

## **MINUTES OF GIG HARBOR CITY COUNCIL MEETING – SEPTEMBER 12, 2011**

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

**CALL TO ORDER:** 5:30 p.m.

### **PLEDGE OF ALLEGIANCE:**

In an observance of the tenth anniversary of September 11, 2001, Mayor Hunter asked Police Chaplain Roger Roth to come forward. Chaplain Roth spoke to the tragedy of September 11th and asked for Council, Staff and the audience to observe a moment of silence.

### **CONSENT AGENDA:**

1. Approval of the Minutes of City Council Meeting of July 25, 2011.
2. Correspondence / Proclamations: a) Constitution Week; b) National Preparedness Month;
3. Liquor License Action: a) Special Occasion – Knights of Columbus; b) Renewals: Moctezumas, Hot Iron, Java & Clay Café, and Forza Coffee; c) Cancellation – Moctezumas.
4. Resolution No. 867 – Surplus Property.
5. Re-appointments to Design Review Board.
6. Canterwood Sewer Manhole Rehabilitation Project – Public Works Contract Award.
7. 2011 Water Main Improvement and Replacement Project – Escrow Agreement for Retainage.
8. Skansie Netshed Proposed Tenant Use.
9. Shoreline Master Program – Consultant Services Contract Amendment No. 3 / ESA.
10. Water Reclamation - Reuse Site Evaluations, and Study – Consultant Services Contract.
11. Twawelkax Trail Wetland Review Amended Contract – Grette.
12. Resolution – Material Purchase from Sole Source Supplier – Maritime Pier Parking Lot Storm Drain Structure.
13. Resolution to Set Public Hearing – Street Vacation / Prentice Ave. and Sutherland St. – Alvin & Renee Brown.
14. Resolution to Set Public Hearing – Street Vacation / Harborview Drive for Viewpoint Short Plat.
15. 2011 Water Main Improvement and Replacement Project – Change Order No. 1.
16. Maritime Pier Parking Project – Construction Contract Award & Maritime Pier Parking Project – Materials Testing Contract.
17. Resolution – Rejecting Bid from CMC Development, Inc. for the Maritime Pier Parking Project.
18. Approval of Payment of Bills for August 8, 2011: Checks #67527 through #67621 in the amount of \$236,741.77.

19. Approval of Payment of Bills for August 22, 2011: Checks #67622 through #67715 in the amount of \$414,261.42.
20. Approval of Payment of Bills for Sep. 12, 2011: Checks #67716 through #67863 in the amount of \$641,364.44.
21. Approval of Payroll for the month of July: Checks #6290 through #6316 in the amount of \$466,879.99.
22. Approval of Payroll for the months of August: Checks #6317 through #6338 in the amount of \$303,280.43.

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

**PRESENTATIONS:**

1. Proclamation – National Preparedness Month. Mayor Hunter presented Dick Bower, Building / Fire Safety Director, with the proclamation.
2. Proclamation – Constitution Week, Kati Grulke - Elizabeth Forey Chapter Regent. Ms. Grulke offered a brief overview of the history and the importance of the United States Constitution after Mayor Hunter presented her with the proclamation.
3. Public Art Donation at Maritime Pier. Virginia Abbott and her husband Al, Carrot Stick Marketing, explained that they were here on behalf of David Senner who wishes to leave a legacy for the fishermen in the form of a bronze statue. They said the inspiration for the statue came from a photo taken by Ashael Curtis in 1909. Mr. Abbott shared Mr. Senner's vision to honor the history of our local fishermen with this statue and said that they hoped that Council would accept this gift to the city to be located at the Maritime Pier. He said that they are tasked with developing materials to assist with fundraising for the statue.

Councilmember Franich voiced appreciation for this grass-roots community effort. He asked for clarification that the statue will be a life-like rendition. Mr. Abbott assured him that it would be.

Councilmember Young asked if the Fishermen's Club had been advised of this gift as he heard talk of plans to move the existing memorial statue at Jerisich. Lita Dawn Stanton responded that the Fishermen's Club has approved to move the existing statue within the Skansie Brothers Park and said that yes, several of the club members are aware of this new statue.

**OLD BUSINESS:**

City Administrator Rob Karlinsey left the Chambers at this time.

1. Resolution - Development Agreement for Chapel Hill Church's Westside Expansion. Associate Planner Kristen Moerler presented an overview of what has occurred since the public hearing on July 26th.

