

GIG HARBOR CITY COUNCIL MEETING OF MAY 13, 2002

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

CALL TO ORDER: 7:00 p.m.

PLEDGE OF ALLEGIANCE

SWEARING IN CEREMONY: Lt. Bill Colberg introduced the Gary Dahm, who had recently completed the training at the Police Academy. Mayor Wilbert performed the swearing in ceremony for the newest Gig Harbor Police Officer.

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 April 22, 2002.
2. Proclamations/Correspondence: Letter to Eagle Scout Andrew Lackman.
3. Award of Bid - Workstation Furniture for Civic Center.
4. Asphalt Pathway Contract Award.
5. Grandview Street Improvement Project, Surveying Services - Consultant Services Contract.
6. Grandview Street Improvement Project, Materials Testing - Consultant Services Contract.
7. Grandview Street Improvement Project - Contract Award.
8. 56th St. & Olympic Drive Roadway Improvement Project Design - Consultant Services Contract.
9. Pump Station 2 Electrical Services - Consultant Services Contract.
10. Vehicle Hoist - Purchase Authorization.
11. Liquor License Application: Market Place.
12. Approval of Payment of Bills for May 13, 2002.
Checks #36008 through #36167 in the amount of \$505,120.43.
13. Approval of Payroll for the month of April, 2002:
Checks #1419 through #1471 and direct deposits in the amount of \$194,908.87.

MOTION: Move to approve the Consent Agenda as presented.
Picinich/Young - unanimously approved.

OLD BUSINESS:

1. Second Reading of Ordinance - Concurrency Management Code Amendments. John Vodopich, Community Development Director, presented this ordinance amending the concurrency management code that had been amended since the last reading to reflect that the Director of Operations determines concurrency rather than the Community Development Director. He added that this ordinance had a first reading and public hearing at the last meeting and recommended approval. Carol Morris, Legal Counsel, answered questions regarding the ordinance.

MOTION: Move to adopt Ordinance No. 907 as presented.
Young/Picinich – unanimously approved.

2. Second Reading of Ordinance - Adopting Wastewater and Water Facilities Charge Analyses. John Vodopich presented this ordinance adopting the general facilities charge studies recently completed, and answered questions regarding the rates and how they apply.

MOTION: Move to adopt Ordinance No. 908 as presented.
Young/Ekberg – unanimously approved.

3. Second Reading of Ordinance - Increasing Wastewater Connection Fees. John Vodopich presented this ordinance that will increase the wastewater connection fees consistent with the charge analysis just adopted. He said that the first reading and public hearing was held on April 22nd and recommended adoption of the ordinance.

MOTION: Move to adopt Ordinance No. 909 as presented.
Dick/Picinich – unanimously approved.

4. Second Reading of Ordinance - Increasing Water Connection Fees. John Vodopich presented this ordinance that will increase the water connection fees consistent with the general facilities charge analysis. This ordinance also had its first reading and public hearing on the 22nd.

MOTION: Move to adopt Ordinance No. 910 as presented.
Picinich/Young – unanimously approved.

5. First Reading of Ordinance - Allowing Septic Tanks in City Limits. John Vodopich explained that this item came before Council at the last meeting and that he had been directed to bring it back as a first reading. He summarized this ordinance, explaining that it would allow property owners, in very limited circumstances, to install a septic tank / drain field system. Councilmembers and staff discussed where these conditions might apply. This will return at the next meeting for a second reading.

NEW BUSINESS:

1. First Reading of Ordinance - Amendment to Ordinance No. 897, Annexing Property Next to City Shop. John Vodopich explained that the Department of Transportation had informed the city that there were errors in the legal description when the city annexed the property adjacent to the city shop. This ordinance is to amend the legal description, and will return for a second reading at the next meeting. Councilmember Young recommended that a title search be done on any future property annexed by the city to prevent errors.

2. First Reading of Ordinance - Removal of Pre-annexation Provision. Mark Hoppen, City Administrator, explained that this ordinance removes the pre-annexation provision for outside utility extension contracts in light of the recent Washington State Supreme Court decision. This will return for a second reading at the next meeting.

