

GIG HARBOR CITY COUNCIL MEETING OF JANUARY 28, 2002

PRESENT: Councilmembers Ekberg, Young, Franich, Owel, Dick, Picinich, Ruffo and Mayor Wilbert.

CALL TO ORDER: 7:06 p.m.

PLEDGE OF ALLEGIANCE

SWEARING IN CEREMONY:

Mayor Wilbert performed the swearing in ceremony for re-appointed Judge, Michael Dunn.

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 Meetings of January 14, 2002.
2. Proclamations/Correspondence: a) February 12th - Arts Day. b) Letter from Alan Anderson.
3. Consultant Services Contract Amendment - Krazan & Associates.
4. Consultant Services Contract Amendment - Earth Tech, Inc.
5. Stormwater Facilities Maintenance Agreement & Restrictive Covenant - Gig Harbor North.
6. Purchase Authorization - Street Lights for Harborview Drive.
7. Purchase Authorization - Street Lights for Harborview Drive Street End.
8. Purchase Authorization - Street Lights for Rosedale Street.
9. Consultant Services Contract for Acoustical Study - BRC Acoustics.
10. Memorandum of Agreement - State Office of Archeology and Historic Preservation for Data Sharing.
11. Appointment to Mayor Pro Tem and Council Committees.
12. Reappointment to Planning Commission.
13. Reappointments to Design Review Board.
14. Bid Award - Official Newspaper.
15. Approval of Payment of Bills for January 28, 2002.

Checks #35076 through #35206 in the amount of \$965,446.11. Check #35084 Void.

MOTION: Move to approve the Consent Agenda as presented.
Ruffo/Ekberg - unanimously approved.

OLD BUSINESS:

1. Closed Record Appeal - Denton Bed & Breakfast. John Vodopich, Director of Community Development, said that at the last meeting of January 14th, Council voted to reverse the Hearing Examiner's decision on the Denton Conditional Use Permit and Variance for the property located at 9710 Harborview Drive. He continued to explain that since that time, the applicant's attorney has indicated that they will be withdrawing their application for both. He said that both he and the City Attorney recommend that the City Council take action to vacate the January 14th vote to reverse the Hearing Examiner's decision, give direction to send the matter back to the Hearing Examiner for vacation of his decision approving the applications, and further recommend that a

time-line of three months be given to submit a revised application. Carol Morris clarified that the Dentons had already withdrawn the applications. Councilmember Dick asked if the motion should also contain a vacation of the Administrative approval of the variance. John explained that an administrative variance had never been issued. Councilmember Ruffo asked the Dentons if a three-month deadline was sufficient. They responded that it would be adequate.

MOTION: Move to vacate the City Council's January 14th, 2002 decision to reverse the Hearing Examiner's decision on these applications, as they have been withdrawn, and to direct the matter to be remanded to the Hearing Examiner for vacation of his decision approving the application. Because the Dentons have begun construction under an issued building permit, a three-month deadline shall be set for them to resubmit a revised application for review.
Picinich/Ruffo - unanimously approved.

2. Second Reading of Ordinance - Water Rate Increase. David Rodenbach, Finance Director, presented this ordinance approving a water rate increase of 5% to become effective March 1st.

MOTION: Move to adopt Ordinance No. 899.
Picinich/Young - unanimously approved.

3. Second Reading of Ordinance - Sewer Rate Increase. Dave Rodenbach presented this ordinance approving a sewer rate increase of 5% to take effect on March 1st.

MOTION: Move to adopt Ordinance No. 900.
Picinich/Dick - unanimously approved.

4. First Reading of Ordinance - Erickson Street Vacation. Carol Morris explained that this ordinance has been delayed because a portion of the street was used by a private property owner. Without an easement, this owner might be left without access to his property, and so the homeowners in Spinnaker Ridge were requested to grant such an easement. This easement has been drafted and given to the property owner's representative. She explained that notice of the vacation would be given to the property owner, and it would be appropriate to move forward with approval of the vacation at the next reading.

