

GIG HARBOR CITY COUNCIL MEETING OF JUNE 23, 2008

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

CALL TO ORDER: 6:03 p.m.

PLEDGE OF ALLEGIANCE:

CONSENT AGENDA:

1. Approval of the Minutes of City Council Meeting of Jun. 9, 2008.
2. Receive and File: a) Building and Fire Safety Monthly Report b) Crescent Valley Alliance Award for Arbor Day.
3. Liquor License Renewals: The Keeping Room; Harbor Rock Café; Hunan Garden Restaurant; Kinza Teriyaki; Spiro's Bella Notte.
4. Concerts in the Park – Revised Contract.
5. Renewal of Peninsula Gateway Agreement.
6. Street Naming – Lydian Place Development.
7. Sanitary Sewer Facilities Easement and Maintenance Agreement for Ford Short Plat.
8. KLM Veteran's Memorial Park / 50th Street Improvements – Contract Amendment #1.
9. Kitsap Peninsula Clean Runoff Collaborative – Interlocal Agreement.
10. Phase I – First Western – Pinney Parcel B Property.
11. Public Works Maintenance Facility Architectural Services Contract.
12. Eddon Boat Restoration Contract – SHKS.
13. Quit Claim Deed – Norma McKenzie.
14. Parks, Recreation and Open Space Update Contract.
15. Amendment to the Agreement with the Gig Harbor Peninsula Historical Society.
16. Proclamation: CenturyTel Week.
17. Approval of Payment of Bills for June 23, 2008:
Checks #57973 through #58138 in the amount of \$1,686,042.19.

Councilmember Franich asked that item number 11, Public Works Maintenance Facility Architectural Services Contract, be moved to new business for discussion.

MOTION: Move to adopt the Consent Agenda with Item No. 11 moved to New Business.

Franich / Young – unanimously approved.

PRESENTATIONS:

1. Recognition of Chamber of Commerce, Knights of Columbus and Blessing of the Fleet Committee for the Maritime Gig and Blessing of the Fleet Events. Mayor Hunter asked Warren Zimmerman, Executive Director of the Chamber of Commerce to come forward and accept a plaque in appreciation for the work in organizing the Maritime Gig Festival. Mr. Zimmerman accepted the plaque on behalf of the membership of the

Chamber, Chamber Staff, and all the volunteers that made the festival such a huge success. He said that over 70 people were involved this year and thanked the Mayor and Council for recognizing their efforts.

Mayor Hunter then presented a second plaque to John Oldham and Jack Michel of the St. Nicholas Knights of Columbus in appreciation of the Blessing of the Fleet Ceremony. Mr. Oldham jokingly said it was a success because no one fell in. He said that they were please that there was such a good turnout for the event. Mr. Michel recognized John Moist, who was the driving force in getting the event put together.

Finally, John Moist and Lori Rice came forward to accept the recognition plaque for the Blessing of the Fleet, Classic Yacht Festival, and Taste of Gig Harbor events. Mr. Moist reinforced that this event couldn't happen without the volunteers. He recognized the Knights of Columbus, members of the committee and city staff who worked so hard to make this event successful.

2. Proclamation: CenturyTel Week. Mayor Hunter asked Clerk Molly Towslee to read the proclamation acknowledging the benefits that CenturyTel contributes to the community. He presented the document proclaiming the week of June 23rd as CenturyTel Week to Tim Grieger, General Manager, thanking him for all the events they sponsor and all the good they do for the community. Mr. Grieger thanked the Mayor and said it is a joy to be part of such a great community. He introduced the other CenturyTel representatives in the audience and gave a brief overview of some of the events in which they are involved before thanking the city for the recognition.

Mayor Hunter said that during the ribbon cutting ceremony for 56th and Olympic Drive, the city was awarded a plaque from the State Transportation Improvement Board for the project. David Stubchaer, Public Works Director, accepted the award on behalf of his staff.

OLD BUSINESS:

1. Third Reading of Ordinance – Nonconforming use and Structures Amendment (ZONE 08-001). Jennifer Kester, Senior Planner gave a quick summary of the purpose of the ordinance and highlighted responses to questions raised at the last meeting. She explained that staff still believes that the Square Foot Construction Cost Table is the most equitable method of determining 50% of replacement value. She gave an explanation of the table showing how other area jurisdictions address non-conforming structures and how it compares to this amendment. She said that Dick Bower, Building and Fire Safety Director is present to answer any questions regarding the cost table.