Eva Hill – 2020 Squawk Mountain Loop, Issaquah, WA 98027. Ms. Hill said she hopes that they have supplied Council with the information they requested at the last meeting. She explained that Chapel Hill has agreed to additional conditions of approval as a result of the discussion with the neighbors and encouraged Council to read their letter stating why the development agreement should be approved. Ms. Hill stressed that the vesting of wetland regulations is important and they are asking for seven years because these are tough economic times. Chapel Hill has spent around \$75,000 to bring this application to this point and if it's not approved, they would have to start over.

Ms. Hill and staff responded to Council questions regarding light fixtures, planting strips and wetland buffers.

Councilmember Young said that for the record, he doesn't support development agreements that deviate from current code but there is a good argument from the applicant regarding minimal impact to the wetland. Councilmember Franich echoed this comment.

**MOTION:** Move to adopt Resolution No. 872 approving the Development Agreement with Chapel Hill Presbyterian Church with incorporation of the proposed conditions.

**Malich / Payne** – unanimously approved.

Administrator Karlinsey returned to the meeting at this time.

2. Donkey Creek Project Update. Mayor Hunter thanked Wade Perrow for volunteering to work with staff and the consultant on this project. City Administrator Rob Karlinsey gave an overview, pointing out that the Fish and Wildlife Grant deadline is September 30, 2012 with a possible extension. To be safe he asked that Council choose a preferred direction tonight in order to begin on final design and permitting.

Jim Dugan, Senior Consultant at Parametrix, presented the latest design and probable costs for Austin Street improvements, North Harborview Drive improvements, a bridge option, and a culvert option. He also discussed the Harbor History Museum improvements.

Wade Perrow – 9119 North Harborview Drive. Mr. Perrow asked everyone to recognize Jim Dugan and Shannon Thompson from Parametrix as well as Senior Planner Emily Appleton for the work they have done on the project. He referred to the 2002 Donkey Creek Master Plan which estimated the cost as \$1,988,000. He said that although it's a different project, the number solidifies that the current two million dollar cost is reasonable. He gave an overview of the collaborative effort that has brought the project to this point.. Mr. Perrow said that Parametrix knows what they are doing and asked Council to give them the green light without micromanaging the project.

Frank Ruffo – 2767 Holly Bluff Court. Mr. Ruffo first introduced Sue Loiland, the new Executive Director of the Harbor History Museum. On behalf of the History Museum, Mr. Ruffo spoke in strong support of the bridge option developed by Parametrix. He said that this option daylights Donkey Creek and connects Borgen Park, the museum, and Austin Estuary. He said that this option does a lot for the city and is a long-time coming. He emphasized that they feel a left turn lane on Harborview Drive is necessary.

Sue Loiland – 2916 71st Ave NW. Ms. Loiland said that they are excited about the connectivity of this plan and will work collaboratively with the city to do whatever necessary to make this project happen. She said this is an exciting part of their vision for the museum.

Mr. Ruffo said that the roundabout, although expensive, should not be forgotten. He commended Parametrix and Mr. Perrow and said they would like to continue to work together.

Councilmembers thanked those who worked on the project and talked about how the public process made the difference in this process and the need to continue to plan for the future.

**MOTION:** Move to approve the recommendation for the bridge option.  
**Payne / Malich** – unanimously approved.

### **NEW BUSINESS:**

1. First Reading of Ordinance – Fire Sprinkler Code Amendment. Building and Fire Safety Director Dick Bower, introduced this amendment that would require fire sprinkler system installation in all new and remodel construction where the un-separated fire area of the building meets or exceeds five thousand square feet. He stressed that this would not affect most residential construction; it would not be retroactive; and there are options to avoid sprinkling. He addressed Council questions.

Shawn Hoey – Master Builders Association. Mr. Hoey said that although MBA doesn't want to diminish safety but residential fire sprinklers don't work. He cited statistics of sprinkler failure and added that MBA is against mandatory regulations which set precedence. He touched on the expense and green aspect of sprinkling. He was asked questions regarding single-family verses multi-family dwellings.

John Burgess, PCFPD #5 Fire Chief. Chief Burgess spoke in favor of the ordinance. He talked about models for fire suppression and said that 5,000 s.f. or larger buildings require a larger risk management plan and staffing that the district currently doesn't have and cannot afford. He said that sprinklers, if they don't put out the fire will at least suppress it until the fire response. He said that ordinance is the prudent thing to implement to be the most cost effective. He answered Council questions.

