

## **GIG HARBOR CITY COUNCIL MEETING OF OCTOBER 10, 2005**

**PRESENT:** Councilmembers Ekberg, Young, Conan, Dick, Picinich, and Mayor Wilbert. Councilmembers Franich and Ruffo were absent.

**CALL TO ORDER:** 7:03 p.m.

**PLEDGE OF ALLEGIANCE:**

**PUBLIC HEARING:** Revising School Impact Fees.

Mayor Wilbert opened the public hearing at 7:04 p.m. and asked John Vodopich, Community Development Director, to introduce the item. Mr. Vodopich explained that this ordinance would revise the existing school impact fees to be commensurate to those being charged in Unincorporated Pierce County. The rate change would go into effect for the remainder of 2005, with a scheduled increase effective January 1, 2006.

No one signed up to speak and the public hearing was closed at 7:05 p.m.

**CONSENT AGENDA:**

These consent agenda items are considered routine and may be adopted with one motion as per Gig Harbor Ordinance No. 799.

1. Approval of the Minutes of City Council Meeting of September 26, 2005.
2. Correspondence / Proclamations: a) Letter to Belinda Stewart
3. Department of Natural Resources Outfall Lease Holdover Agreement.
4. Eddon Boatyard Property Remediation Clean-up Action Plan – Amended Consultant Services Contract – Anchor Environmental LLC.
5. Franklin Avenue Improvement Project - Construction Contract Authorization.
6. Grandview Forest Park Tank Repainting Project - Contract Authorization.
7. Wastewater Comprehensive Plan Population Update – Consultant Contract Amendment.
8. Resolution – Hall Street Vacation Request.
9. Liquor License Application: Old Harbor Saloon.
10. Liquor License Renewals: Maritime Mart; Finholm's Market; Shell Food Mart.
11. Approval of Payment of Bills for October 10, 2005:  
Checks #48331 through #48444 in the amount of \$468,534.42.
12. Approval of Payroll for the month of September: Checks #3935 through #3993 and direct deposit entries in the amount of \$390,955.16.

Mayor Wilbert explained that Councilmember Conan had requested that item number seven, Wastewater Comprehensive Plan Population Update Contract, be moved to New Business for further discussion.

**MOTION:** Move to approve the Consent Agenda as amended.  
Ekberg / Picinich– unanimously approved.

**OLD BUSINESS:**

1. Second Reading of Ordinance – Revising School Impact Fees. John Vodopich explained that the information had been presented during the public hearing and recommended adoption.

**MOTION:** Move to adopt Ordinance No. 1017 as presented.  
Picinich / Dick – unanimously approved.

**NEW BUSINESS:**

1. First Reading of Ordinance – Allowing Reconstruction of Nonconforming Structures. John Vodopich presented this ordinance that would increase the acceptable level of damage for reconstruction of nonconforming structures from seventy-five percent to one-hundred percent. He explained that the Washington State Department of Ecology has begun review of similar proposed changes to the Shoreline Master Program, and has requested that this ordinance be adopted prior to their final approval. This will return for a second reading at the next meeting.

Councilmember Young asked how this could be implemented in other areas of town, if this was being done through the Shoreline Master Program. Carol Morris, City Attorney, explained that this could be done by changing the non-conforming chapter in the zoning code. She further explained that the zoning code applies unless there is an overlay such as the Shoreline Master Program. The most restrictive controls.

2. Utility Extension Capacity Agreement – Veitenhans. John Vodopich presented this request for water service to property located on Crescent Valley Drive. He explained that the two parcels are located within the city's Water Service Area, but outside the Urban Growth Area. He read the criteria for approval outlined in the municipal code and recommended approval.

Councilmember Dick asked for clarification on how this meets the special requirement that does not permit urban development, if the property is changed to R-1 zoning.

Mr. Vodopich explained that the contract itself doesn't change the zoning. The intent of the residential language is that the applicant intends to do single-family residential development. He offered to change the zoning designation to reflect the current designation of Reserve Five.

Councilmember Dick continued to voice concern regarding extending service beyond the Urban Growth Area and meeting the test that doesn't permit urban development. He said that providing water would allow one unit per acre.

Mr. Vodopich responded that the lots were created before the County implemented the Reserve Five designation. They are legal lots of record and they would not be promoting any further subdivision of land.

Councilmember Young stressed that currently, they can legally build on the lots and that the city should be considering this as a water purveyor.

Councilmember Picinich asked why the owner doesn't hook up to another water purveyor. Mr. Vodopich responded that the closest point of connection would be one-half mile away, and the city would have to deny the request and relinquish the area.

Washington Water would then have to agree to accept the area into their service area, and both would have to amend their Water Comprehensive Plans.