Councilmember Payne asked for clarification on fee increases and whether they should be codified. Mr. Bower described how construction fees are calculated and the information that increases are based upon. He said that the numbers may be undervalued as far as current construction.

Carol Morris said it would be a good idea to codify how the fees are increased to avoid challenges.

Councilmember Franich voiced concern that if the table is used to determine the 50% replacement value, then every house would be valued the same, which isn't realistic.

Mr. Bower says that the table was intended to be applied to new construction or remodel work, not to determine the value of a house. Ms. Kester clarified that the replacement value in the construction table wouldn't apply to "acts of nature destruction." This table applies to intentional remodels. Under today's code there is no standardized way to determine the 50% replacement value. It may be a negotiation process that takes quite a lot of staff time.

Mayor Hunter commented that using the table puts everything on the same level when determining the level of damage. He stressed that interior finishes are not part of the replacement cost.

Councilmember Franich said that he wants flexibility for the contractor's estimate described on page two and three. This concern was discussed further and it was determined that this language in no way affects the calculation of building permit fees. The use of the construction table in this instance will only be used to estimate the replacement value for the non-conforming structures.

Councilmember Malich asked if docks are covered. Staff responded that they fall under the miscellaneous section of the non-conformity code and are also addressed in the Shoreline Master Program. He then asked if there is a list of non-conforming structures in the city. Ms. Kester said that currently there is no list, but part of this ordinance puts a non-conforming permit process in place to begin tracking changes. She added that it would be easier to track non-conforming uses than structures due to code changes.

Councilmember Franich asked for further clarification on the table. Dick Bower responded that the amount includes cost of design, materials, equipment, and labor. He added that in the situation where someone is able to do the work with inexpensive labor, they are asked to give a realistic valuation using the current industry standard.

Councilmember Young requested that when the non-conforming structures inventory report begins to develop that any problem areas be brought to Council to review for possible code changes. Ms. Kester said that Council is provided yearly updates on Shoreline Permits and the same can be done for non-conforming uses. To do an inventory of structures would be very time consuming. Councilmember Young said that he is more interested in uses.

Councilmember Ekberg said that currently, if a non-conforming use structure is destroyed unintentionally 50% or more then the use cannot come back. The language in this ordinance page 3 Section C-2 will allow the non-conforming use to continue, which is a radical departure from the existing code. He said that he thinks a non-conforming

use should not be allowed to continue and agreed that the zoning code may need to be changed.

MOTION: Move to approve Ordinance No. 1132 as presented.
Payne / Malich – five voted in favor. Councilmember Ekberg voted no.

NEW BUSINESS:

1. Public Works Maintenance Facility Architectural Services Contract.

Councilmember Franich said he missed the budget meeting asked the projected cost of the building.

David Stubchaer, Public Works Director, said that it is his understanding that the estimate is around \$950,000. Due to growth, the current facility is inadequate and there has been discussion on a new structure for several years.

Mayor Hunter said that 10-15% of the construction cost is used as an estimate for design and engineering. Councilmember Young said that engineering a sewer system adds to this cost.

Councilmember Franich said that spending \$950,000 on a project of this type isn't a prudent use of the citizen's money.

Councilmember Ekberg pointed out that during the budget meetings the seriousness of the situation and inadequacy of the facility and septic system was discussed. It was determined to move forward with the planning stages of the facility. Mayor Hunter added that the current facility is fully depreciated; this is a 16,000 square foot replacement and expansion project to be constructed in phases.

Councilmember Malich asked if administrative staff was moving out to the new facility and Mayor Hunter responded by explaining that no, the administrative portion of the new facility is for paperwork and shift changes.

Councilmember Payne pointed out that this amount was approved in the budget. He then asked if his understanding is correct that the scope of work includes the preliminary through final design, including bid documents and construction drawings and participation through the construction phase. David Stubchaer responded that this is correct.

Councilmember Malich asked if the design is up to date as far as incorporating more green building concepts. Mr. Stubchaer said that it would have to meet the current Washington State Energy requirements, which are quite stringent. Mayor Hunter said that adding such amenities such as solar panels would add another 25% to the cost.

MOTION: Move to authorize the award and execution of the architectural services contract with Lawhead Architects for design services for the Public Works Maintenance Facility in an amount not to exceed One hundred forty-nine thousand, nine hundred and ninety-five dollars (\$149,995.00).
Ekberg / Payne – five voted in favor. Councilmember Franich voted no.

