

MINUTES OF GIG HARBOR CITY COUNCIL MEETING – APRIL 12, 2010

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

CALL TO ORDER: 5:34 p.m.

PLEDGE OF ALLEGIANCE:

CONSENT AGENDA:

1. Approval of the Minutes of City Council Meeting of March 22, 2010.
2. Receive and File: a) Operations Committee Minutes of Jan. 21, 2010; and b) Feb. 11, 2010.
3. Correspondence / Proclamations: a) Parks Appreciation Day; b) Volunteer Week.
4. Liquor License Action: a) Withdrawal – Paradise Theatre; b) New Application – Mizu Japanese Steakhouse; c) New Application – GPS Gig Harbor; d) Renewals: Walgreens; Anthony's At Gig Harbor; Kelly's Café and Espresso; Tanglewood Grill; and Bistro Satsuma.
5. Resolution No. 827 – Operations Surplus Property.
6. Public Portal and Management Dashboard of Interlocking Software –Palladin.
7. Water System Plan Amendments – Consultant Services Contract / Roth Hill Engineers.
8. Utility Easement – One Mallards Landing LLC.
9. Dedication of Right-of-Way – Burnham Partners LLC.
10. Resolution No. 828 – Information Technology Surplus Equipment.
11. Donkey Creek & Austin Estuary Restoration – Consultant Services Contract/Hood Canal Regional Salmon Enhancement Group.
12. Approval of Payment of Bills for April 12, 2010: Checks #63309 through #63441 in the amount of \$1,002,661.08.
13. Approval of Payroll for the month of March Checks #5662 through #5673 in the amount of \$325,619.21.

MOTION: Move to approve the consent agenda as presented.
Franich / Payne – unanimously approved.

PRESENTATIONS:

1. Parks Appreciation Day Proclamation. Mayor Hunter invited Parks Commissioner Michael Perrow to come forward and accept the proclamation. Mr. Perrow announced the upcoming Parks Appreciation Day on Saturday April 24th and asked everyone to come and participate.
2. Volunteer Appreciation Week Proclamation.
3. MDA – Presentation of Appreciation Plaque. Muscular Dystrophy Association Representative Susie West thanked the City Council for allowing them to hold the "Fill the Boot" fundraiser. She said that in 2009 they raised close to \$11,000 for the 40

families that live in the Gig Harbor City Limits with various forms of Muscular Dystrophy. She explained that the “Fill the Boot” program here is run by the Local #3390 Firefighters and introduced Fireman Mike O’Neill who explained that his own son was born with Duchene Muscular Dystrophy. Mr. O’Neill described the opportunities available because of the “Fill the Boot” program and said it is with honor, pride and thanksgiving that the plaque is being presented to the city from MDA and the Gig Harbor Local Firefighters #3390.

OLD BUSINESS:

1. Third Reading of Ordinance – Revising Grease Interceptors Ordinance 1107 to Reflect Uniform Plumbing Code Update. Wastewater Treatment Plant Supervisor Darrel Winans passed out a draft client memo to help the public understand the process. He described the changes to the ordinance since the last reading and addressed Council questions. He stressed that even if a business had the requisite number of plumbing fixtures, it would depend upon the actual usage; this would be considered on a case-by-case basis.

Steve Lynn – 9014 Peacock Hill Avenue. Mr. Lynn voiced concern with the definitions saying that you aren’t capturing the actual use with a general category of food establishment. He stressed that the use is the driver for an interceptor and not the DFUs. He said that the existing enforcement action hasn’t been utilized effectively and so you may be overburdening the system because of this.

Councilmembers discussed the need to clean up some of the language in the ordinance to make it work better with the planning matrix, but agreed that it could be done in the future.

MOTION: Move to adopt Ordinance No. 1185.
Ekberg / Young – unanimously approved.

2. Second Reading of Ordinance – Title 15 Update. Building / Fire Safety Manager Dick Bower presented the second reading of this ordinance and answered questions.

MOTION: Move to adopt Ordinance No. 1186.
Young / Ekberg – unanimously approved.

NEW BUSINESS:

1. Public Hearing and First Reading of Ordinance – Extending the Sewer Concurrency Reservation Alternative Process and Allocation of Limited Sewer Capacity Process. City Engineer Steve Misiurak presented background information, explaining that both procedures are due to expire on May 31, 2010. Because the Wastewater Treatment Plant Improvements completion is now scheduled for October, this ordinance will extend the expiration date for these procedures until November 30, 2010.

Mayor Hunter opened the public hearing at 6:04 p.m. No one came forward to speak and the public hearing closed. This will return for a second reading at the next meeting.

2. First Reading of Ordinance – 2010 Stormwater Manual Revisions. Steve Misiurak then presented this ordinance that would revise the manual to provide correct code references and definitions. This will return for a second reading at the next meeting.

