

MINUTES OF GIG HARBOR CITY COUNCIL MEETING - July 28, 2014

PRESENT: Councilmembers Malich, Arbenz, Perrow, Lovrovich, Payne, Kadzik and Mayor Guernsey. Councilmember Ekberg was absent.

CALL TO ORDER: 5:30 p.m.

PLEDGE OF ALLEGIANCE:

CONSENT AGENDA:

1. Approval of City Council Minutes Jul 14, 2014.
2. Correspondence / Proclamations: a) Proclamation for National Night Out.
3. Liquor License Action: a) Renewals: JW Restaurant, Devoted Kiss, Mizu Japanese Restaurant, Galaxy Uptown, and Safeway Store.
4. Receive and File: a) Intergovernmental Affairs Committee Minutes Jul 14, 2014; b) Planning Commission Minutes March 20, April 17, May 1, May 29, and June 5, 2014; c) Quarterly Finance Report; d) Minutes of City Council Worksession July 21, 2014.
5. Appointments to Parks Commission.
6. Second Reading of Ordinance No. 1300 – Amendments to Chapter 10, Bicycle Helmet and Safety.
7. Lift Station 4b – Value Engineering Consultant Services Contract.
8. Pierce County GIS Information / Network Services Agreement.
9. 2014 A/C Water Main – Bid Award and Consultant Services Contract for Materials Testing.
10. Cushman Trail Phase 3 – Public Works Contract Award and Consultant Services Contract for Construction Support Services.
11. Cushman Trail Phase 4 – Public Works Contract Award and Consultant Services Contract for Construction Support Services.
12. Approval of Payment of Bills Jul 28, 2014: Checks #75958 through #76074 in the amount of \$401,199.16.
13. Approval of Payroll for the month of July: Checks #7330 through #7351 and direct deposits in the total amount of \$367,669.36.

MOTION: Move to adopt the Consent Agenda as presented.
Kadzik / Perrow - unanimously approved.

Mayor Guernsey pointed out the appointment of two new Parks Commissioners, Nicole Hicks and Gregg Vermillion. Ms. Hicks was present in the audience and stood to be introduced.

PRESENTATIONS:

1. Recognize Harris Atkins for service on the Planning Commission. Planning Director Jennifer Kester presented a brief overview of Harris Atkins' history of service on the Planning Commission since 2005. Mayor Guernsey presented Mr. Atkins with a recognition plaque.

Harris Atkins shared that it has been a privilege to service and to be involved with the issues that are important to the city.

2. Proclamation – National Night Out: Diane Bertram. Lieutenant Kelly Busey asked the NNO Committee members to come forward as he gave a brief overview of the program and its success. Diane Bertram accepted the signed proclamation and invited the public to attend this year's event. She shared that last year they came in number 13 in a national competition with over 2500 other cities that hold the National Night Out event.

EXECUTIVE SESSION: At 5:38 p.m. the Mayor and Councilmembers adjourned to Executive Session for the purpose of discussing pending litigation per RCW 42.30.110(i) for approximately 15 minutes. They returned to regular session at 5:59 p.m.

MOTION: Move to approve settlement of the matter *ETC Real Estate Investments vs. City of Gig Harbor* per the terms of the Civil Rule 2A settlement agreement and authorize the Mayor to sign the same.

Kadzik / Payne – five voted in favor. *Councilmember Malich was silent, but asked that the minutes be amended to reflect that he voted no.*

OLD BUSINESS:

1. Public Hearing and Resolution No. 970 – Revisions to McCormick Creek Development Agreement. Associate Planner Kristin Moerler presented the background for amendments to the development agreement carried over from the last meeting to address council concerns. She provided three options and answered questions.

The public hearing opened at 6:02 p.m.

Jason Hubel – 18215 72nd Ave. So., Kent, WA 98032. Mr. Hubel, representing his client Brian Stowe, voiced support for any option that Council might chose for the park and they are hoping the resolution will be adopted to allow the project to move forward. He offered to answer questions.

There were no further public comments and the public hearing closed at 6:03 p.m. Council further deliberated on the final ownership of the neighborhood park. A motion was made to remove the requirement to dedicate Tract D to the city.

