the nonconformities chapter of the zoning code. She said that after questions at the last meeting, staff further discussed the issue of construction costs, and is proposing an amendment to remove the language allowing the use of a contractor's estimate in calculating replacement value. All changes would be valued off the city's square foot construction cost table for consistency and equality. The cost table will be updated and then adjusted on a yearly basis.

Councilmember Ekberg said he would like additional information on how other cities handle the rebuilding of non-conforming. He suggested that the ordinance could come back for a third reading. Ms. Kester responded that there are differing opinions and offered to bring back a table that shows some of the differences.

Councilmember Payne asked about the square foot construction cost table. Ms. Kester explained that her understanding is there is a state-wide standard that the Building Official reviews as well as construction cost indexes.

Councilmember Kadzik asked if there are allowances in the index for different types and quality of construction. He voiced concern that if it is an average number, then the excellent quality of construction in some of the more historical homes may result in a skewed result. Ms. Kester responded that construction types are based on the building shell materials and not quality. She said she would look into this issue further.

Ms. Kester addressed concerns voiced by Councilmember Kadzik on the requirement to reconstruct to comply with all other applicable codes to the maximum extent possible. She said that this would be an interpretation question for the Director who would look at all sections of the code, including the Design Manual Standards.

Ms. Kester then explained that with the current code, remodels that change major structural components must come into almost complete compliance with the code, which is next to impossible. This proposal would allow a remodel to up to 50% of the replacement value. There is currently a provision that allows structural repairs to maintain stability and/or general maintenance to non-conforming structures. Remodels that do not increase the non-conformity are also allowed.

**MOTION:** Move to table this for a third reading with additional information on the construction cost table and how other jurisdictions address non-conforming uses.

**Malich / Ekberg** – unanimously approved.

4. Tides Tavern Lease Agreement – Jim Morton. Rob Karlinsey said that Peter Stanley has not signed the lease approved by Council earlier this year and wishes to provide different language regarding the length of the lease.

James H. Morton – Attorney for Peter Stanley. Mr. Morton clarified that Mr. Stanley owns the property and leases it to Dylan Enterprises, Inc. which operates as The Tides Tavern. Mr. Morton said that the lease that they proposed was for 20 years with a provision to review the rent amount every five years. The city's legal counsel recommended that the entire lease agreement be opened every five years, which was approved. He stressed that Mr. Stanley has allowed the public to use his dock resulting in a benefit to the citizens. He asked Council to reconsider the lease terms for a twenty-year period with the rent open for review in five year increments. If further compromise is important, then at ten years the lease options could be open for full consideration.

Carol Morris, City Attorney, explained that the reason behind the language that the entire lease be considered in five-year increments was to address the concern that the city may want to use the street-end property at some time in the future. She suggested one way to address this is to amend the verbiage from "...the terms of which *shall* be renegotiated..." to "*may* be negotiated..." so that it wouldn't be required but the option would remain.

Mr. Morton pointed out that the small size of the tideland in question.

After further discussion Councilmember Payne recommended amending the language to read "...the terms of which the rent may be adjusted not to exceed three (3%) per annum each five-year term. The full terms are to be negotiated by the parties every ten years."

Mr. Morton agreed to this. He was asked to redraft the lease to bring back for final adoption.

### **NEW BUSINESS:**

1. Proposed Closure of Canterwood Boulevard. Mayor Hunter announced that David Stubchaer, Public Works Director, has a PowerPoint presentation, and the city's consultants are present to address questions. The Mayor continued to make several points:

- The new hospital is good for the community and the city has taken the necessary steps to make it a reality.
- There will be inconvenience with the road closure but hopefully it will be a shorter period than if the road is left open.

- There are issues as a result of requirements by several state and federal agencies in order to meet the short “fish window” of September 15<sup>th</sup>.
- The consultants and WSDOT have recommended closure of the roadway during construction to meet this window.
- The use of flaggers will cause backups into the roundabouts, more confusion and possible backups onto Highway 16.
- Alternates such as temporary bridges or roadways are not practical due to the adjacent wetlands and topography.