STAFF REPORT:

City Administrator Rob Karlinsey presented two outreach handouts for the Stinson / Harborview Watermain Replacement Project and the Marine Outfall. He asked Council to review the information and respond with comments.

Rob Karlinsey reported that the Parks Commission met to review the PROS Plan, and were okay with the draft. This will be presented to Council at the May 17th workstudy session with the first reading of the ordinance on June 14th and second on June 28th.

PUBLIC COMMENT: None.

MAYOR’S REPORT / COUNCIL COMMENTS:

Mayor Hunter said that it’s nice to be back from vacation, stressing that there is no better place than Gig Harbor.

Councilmember Young reported that the Pierce County Regional Council passed the 2040 Regional Plan which then goes to the General Assembly meeting for adoption in two weeks. He said there are two projects on the list: Wollochet and the Purdy 302 improvements. He then gave an update on the JOBS Bill for money earmarked for industrial improvements, saying he was hopeful that the Cushman Trial will be successful in obtaining some of the funding.

Rob Karlinsey added that because it’s federal funding, an environmental assessment would be necessary. If this is done soon it will increase the chance of obtaining the grant and so the contract will be to Council at the next meeting for consideration.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Volunteer Appreciation Event – Mon. Apr 19th at 5:30 p.m.
2. Jerisich / Skansie Parks Workstudy Session 2 – Mon. Apr 19th at 6:30 p.m.

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)(c).

MOTION: Move to adjourn to Executive Session at 6:14 p.m. for the purpose of discussing potential litigation per RCW 42.30.110(1)(i) and property acquisition per RCW 42.30.110(1)(c) for approximately 45 minutes.

Kadzik / Malich – unanimously approved.

MOTION: Move to return to regular session at 7:00 p.m.
Payne / Kadzik – unanimously approved.

MOTION: Move to authorize the Mayor to execute the Purchase and Sale Agreement substantially in the form attached to the Council Bill and the related closing documents for the property located at 3003 Harborview Drive currently known as Madison Shores Marina.
Kadzik / Payne –

Councilmember Franich spoke in favor of the motion saying this is a nice property to buy that will serve the city well.

Councilmember Young said that although he appreciates that this is a great piece of property he doesn't agree that with this economy that the city should be making major investments like this. He voiced concern that the city's revenue is based upon sales tax we still don't know where the bottom of the local economy might be. He it is paramount to him to not incur the city in any further debt over purchasing this wonderful piece of property.

**RESTATED
MOTION:**

Move to authorize the Mayor to execute the Purchase and Sale Agreement substantially in the form attached to the Council Bill and the related closing documents for the property located at 3003 Harborview Drive currently known as Madison Shores Marina.
Kadzik / Ekberg – five voted in favor. Councilmember Young voted no.

MOTION: Move to approve and authorize the Mayor to execute an agreement with Strickland, Heichman and Hoss Inc. for an appraisal of real property at 3003 Harborview Drive, parcel number 0221081187.
Kadzik / Ekberg – five voted in favor. Councilmember Young voted no.

MOTION: Move to approve and authorize the Mayor to execute the agreement with Robinson Noble and Saltbush Inc. for a Phase I Environmental Review of the parcel at 3003 Harborview Drive not to exceed the amount of \$3,500.00.
Kadzik / Payne – five voted in favor. Councilmember Young voted no.

Councilmember Franich said that following up with Councilmember Young's comments, he believes the city is still in a financially perilous position and supported the property purchase because it's an opportunity that may not come around again.

MOTION: Move forward, when we deem the market to be in a better state than it is now, to sell the Rohwer Property next to Gig Harbor City Park and use the proceeds from that to help offset the cost of the Madison Shores Property.
Franich / Malich –

Councilmember Young said he appreciates the sentiment, but motions are supposed to take an action and he doesn't think this meets that intent; perhaps this motion should be made with the market improves.

Councilmember Franich said then Council should move forward with a decision to sell the property and set a purchase price we can all live with.

Councilmember Ekberg agreed with Councilmember Young's comments and said he also can understand the desire to minimize any long-term financial obligations. He said that to identify any one property as the remedy should be left to the future when it makes sense in the market; it could be a different property or something entirely different.

RESTATED

MOTION: Move forward to sell the Rohwer Property next to Gig Harbor City Park and use the proceeds from that to help offset the cost of the Madison Shores Property acquisition.
Franich / Malich – Councilmembers Franich and Malich voted yes. Councilmembers Ekberg, Young, Payne and Kadzik voted no. The motion failed.

Mayor Hunter recognized City Administrator Rob Karlinsey for his hard work putting this together the past few days.


ADJOURN:

MOTION: Move to adjourn at 7:10 p.m.
Ekberg / Franich – unanimously approved.

CD recorder utilized: Tracks 1002 – 1020



Charles L. Hunter, Mayor



Molly Towslee, City Clerk