Carol Morris agreed that the points brought up by Councilmember Dick are valid. She suggested an amendment to the ordinance to allow individuals to take advantage of the exception to address this concern. She offered to bring case law in which the Growth Board interprets this issue of permitting urban development.

Councilmembers directed Mr. Vodopich to bring the request for water extension back after the ordinance has passed.

3. First Reading of Ordinance – Amendment to Title 15 Clarifying the Authority of the Building Official/Fire Marshal with Respect to Housing Safety. Dick Bower, Building Official / Fire Marshal, presented the background on this ordinance that would give the city the authority to seek legal abatement of unsafe dwellings. This will return at the next meeting for a second reading.

4. Wastewater Comprehensive Plan Population Update – Consultant Contract Amendment. Councilmember Conan asked for clarification on the cost breakdown. John Vodopich explained that he has asked the contractor to clarify not on the cost of the overhead but the other fees. He suggested that the contract be brought back at a later date.

#### **STAFF REPORT:**

Mike Davis, Chief of Police – September Stats. Chief Davis offered to answer any questions regarding the report.

#### **PUBLIC COMMENT:**

Lita Dawn Stanton – 111 Raft Island. Ms. Stanton submitted a petition to protect the Millville District. She read from the petition which states that new development must comply with all comprehensive plan, GHMC's, and design review regulations, maintain the mass and scale and patterns of development of our historic district. She said that 82 residents living within the district were asked if they would like to sign, and everyone signed except one. Everyone agreed that mass and scale of structures within the historic district matters. She said that there is no question that a property owner has the right to develop his or her property, but all development must strictly conform to the regulations set for that zone or be forwarded to the appropriate review body. She quoted from the historic section of the Design Review Manual; "One of the most characteristic design features of Gig Harbor's Historic area is the small scale and simple mass of the older homes." Chapter 17.99.520 of the Design Manual says: "Structures shall be designed to reflect the width and height proportions of adjacent structures." Ms. Stanton said that if new structures are smaller or the same size as adjacent structures, they are okay. She then asked what happens if they are bigger and who decides. She said that she thought it important that Council hear this request from more than four or five people and hopes that by delivering this petition, it clearly demonstrates the opinions of a neighborhood asking to be represented. She then asked the Mayor to not allow new development to redefine the historic Millville.

Jack Bujacich – 3607 Ross Avenue. Mr. Bujacich asked for clarification regarding the demolition of the dock and house on the Steele property. He said that he had been told by John Vodopich that they had been issued a demolition permit and that they could not do any more grading or hauling dirt until they met certain requirements. He said that in the last couple of days, they have been bulldozing, grading, and hauling dirt from the property.

John Vodopich responded that a stop-work order had been issued this afternoon.

Harry Davis – no address given. Mr. Davis said that he is offering his services to be written in as a Mayoral Candidate on the "Pirate Party." He asked why the business owners and people living in future annex areas were not allowed to vote in the city elections. He said that they need equal rights and pointed out that they have Gig Harbor addresses. The Mayor explained that only those who live within city limits can vote in city elections, and that voting registration is tied to your residence. Mr. Davis suggested that Councilmembers write a new law that would allow these others to vote.

Councilmember Picinich said that he didn't agree that people who didn't live here should vote on what affects the citizens. Councilmember Young attempted to explain that state statutes set the voting parameters.

#### **COUNCIL COMMENTS / MAYOR'S REPORT:**

Councilmember Paul Conan commented that Chief Davis participated in a fund-raiser for the youth entitled "Chief for the Day." This was auctioned for \$1750.00, and he thanked the Chief for being a part of the community outside of his job.

The Arts are Alive and Well in Gig Harbor. Mayor Wilbert commented briefly on her report. She talked about woodcarvers for the parks. She then talked about recent emergencies, and urged everyone to work with Pierce County in establishing a Neighborhood Emergency Team. She stressed that we are on our own for 72 hours and neighbors need to take care of each other.

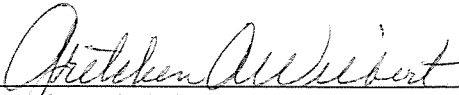
#### **ANNOUNCEMENT OF OTHER MEETINGS:**

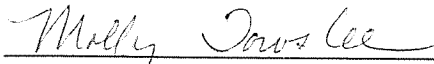
1. Marina Fire Protection Public Meeting – October 12, 2005 at 7:00 p.m. in Community Rooms A & B, Gig Harbor Civic Center.
2. GHN Traffic Options Committee – November 16, 2005, 9:30 a.m. Community Rooms A & B, Gig Harbor Civic Center.

#### **ADJOURN:**

**MOTION:** Move to adjourn at 7:44 p.m.  
Picinich / Conan – unanimously approved.

CD recorder utilized:  
Disk #1 Tracks 1-18.

  
Gretchen A. Wilbert, Mayor

  
Molly M. Towslee, City Clerk