The Mayor then introduced the city’s new Public Works Director, David Stubchaer who gave a short history behind the improvements to Canterwood Boulevard and the reasons why road closure is being recommended.

At the conclusion of the PowerPoint presentation, Mayor Hunter opened the meeting for public comments. He called upon the first person who signed up to speak, who responded that his questions had been answered during the presentation.

Doug Allen – Chair for the Canterwood Homeowners Government Relations Committee. Mr. Allen said that some of his questions had been answered with the presentation as well. He voiced his concern with efforts to reduce the impact of the closure. He said that the signal at SR302 in Purdy is already a problem and currently backs up traffic to Highway 16. He asked if the interim Signal at 144<sup>th</sup> is a sure thing.

David Stubchaer responded that the County is in favor of this solution and we are in the discussion phase at this time. Mr. Allen pointed out that this is a major intersection and with school bus traffic it becomes a dangerous, blind intersection. He highly recommended a traffic signal.

Mr. Allen then asked if construction would continue twenty-four hours a day, seven days a week. Mr. Stubchaer responded that this is an option based on a review of the schedule by WSDOT. The goal is to keep the closure as short as possible and to meet the fish window.

Mr. Allen asked if there would be an ambulance at the station at 144<sup>th</sup> or just an engine company.

John Burgess, Assistant Chief, Pierce County Fire Protection District #5. Asst. Chief Burgess stated that the city was great to come to the fire district to work together on a solution. He said that Canterwood Boulevard is a major thoroughfare which is a concern. He explained that they plan on staffing an engine company with all-risk apparatus. This will allow them to maintain a four-minute response time. The ALS service will remain on Bujacich Road to serve the Urban Growth Area with an eight-minute response time. He closed by saying that the district feels very good with what the city is doing.

Mr. Allen said that this covers most of the major questions and he will address other concerns with the City Administrator as the project progresses.

County Councilmember Terry Lee. Councilman Lee said that he resides in North Rosedale and he is here to listen to the comments and to make his office available to help facilitate the project. He offered to help with interim signalization at 54<sup>th</sup> and 144<sup>th</sup> and/or to coordinate the improvements to the Peacock Hill / 144<sup>th</sup> Street Intersection, both which are county roads that will be impacted by the road closure. He said areas of concern are emergency medical services and those concerns voiced by regular users of Canterwood Blvd. He asked that the city please use him as a resource during this period of road closure.

Rob Karlinsey clarified that the cost to fund the additional EMS Services at the station on 144<sup>th</sup> will be a city project cost.

Bud Wagner – Franciscan Health Services. Mr. Wagner voiced his appreciation with the involvement of city staff, adding that he understands that we are “between a rock and a hard place” with this project. Mr. Wagner explained that the hospital will be impacted by the road closure in terms of deliveries. The hospital expects to receive the keys to the building in November so there will be lots of activity between now and then, but they will work around the closure. He said that it is important to recall when we planned a hospital they knew that there are approximately 3500 ambulances leaving this area on an annual basis, many of which will come to St. Anthony’s once it is open. The road improvements, though tough to go through now, will be critical when the hospital is open.

Rob Karlinsey addressed questions about the additional EMS Services. He said that the estimated cost will be \$2000 per day until October when it would drop to \$1000 per day; another incentive for getting project completed as soon as possible.

Councilmember Ekberg thanked the staff, the consultants and the community at large for working through plans for a project with such difficult time constraints. He said that staff has done a wonderful job of notifying the community and getting us to this point. He added that he hopes the project goes smoothly.

