

MINUTES OF GIG HARBOR CITY COUNCIL MEETING – NOVEMBER 22, 2010

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

CALL TO ORDER: 5:35 p.m.

PLEDGE OF ALLEGIANCE:

Mayor Hunter announced that several items on the agenda had been postponed to December 13th due to the inclement weather conditions.

CONSENT AGENDA:

1. Approval of the Minutes of City Council Meeting of October 25, 2010.
2. Receive and File: a) Minutes of Budget Worksessions I of Monday November 1, 2010; b) Minutes of Budget Worksessions II of Tuesday, November 3, 2010.
3. Correspondence / Proclamations: a) Letter from Fife Police Department – Officer Brunson.
4. Liquor License Action: a) Renewals - The Harbor Kitchen; Half Time Sports; b) Added Privilege – Albertsons.
5. Resolution No. 849 – Surplus Property.
6. Entertainment Contract for Holiday Tree Lighting.
7. Joinder Agreement – Harbor Hill Development Agreement.
8. Amendment to Interlocal Agreement – Department of General Administration for Surplus Equipment Disposal.
9. City Attorney Contract Amendment.
10. On-Call Development Review Professional Services – Consultant Services Contract / David Evans and Associates.
11. Fishermen's Pier Redevelopment - Contract Amendment No. 1.
12. Visitor's Center Lease Agreement – Gig Harbor Chamber of Commerce.
13. Approval of Payment of Bills for November 22, 2010: Checks #65002 through #65094 in the amount of \$602,520.00.

Councilmember Malich asked to move Consent Agenda Item No. 11 to New Business for further discussion.

MOTION: Move to approve the Consent Agenda as amended.
Kadzik / Ekberg - unanimously approved.

OLD BUSINESS:

1. Final Public Hearing and Second Reading of Ordinance – 2011 Budget. Finance Director David Rodenbach explained that there are no changes in the budget since the last reading.

Councilmember Franich asked to amend the budget to add pedestrian lighting at the Cushman Trail crossing on Rosedale for safety reasons. David Rodenbach said that if

the cost isn't too much, there are funds available and it wouldn't require an amendment.

MOTION: Move to add an objective to the Street fund for pedestrian lighting at the Cushman Trail crossing on Rosedale.
Franich / Malich -

After discussion on objectives that had been cut from the budget that might take precedence, and whether this action could be taken by simply directing staff to install the lighting, Councilmember Ekberg offered an alternative motion.

ALTERNATIVE MOTION: Move to bring this objective to the Operations and Public Projects Committee for further discussion before adding it as an objective.
Ekberg / Kadzik - unanimously approved.

The public hearing opened at 5:50 p.m. There were no comments and the public hearing closed.

MOTION: Move to adopt Ordinance 1201 adopting the 2011 Budget.
Payne / Malich - unanimously approved.

2. Second Reading of Ordinance – 2010 Budget Amendments. David Rodenbach presented the background information for this budget amendment.

MOTION: Move to adopt Ordinance 1202 amending the 2010 Budget.
Kadzik / Payne - unanimously approved.

NEW BUSINESS:

1. Public Hearing and First Reading of Ordinance – Temporary Signs in C-1 Zoning District / Sign Area 2. Planning Director Tom Dolan gave an overview for this ordinance that will replace the interim ordinance adopted to allow the Gig Harbor History Museum to hang temporary banners. He addressed Council questions.

The public hearing opened at 6:00 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. Fishermen's Pier Redevelopment - Contract Amendment No. 1. Councilmember Malich voiced concern with language in Exhibit A regarding document ownership being retained by the contractor. City Attorney Scott Snyder responded that this is standard agreement language and this concern is clearly addressed in paragraphs 10 and 18 of the original contract; the controlling document.

Mayor Hunter then said that he is concerned that the process is being turned upside down by the proposal to place the restrooms adjacent to The Tides. He said the

directive was to construct a parking lot as quickly as possible while taking future facilities into consideration. He questioned who would be responsible for taking care of the restrooms that would be used by patrons of the tavern and whether the city should be designing an entry for the Tides.

Councilmembers discussed placement of the restrooms and whether it makes sense to determine the feasibility of co-locating since Mr. Stanley has offered to pay for it. After further discussion a motion was offered.

MOTION: Move to authorize the Mayor to sign the contract.
Kadzik / Ekberg – unanimously approved.

STAFF REPORT:

1. Derelict Boats. Chief Mike Davis presented the background for this Interlocal Agreement with Pierce County that would allow the city, over time, to proactively address buoys and derelict boats on the county side of the harbor. Staff answered questions on the process and explained that Pierce County is considering the agreement on November 30th asking if there are any concerns with the Interlocal. After discussion, Staff was asked to see if Pierce County has any ordinances that would extend the time limits for anchored vessels cited in State Law.