MOTION: Move to direct staff to revise Section 6 of Attachment A to the prior language presented on July 14, 2014 and pass the amended Resolution No. 970 authorizing the Mayor to execute the Amendment No. 1 to the Development Agreement, attached to the Resolution as Exhibit A, with McCormick Creek LLC.

Kadzik / Malich –

Roll call vote: Malich – yes; Arbenz – no; Perrow – no; Lovrovich – yes; Payne – no; Kadzik – yes. Mayor Guernsey voted yes to break the tie vote. The motion passed.

NEW BUSINESS:

1. Restaurants 2 and 3 as Conditional Uses in the Waterfront Millville Zone. Senior Planner Lindsey Sehmel presented the background for this proposal to have the Planning Commission consider this text amendment.

MOTION: Move to direct Planning Commission to add proposed code amendment to Commissions work program for discussion in winter 2014 with a signed recommendation prepared for City Council by December 18, 2014.

Payne / Kadzik – unanimously approved.

2. Resolution No. 971 Directing an Advisory Vote on Marijuana. Senior Planner Lindsey Sehmel explained that this resolution was before council at the direction staff received at the July 21st workstudy session to prepare the necessary documents to explore an advisory vote of the citizens of Gig Harbor on November 4th.

Councilmembers each weighed in on their concerns, viewpoints, and stance on the issues.

MOTION: Move to proceed with the public hearing and first reading of the ordinance on August 11th as discussed in the workstudy session.

Payne / Kadzik –

Roll call vote: Malich – yes; Arbenz – no; Perrow – no; Lovrovich – no; Payne – yes; Kadzik – yes. Mayor Guernsey voted yes to break the tie vote. The motion passed.

Staff was directed to make the amendments to the ordinance and bring it forward at the August 11th meeting for a public hearing. City Administrator Ron Williams recommended that in addition to the public hearing that it would be advantageous to hold an open house before the council meeting to help educate the public on the marijuana related ordinance.

3. Establishment of “For & Against” Election Committees. Agenda item not needed with the lack of a vote on Resolution No. 971.

STAFF REPORT:

1. Chief of Police Selection Process – Update. City Administrator Ron Williams reported that there were 20 candidates for the position. Five were interviewed by a citizen panel of nine and from that process came two top candidates: the current Chief from Lake Forest Park, Steve Sutton, and our own Lieutenant Kelly Busey. The second interview and decision will occur this week.

PUBLIC COMMENT:

Jackie Olivia – 33316 Harborview Drive. Ms. Olivia explained that she lives opposite where the Brix Restaurant would be and has questions and concerns on how it will impact the neighborhood.

Mayor Guernsey responded that the issue will go before the Planning Commission this fall and the public will be invited to attend the meetings. She also suggested that Ms. Olivia can contact either Ms. Kester or Ms. Sehmel about the proposal. A text amendment may come before Council for consideration and there would be another opportunity for public comment at that time.

MAYOR'S REPORT / COUNCIL COMMENTS:

Councilmember Kadzik reported that he met with city staff members Ron Williams, Molly Towslee, Shawna Wise, Kay Johnson, and Heidi Othman to discuss the issues and possible solutions for the Council Chambers. Some practical solutions are being explored including looking at adding more microphones and shifting staff to run the PowerPoint Presentations to run the pointer. The new projectors are working better and it was decided it would be impractical to move the podium. He said that Ms. Wise is working on cost to add call lights to assist the Mayor in knowing when a councilmember wishes to speak. He encouraged the other Councilmembers to get in touch with Shawna with any comments.

Mayor Guernsey thanked the City Administrator and Staff for holding down the fort while she was out of town. She said it was comforting to know the city was well taken care of.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Harbor Wildwatch Ribbon Cutting Ceremony – Wed. Jul 30th at noon.
2. National Night Out – Tue. Aug. 5th at 5:00 p.m.
3. Planning Commission Open House: Thu. Aug 7th at 5:00 p.m.
4. Public Works Committee: Mon. Aug. 11th at 4:00 p.m.

ADJOURN:

MOTION: Move to adjourn the meeting at 7:02 p.m.
Malich / Perrow – unanimously approved.

CD recorder utilized: Tracks 1002 – 1023



Jill Guernsey, Mayor



Molly Towslee, City Clerk