3. Resolution - Sale of City Hall and Use of Proceeds to Start a LTGO Bond – Early Redemption Fund. Mark Hoppen explained that this resolution would create a process to start a fund to begin to pay off the new Civic Center as soon as possible. He explained that the resolution declares City Hall surplus and establishes the condition of the sale. Councilmember Ekberg recommended an amendment to the resolution to include “501 (3C)” to the non-profit organization status. A bid date of August 1, 2002 was discussed and approved. Councilmember Young recommended that language be included to clarify that the city would welcome brokers if there were no acceptable offers from the non-profits. After further discussion on amendments to the resolution, it was decided that the existing language was sufficient.

MOTION: Move to adopt Resolution No. 588, adding “501 (3C)” to the non-profit organization in Section 2, paragraph ‘C’ and that the date of August 1, 2002 be inserted in paragraph B for a bid date.
Ekberg/Young – unanimously approved.

4. Resolution – Adopting a Recreation Program Interlocal. Mark Hoppen explained that after working with Peninsula School District and Pierce County, he was asked to prepare this Interlocal for a recreation program. He said that this had been forwarded to all the parties involved for review. Soon after this had been included on the agenda, he was told that the Risk Management staff at Pierce County had some concerns. He recommended that it be delayed until these issues could be addressed.

MOTION: Move to continue this until such time that the City Attorney can meet with the Pierce County Risk Management staff and agree on indemnification language.
Owel/Young – unanimously approved.

5. Settlement Agreement – City of Gig Harbor vs. Pierce County and Abu Rish. Carol Morris gave a brief history of the claim and explained that this settlement agreement resolves the design and development issues. She explained that the only issue not addressed is the one of use, because the property owner and Pierce County remained steadfast that the use was consistent with their code. She said that she thought it was a good resolution under the circumstances.

MOTION: Move that the settlement agreement between the City of Gig Harbor, Pierce County and Bill Abu Rish, in Pierce County Superior Court be approved.
Picinich/Franich – unanimously approved.

STAFF REPORTS: None.

PUBLIC COMMENT:

Dave Odell – 4110 97th St. Ct. NW, Avalon Woods. Mr. Odell gave an overview of his concerns over the report that came about from the incident of a round hitting a home in Avalon Woods on August 30th. He asked Council to require the Sportsman’s Club to not use the shotgun range until it can be shown that the neighbors are no longer in danger.

Don Bennett – 9713 41st Ave NW, Avalon Woods. Mr. Bennett emphasized the shortfalls in the report and investigation. He gave a description of what happened on that day, also sharing his concerns over the safety of the neighborhood. He stressed that the report stated that the slug “could” have come from the Sportsman’s Club. He also encouraged Council to shut down the shotgun range until through study, analysis and correction, a guarantee can be made that there won’t be a repeat of the incident.

COUNCIL COMMENTS / MAYOR'S REPORT:

Mayor Wilbert read a proclamation for the health, wellness and safety of our children. She explained that the chiropractors in the area asked to have this proclamation added to the agenda to declare May 18th as Kid’s Day American/International. She said that an afternoon of activities for young people had been scheduled.

MOTION: Move to proclaim May 18th as Kid’s Day American/International.
Young/Picinich – unanimously approved.

Mayor Wilbert announced that Wednesday, the flag would be flown at half-mast in honor of Peace Officers Memorial Day. She continued to talk about several other items of interest including an upcoming meeting in University Place to discuss transportation and economic development, an invitation to the groundbreaking ceremony of the residential community initiative at Ft. Lewis, and a letter of thanks to George and Jane Russell. Mayor Wilbert said that Jane had recently passed away, and gave a brief overview of some of the many contributions to the community made by Jane.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Second Council Meeting May: Tuesday, May 28th (due to Holiday on Monday)

EXECUTIVE SESSION: For the purpose of discussing property acquisition per RCW 42.30.110(b).

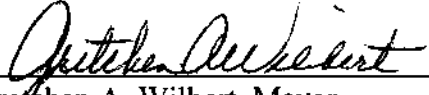
MOTION: Move to adjourn to Executive Session at 8:25 p.m. for approximately 15 minutes to discuss property acquisition.
Picinich/Franich – unanimously approved.

MOTION: Move to return to Regular Session at 8:40 p.m.
Picinich/Owel – unanimously approved.

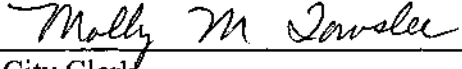
ADJOURN:

MOTION: Move to adjourn at 8:40 p.m.
Ruffo/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 652 - Side B 000 - end.
Tape 653 - Side A 000 - end.



Gretchen A. Wilbert, Mayor



Molly M. Jawslee
City Clerk