Councilmember Payne asked for a listing of agencies that are stakeholders and were contacted during the planning phase of this project. Mr. Karlinsey responded with the following agencies: Pierce Transit, Washington State Patrol, Fire District #5, Pierce County Sheriff, Peninsula School District, and Pierce County, Washington State Dept. of Transportation, Peninsula Light, and CenturyTel. He commented that there are a lot of people who have come together as a team to meet the schedule.

Rob then recognized Mark Stein grave from WSDOT and thanked him and his staff for all the support. He then thanked the consultants from David Evans and Associates for their agility in changing course during the project design.

Mayor Hunter praised Scott Schwarz, biologist with DEA, for his upbeat attitude. He then thanked everyone for coming.

2. Bogue Viewing Platform – Public Art. Bob Sullivan, Chair of the Gig Harbor Arts Commission, presented information on a proposal for public art at the Bogue Viewing Platform to honor the Scandinavian heritage in the community.

Councilmember Ekberg voiced support for the project, praising the efforts of the Arts Commission.

Mr. Sullivan responded to questions about the flow chart explaining that the proposal would be routed through the Parks Commission, Design Review Board, and the Operations & Public Projects Committees before a Call for Artists is prepared.

Mayor Hunter said that the project needs to be all inclusive. Mr. Sullivan assured him that this is how it is written.

Councilmember Payne said that he is very comfortable with the process outlined and praised the organization of the group. He said that he is looking forward to the outcome.

Councilmember Kadzik added that he looks forward to adding to the city's artwork portfolio.

### **STAFF REPORT:**

Rob Karlinsey reported on several Parks Commission Meeting items:

- The Parks Commission unanimously recommends a life jacket program at Jerisich Park. Both the Skansie Ad Hoc Committee and Parks Committee voted in favor of a not-for-profit group to run the life jacket program. The city's insurance is okay with this as long as it is clear that it is not being run by the city.
- A local Pickle-Ball group came and asked if the city would be willing install a court. The Parks Commission said no, but they would be willing to look into to painting lines on our tennis court and are obtaining an estimate to do so.
- The YMCA quarterly voucher usage has gone down, and so the current newsletter will have a voucher, so hopefully usage will pick up.
- The Parks Commission is recommending an open house at the Eddon Boat Brick House in mid-July so that people can walk through. Following that they will hold a public hearing to obtain ideas to formulate a recommendation for use of the house to forward to Council.
- The group went to the new Crescent Valley and BMX Parks for an onsite visit. Information from that to follow.

## **PUBLIC COMMENT:**

Greg Moore – Quadrant Homes. Mr. Moore thanked Council for approving the final plat for The Ridge at Gig Harbor. He also thanked Rob Karlinsey and staff for working diligently to get this on the agenda tonight. He reported that they opened for sales last week and had nine sales of affordable housing.

Michael Elwell – 9211 No. Harbor Drive. Mr. Elwell gave a letter to the Mayor as a formal complaint against what he referred to the “Stutz Fuel Oil Dump Yard.” He had a short slide show to illustrate his concerns with the nine vehicles located on this property across from the Tides Tavern. He requested that the city do something about this.

Rob Karlinsey said that Council recently adopted a Junk Vehicle Ordinance. He added that there has already been a complaint on this property and the Code Enforcement Officer, Stephanie Pawlawski, is in the process of notifying the property owner. He suggested that Mr. Elwell contact Ms. Pawlawski so that she is aware of a second complaint.

Nick Pugh – 3711 Ross Avenue. Mr. Pugh said that the Stutz’s trucks bother him as well. He then shared his concern with the number of times that the flag is being flown at half-mast. He said that staff has told him that it is at the recommendation of Governor Gregoire in recognition of soldiers who have died at war. He said that as a former Boy Scout and 20 year Veteran of the Air Force he is sensitive to remembrance, but a recent poll of other local Veterans has indicated a desire to keep the flag at full staff, citing Memorial Day as the time for recognition of fallen soldiers. He said that there is no requirement to lower the flag at the Governor’s suggestion and it’s a difficult thing to manage. He suggested that this would be an excellent project for a Boy Scout to research how the flag is flown and have it presented in the Gateway. This could educate the community and encourage citizens to remember fallen soldiers in another forum while keeping the flag in downtown Gig Harbor at full staff. He then added that he was flattered to receive a call back from the Mayor on this topic.