STAFF REPORT:

1. Gig Harbor Police Department – May Staff Report. Chief Davis announced a new segment in his reporting on actual crime incidents. This will give a snapshot throughout the year on the types of crimes that we are encountering. He suggested visiting the police webpage to check out the crime mapping services and also participating in a ride-along. Chief Davis reported on a recent incident of an underage drinking party. He discussed the zero-tolerance policy for underage drinking and described an upcoming “Party-Patrol with a Twist” program using information gathered by various methods to deal with underage drinking. The arrested youths and their parents will be provided with chemical counseling.

Councilmember Payne asked if there is an explanation for the declining crime numbers. Chief Davis responded that it’s a trend across the U.S. There has been an increase in the calls for service but the crime rate is decreasing.

Councilmember Franich asked for further information on the new program being implemented. He commented that he doesn’t encourage underage drinking or anyone drinking and driving, but he attended a few underage drinking problems while in high school and nothing came of it; the police showed up, took the beer and stopped the party. In this era of zero-tolerance and social engineering, kids at one of those parties may end up in the system; it goes on their record and has many more ramifications than in the past. He said it’s a fine line between discouraging and wanting a zero-tolerance policy.

PUBLIC COMMENT: No one signed up.

MAYOR’S REPORT / COUNCIL COMMENTS:

Mayor Hunter announced that the Olympic Drive and 56th Street Project is complete. Congressman Norm Dicks was present for the Grand Opening for Uptown. He mentioned that he was putting \$950,000 in a bill for the Daylighting of Donkey Creek.

Councilmember Payne said he was encouraged that the Congressman acknowledges the Gig Harbor community and is doing a good job of representing us in Washington.

Councilmember Young referenced the article in the newspaper regarding the Boys & Girls Club. He said that Rob Karlinsey and he had met with representatives from the Boys & Girls Club who agreed to drop the five-year limit on providing space and

acknowledged that it would be available for a Senior Center as long as the city wanted it. They did ask that after five years that the city participate in some maintenance costs. Councilmember Young asked if the City Attorney should be directed to continue working on the legal contract issues. Mayor Hunter suggested waiting until Rob returns next week to work on it.

Councilmember Franich said that he believes the intent was not for the city to give the Boys & Girls Club \$750,000 just for space; there was to be programming included.

Mayor Hunter said there needs to be reasonable expectations for the estimated costs before any money is dispersed. Councilmembers Payne and Malich agreed.

Councilmember Franich voiced appreciation for the new faucet in the men's room.

ANNOUNCEMENT OF OTHER MEETINGS:

Mayor Hunter announced that the meeting on June 30th was now a special meeting to discuss WSDOT agreements and a development agreement with Dale Pinney in addition to the workstudy session to discuss utility rates.

Mayor Hunter explained that the bid opening for the Canterwood Boulevard Project has been delayed until July 2nd to allow a better understanding of our position in regards to state permits. He said that because of the time sensitive nature for construction of the project, he suggested that on the 30th Council could review a boilerplate contract with a price range and authorize him to sign the contract after the bids come in on the 2nd. The final contract would come back at the July 14th Council Meeting for ratification.

David Stubchaer explained that by doing this we can try to assess the risk to reduce our exposure and to make a better decision.

Councilmembers asked the estimated budget for the project. Mayor Hunter said that it is estimated to cost approximately 4 to 4.5 million dollars. He said hopefully, it will be lower. Council agreed that the Mayor should bring this to the meeting on June 30th.

1. Special City Council Meeting: Mon. June 30th at 6:00 p.m.
2. GH North Traffic Options Committee – Wednesday, July 16th, at 9:00 a.m. in Community Rooms A & B.
3. City Council Retreat – July 11th at 8:00 a.m. in Community Rooms A & B.
4. Community Meeting with Congressman Norm Dicks – Monday, July 21st at 5:00 p.m. Civic Center Green.

EXECUTIVE SESSION: For the purpose of discussing property acquisition per RCW 42.30.110(1)(c).


MOTION: Move to adjourn to Executive Session at 8:24 p.m. for approximately thirty minutes for the purposes of discussing property acquisition per RCW 42.30.110(1)(c)
Malich / Young – unanimously approved.

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


ADJOURN:

MOTION: Move to adjourn at 8:55 p.m.
Franich / Young – unanimously approved.

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



Charles Hunter, Mayor



Molly Towslee, City Clerk