Councilmember Ruffo asked if it would be appropriate to pass this ordinance at the first reading. Councilmembers voiced their preference to save that privilege for emergencies only.

NEW BUSINESS:

1. Notice of Intention to Annex - Northwest Gig Harbor Employment Center. John Vodopich said that the city had received the Notice of Intention to Commence Annexation for approximately 200 acres located west of Highway 16 and north of Gig Harbor High School, all within the city's Urban Growth Area. He said that the applicants submitted a request for Employment District zoning for the entire 200 acres, which would be reviewed by the Planning Commission at Council's direction. He said that the proposed legal description had been

forwarded to the Boundary Review for comment, and their comments were included in the packet. He gave an overview of the nine criteria that guide the Boundary Review Board when reviewing annexations and comments from other departments. He then recommend that the Council accept the Notice of Intent to Commence Annexation subject to three conditions: first, that the property owners be required to assume all the existing indebtedness of the area being annexed; second, that the legal description be revised to reflect the comments by Pierce County; and finally, that the request for Employment District Zoning be referred to the Planning Commission for review and recommendation.

Councilmember Franich asked questions about the wetlands located on the properties. John Vodopich explained that these wetlands would be bound by city regulations, where now they are governed by Pierce County. Councilmember Dick asked for clarification on the zoning procedure. John explained that that any designation of zoning would have to be completed before the Council could finalize the annexation. John mentioned a letter from Hemley's Septic Cleaning asking to be removed from the annexation, and further recommending that the Council not accept the annexation petition.

Brewer Thompson - PO Box 99947, Tacoma. Mr. Thompson explained that he was President of the Mountain View Development Company, owner of the property located southwest of the proposed annexation. He asked that his 38 property be included in the annexation process. He added that approximately nine of the 38 acres were designated wetland. He answered Council's questions regarding the zoning, adding that it is currently zoned residential, and he would prefer to leave it that way unless the other zoning would afford some advantage.

Doug Howe - Touchstone Corporation, 2025 1st Ave., Seattle. Mr. Howe explained that he and Mike Scannel are the proponents of this annexation that included 21 property owners. He explained that most all the property is already zoned E-C, both in Gig Harbor's Comp Plan and Pierce County's zoning plan, and fall within the UGA. He said that they had attempted to create a contiguous boundary line and unify the zoning. He said that very little of the properties was developed and this was one of the last opportunities for employment activity in Gig Harbor. He discussed the recent road improvements in the area, adding that the utilities are installed. He said that he had no objection with including the property owned by Mountain View Development. He then addressed the question of wetlands located in the area, estimating that approximately 10 to 15 acres were wetlands.

Paul Miller - 917 Pacific Ave #417, Tacoma. Mr. Miller encouraged concurrence with the request as owner of three of the parcels. He said that this area had been intended for employment center designation almost 25 years ago, and that an assurance of the availability of employment centers would strengthen Gig Harbor. He said that a singular road system serves the area, adding that it makes sense to have consistent zoning.

Brewer Thompson - Mr. Thompson explained that when he signed the request to be included, he was unaware of the intent for use of the surrounding property. He said that now that he is aware of the requested zoning, he would like an opportunity to study the rezone and how it would affect his property. He said that he thought that the R-1 zoning might diminish his ability to develop the property at four units per acre. Mark Hoppen explained that it would remain at three units if he

were to request sewer utility from the city, whether or not he was included in the annexation. John Vodopich added that a planned residential development could result in four units. Mr. Thompson asked if this would go to the Planning Commission for consideration, and if he could withdraw his request for inclusion at a later date. Carol Morris explained that a property owner could withdraw before the Council forwards the petition to the Boundary Review Board.