Wade Perrow – 9119 No. Harborview Drive. Mr. Perrow spoke in opposition of the proposed ordinance. He said that we are currently protected by the Universal Fire Code.

He voiced concern that tenant improvements or change in use in an existing building would trigger the regulation. He cited the lack of sprinklers in the council chambers and talked about the prohibitive cost of installing the system in this tough economy.

Dick Bower responded to questions of what triggers the ordinance. He explained that the regulation would go into effect if the cost of improvements is more than 50% of the assess value or if the size of the building itself is increased.

Jim Pasin – 2710 39th Street. Mr. Pasin said that the expense of a sprinkler system goes beyond installation with inspection, repair and monitoring which will be passed on to the tenant. He talked about the cost to retrofit his existing building adding that he supports this for new construction. He asked Council to consider the benefit verses the hardship to business owners.

Mr. Bower further addressed Council questions.

2. Proposed Zoning Code Text Amendment – Performance-Based Height Exceptions for Private Schools. Planning Director Tom Dolan provided the background for this request to include private primary and secondary schools in the uses eligible for performance-based height exceptions for gymnasiums and performing arts related facilities.

Eileen McCain. Ms. McCain explained that she is a land use attorney with two children at Saint Nicholas School, and so she is helping the school and church through this process. She said that at the time that Harbor Ridge School came to the city asking for the exception for their gym, Saint Nicholas didn't want to stand in the way of the approval. She said that they had hoped to bring this forward much sooner but because of funding and logistics there were unable. Saint Nicholas' building campaign is now active and they are in need of the same consideration. She said that they would appreciate it if a decision could be made by the end of the year.

Ms. McCain responded to Councilmember Franich's concerns by saying the proposed language would eliminate the reference to the Public Institution District. She said that two issues are being addressed: governmental agencies should not care about the ownership of a facility; only the usage; and the exceptions should be narrowly defined to primary and secondary schools that are accredited by the State, not just any private school. She said that they understand the controversy of people that are protective of views; they want to make sure they aren't interfering with that.

Councilmember discussed the merits of forwarding this to the Planning Commission for further review.

**MOTION:** Move to place the proposed text amendment on the Planning Commission's work program for the fall of 2011 to be reviewed concurrently with downtown parking.  
**Conan / Payne** – five voted in favor. Councilmember Franich voted no.

**STAFF REPORT:**

Council Retreat Draft Agenda. City Administrator Rob Karlinsey handed out the draft agenda and asked that Council submit any comments by Monday the 19th. He then reported that the curb-painting for time-limited parking had begun.

Planning Director Tom Dolan announced that the agenda for the upcoming Shoreline Master Program Worksession on September 19th would be sent soon. He asked Councilmembers to contact Peter Katich with any comments before the meeting.

Mr. Karlinsey added that the items on the Retreat Agenda for the 23rd that are crossed through have been completed. These will be removed before the April 2012 retreat.

**MAYOR’S REPORT / COUNCIL COMMENTS:**

Mayor Hunter announced he would be having ankle replacement surgery and wouldn’t be in the office for awhile.

Councilmember Malich said that there needs to be a “No Parking” sign by the bump-out curb in front of the Red Rooster Restaurant. People are parking there which causes blockage of the lane of travel. Mr. Karlinsey said he would have the crew paint the curb red.

**PUBLIC COMMENT:** None.

**ANNOUNCEMENT OF OTHER MEETINGS:**

1. Operations Committee - ~~Thu. Sep 15th at 3:00 p.m.~~ CANCELLED
2. Finance / Safety Committee – Mon. Sep 19th at 4:00 p.m.
3. Council Worksession on Shoreline Master Program – Mon. Sep 19th at 5:30 p.m.
4. Council Retreat – Fri. Sep 23rd at 8:30 a.m.

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

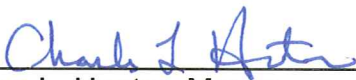
**MOTION:** Move to adjourn to Executive Session at 8:15 p.m. for approximately 25 minutes for the purpose of discussion pending and potential litigation per RCW 42.30.110(1)(i) and property acquisition per RCW 42.30.110(b).  
**Franich / Conan** – unanimously approved.

**MOTION:** Move to return to regular session at 8:48 p.m.  
**Malich / Payne** – unanimously approved.

**ADJOURN:**

**MOTION:** Move to adjourn at 8:48 p.m.  
**Payne / Kadzik** – unanimously approved.

CD recorder utilized: Tracks 1002 – 1034

  
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Charles L. Hunter, Mayor

  
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Molly Towslee, City Clerk