2. City Administrator Rob Karlinsey reported on the following:

- The Holiday Tree didn't arrive today due to the inclement weather. It will come next Monday, and the Lighting Festival is scheduled for December 4th.
- City Crew is working on clearing the snow and ice today and will continue into the night. The snow route policy is posted on the city's website.
- Review the Agenda Bill on the Maritime Pier; stakeholders will be engaged in a meeting on December 1st where several things that will be addressed:
 - a. There is no funding to construct a pier.
 - b. Maximize the over water coverage for permitting purposes.
 - c. The need for a balanced approach to the pier that considers a broad use.
 - d. Timing – permitting needs to be complete before the shoreline regulations change.

He said that Council will be asked to give staff direction on how to proceed at the December 13th meeting.

Mayor Hunter asked if Council was willing to subsidize a fuel dock. Councilmembers Ekberg and Kadzik agreed that the stakeholders' meetings should continue, but there is a need for public parking and we should not lose track of that goal.

Councilmember Malich disagreed, saying the people want a fuel dock and pier and that should be the priority; not a parking lot. He said the city should be using the budgeted money to design the pier rather than building a parking lot.

Councilmember Payne said that the improvements to the uplands can move forward while discussions on the pier continue. He said that we should move forward with permitting the largest over-water pier possible and then design it later.

Councilmember Ekberg stressed that this is not just a parking lot; it also provides public access to the waterfront.

Councilmember Conan brought up the remarks made by the business owners and citizens over the years about the lack of parking downtown. He said we should build the parking lot now and design the pier when money becomes available.

After further discussion about designing the pier, Mr. Karlinsey stressed that you don't need a fully design pier in order to apply for the permits. He said that the intent is for a vote on December 13th.

Councilmember Kadzik said that he needed to leave the meeting at this time – 6:42 p.m.

3. Planning Director Tom Dolan announced that the current Hearing Examiner is retiring and asked for direction from Council on whether we could expand the Request for Proposals to non-attorneys. After discussion, Council directed staff to open the RFP to non-attorneys if they could demonstrate sufficient qualifications.

PUBLIC COMMENT:

Gary Glein – 3519 Harborview Dr. Mr. Glein first clarified that he isn't suggesting multiple meetings for a pier design. He said that this is a spectacular site and including the stakeholders in future design is a good idea, as they weren't involved early on. Mr. Glein explained that no one has suggested holding off on the parking lot, just to get enough input so that future uses aren't precluded. He concluded by saying that an Ad Hoc Committee is not necessary.

MAYOR'S REPORT / COUNCIL COMMENTS:

Councilmember Malich asked that staff make provisions for the Lighted Boat Parade to make sure the outfall project doesn't interfere with the event.

Councilmember Franich addressed the Fishermen's Pier by saying he is in favor of moving forward with the maximum allowed over-water permits, adding that he would like to use some of the money allocated for design and construction of a parking lot to go towards the design of a pier. He said he supports involving the stakeholders, but cautioned that discussions that happen outside the public hearing process can lead to expectations that are hard to back out of. He said that he supports a parking facility and a pier design that facilitates more than just one use. He stressed that Gig Harbor's heritage is of a Maritime/Fishing Village which needs to be honored. He then asked if

staff could put up poles at the location of the proposed restroom to demonstrate if the location will block the view.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Civic Center closed Thu and Fri Nov 25th and 26th for Thanksgiving Holiday.
2. Holiday Tree Lighting – Saturday, December 4th.

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

MOTION: Move to adjourn to Executive Session at 7:00 p.m. not to exceed fifteen minutes.

Young / Malich – unanimously approved.

MOTION: Move to return to regular session at 7:16 p.m.

Conan / Young – unanimously approved.

MOTION: Move to direct the Mayor and City Administrator to appeal the Boundary Review Board decision to create the Flood Control District.

Ekberg / Payne – unanimously approved.

ADJOURN:

MOTION: Move to adjourn at 7:18 p.m.

Conan / Malich – unanimously approved.

CD recorder utilized: Tracks 1002 – 1018

Charles L. Hunter, Mayor

Molly Towslee, City Clerk

staff could put up poles at the location of the proposed restroom to demonstrate if the location will block the view.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Civic Center closed Thu and Fri Nov 25th and 26th for Thanksgiving Holiday.
2. Holiday Tree Lighting – Saturday, December 4th.

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

MOTION: Move to adjourn to Executive Session at 7:00 p.m. not to exceed fifteen minutes.
Young / Malich – unanimously approved.

MOTION: Move to return to regular session at 7:16 p.m.
Conan / Young – unanimously approved.

MOTION: Move to direct the Mayor and City Administrator to appeal the Boundary Review Board decision to create the Flood Control District.
Ekberg / Payne – unanimously approved.

ADJOURN:

MOTION: Move to adjourn at 7:18 p.m.
Conan / Malich – unanimously approved.

CD recorder utilized: Tracks 1002 – 1018



Charles L. Hunter, Mayor



Molly Towslee, City Clerk