Frank Chaplin - 6780 Weatherglass Lane - Mr. Chaplin spoke on a previous agenda matter, explaining that the poor acoustics in the Council Chambers did not allow the neighbors from Spinnaker Ridge to hear the decision on the Vacation of Erickson Street. Councilmember Owel explained that the ordinance would return for a second reading and approval at the next meeting.

MOTION: Move to accept the notice of intent to commence annexation of the 200 acres, include the Thompson property in this annexation with R-1 zoning, and subject the annexation to the three conditions outlined in the staff's recommendation.
Picinich/Ruffo -

Councilmember Young asked if it was necessary for the motion to designate the Thompson Property as R-1 zoning. Councilmember Dick said that Mr. Thompson requested that the property retain this designation, and that the Planning Commission could make any other determination before it returns to Council for approval.

Mr. Thompson clarified that he did not want to request R-1 zoning for the property, as it would be more restrictive than its current zoning. Councilmember Young recommended removing the R-1 designation from the motion.

AMENDED MOTION: Move to accept the notice of intent to commence annexation of the 200 acres, include the Thompson property in this annexation, and subject the annexation to the three conditions outlined in the staff's recommendation.
Picinich/Ruffo - unanimously approved.

2. Fisherman's Memorial Statue - Request for Support. Mark Hoppen, City Administrator, explained that in the 2000 Budget, Council allocated \$10,000 for public art, which was applied to the Fisherman's Memorial Statue, and in 2001, another \$20,000 was budgeted for the same. He explained that the Memorial project is due for installation in the spring with one large payment remaining. Shirley Tomasi, Cultural Arts Commission, has requested that the Council provide another \$10,000 in support to enable her to obtain grants for the bulk of the final payment. If the fundraising efforts are successful, this additional support from the city will not be necessary and would remain in the city's funds.

MOTION: Move that the City Council extend \$10,000 of city monetary support to ensure the completion and placement of the Fisherman's Memorial and to assist in obtaining grants.
Owel/Picinich - unanimously approved.

Councilmember Owel asked to be excused and left the meeting at 8:03 p.m.

STAFF REPORTS:

David Rodenbach, Finance Director, presented the Quarterly Report for the fourth quarter of 2001. He explained that all funds were within budget and offered to answer questions.

COUNCIL COMMENTS / MAYOR'S REPORT:

Councilmember Dick complimented the city's web site and thanked staff for the improvements to the site making it easier for the public to access information.

Councilmember Ekberg thanked the Public Works Department for the great job of keeping the roads clear during the recent snowy conditions.

Councilmember Ruffo thanked the Public Works Department for completing the Harborview Drive Project.

PUBLIC COMMENT: None.

MAYOR'S REPORT:

Mayor Wilbert spoke about the Proclamation establishing February 12th as Arts Day, explaining that this day will be celebrated throughout the state.

ANNOUNCEMENT OF OTHER MEETINGS:

Mayor Wilbert said that she would continue to attend the airport meetings, which are held every Thursday evening, and keep the Council updated.

EXECUTIVE SESSION: For the purpose of discussing property acquisition per RCW 42.31.110(b).

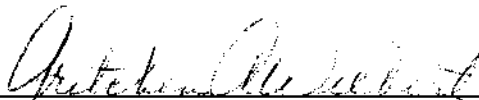
MOTION: Move to adjourn to Executive Session at 8:07 p.m. for the purpose of discussing property acquisition for approximately ten minutes.
Dick/Franich - unanimously approved.

MOTION: Move to return to regular session at 8:16 p.m.
Ruffo/Picinich - unanimously approved.

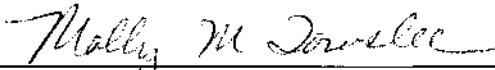
ADJOURN:

MOTION: Move to adjourn at 8:16 p.m.
Ruffo/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 642 - Side B 013 - end.
Tape 643 - Side A 000 - end.



Gretchen A. Wilbert, Mayor



Molly M. Janssen
City Clerk