Councilmember Malich said that as a Veteran, he too would like the flag to remain at full staff as much as possible. Mayor Hunter said that this should be researched on how to best approach this matter.

Councilmember Payne said he has received several inquiries over the past few months on why the flag is at half-mast so often. He said that it is frequent, unfortunately and he is willing to explore and discuss the idea.

Mr. Pugh offered to work with Rob Karlinsey to coordinate the effort to present the information in an appropriate way.

Councilmember Conan said that the city has been posting the information on the website, and it would be nice to work information about the flag into the new web design.



Rob Karlinsey said that although he wants to honor those who serve and the wishes of the Governor, but he never thought lowering the flag would become a staffing issue.

### **MAYOR'S REPORT / COUNCIL COMMENTS:**

Councilmember Malich asked for clarification on whether the city has a voice on rate increases imposed by Comcast. Mr. Karlinsey responded that the franchise agreement requires notification of proposed rate increases but he is not aware of the ability for input.

Councilmember Payne thanked Councilmember Ekberg for the life jacket program concept. Councilmember Ekberg responded that it was Mrs. Ekberg's idea.

Art in Public Places. Mayor Hunter announced that the City Council, Boards and Commissions were all given a form to complete regarding where they would like to see public art. Only two were returned, and so he asked if Council would fill one out and return it. A letter will be drafted to the Boards and Commissions for further clarification.

Mayor Hunter then announced that the Maritime Gig was a great time and staff did a great job of supporting the function. He said that the city owes a debt of gratitude to the Chamber of Commerce and Knights of Columbus for putting on the events.

### **ANNOUNCEMENT OF OTHER MEETINGS:**

1. Harborview / Judson Street Open House – June 10<sup>th</sup>, 7:00 p.m., Community Rooms A&B
2. Finance Committee: Monday, June 16<sup>th</sup> at 4:00 p.m.
3. City Council / Design Review Board Joint Workstudy Session: Monday, June 16<sup>th</sup> at 6:00 p.m. Community Rooms A&B.
4. Hard Hat Tour of St. Anthony's: Thurs. Jun 19<sup>th</sup> at 3:00 p.m.
5. GH North Traffic Options Committee – Wednesday, Jul 9<sup>th</sup>, at 9:00 a.m. in Community Rooms A & B.
6. Community Meeting with Norm Dicks– Monday, July 21<sup>st</sup> at 5:00 p.m. Civic Center Green.
7. City Council Retreat – July 11<sup>th</sup> 8:00 – 1:00 p.m.

**EXECUTIVE SESSION:** For the purpose of discussing property acquisition per RCW 42.30.110(c).

**MOTION:** Move to adjourn to Executive Session at 8:20 p.m. for approximately 15 minutes for the purposes of discussing property acquisition per RCW 42.30.110(1)(c) and a personnel matter per RCW 42.30.110(1)(f).  
**Payne / Ekberg – unanimously approved.**

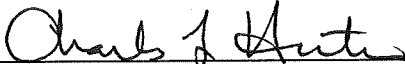
**MOTION:** Move to return to regular session at 8:35 p.m.  
**Payne / Conan** – unanimously approved.


The members of PenMet Parks were no longer present and so Council did not adjourn to the scheduled workstudy session.

**ADJOURN:**

**MOTION:** Move to adjourn at 8:35 p.m.  
**Payne / Conan** – unanimously approved.

CD recorder utilized:  
Disk #1 Tracks 1- 25  
Disk #2 Tracks 1- 19

  
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Charles Hunter, Mayor

  
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Molly Towslee, City Clerk