

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JANUARY 10, 2000

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

CALL TO ORDER: 7:05 p.m.

SWEARING IN CEREMONY:

Mayor Wilbert performed the ceremony to swear in Councilmembers Marilyn Owel and Bob Dick. She then called Mark Robinson and Frank Ruffo from the audience and performed the ceremony for their new terms of service. The new Councilmembers introduced their family and friends in the audience.

PUBLIC HEARING: First Amendment to the Pre-Annexation Agreement for Gig Harbor North.

Mark Hoppen explained that the principal parties to the agreement were not present because negotiations had not been completed. He asked if anyone in the audience had come for the public hearing. One gentleman responded and Mr. Hoppen explained that it was premature to hold the public hearing until a meeting between the property owners could be finalized. He added that the public hearing and the agenda item would be rescheduled.

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 the December 13, 1999, City Council Meeting.
2. Correspondence / Proclamations:
 - a. Tacoma P.C. Health Department - Budget Changes.
 - b. U.S. Census 2000.
 - c. Tacoma-Pierce County Solid Waste Management Plan.
3. Rosedale Street Improvements Project - Change Orders No. 2, 3, & 4.
4. Approval of Payment of Bills for December 27, 1999 through January 10, 2000 and :
Checks #23928 - 24019 for \$451,215.88; Checks #24020 - 24131 for \$283,192.04;
Checks #24132 - 24156 for \$163,503.31; Checks 24157-24163 for \$48,509.10.
5. Approval of Payroll for the month of December.
6. Liquor License Renewals - Harbor Arco AM/PM; Gourmet Essentials; and Harbor Inn.

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

OLD BUSINESS:

1. First Amendment to Pre-Annexation Agreement for Gig Harbor North. Mark Hoppen explained that this would be postponed until a later date.
2. Second Reading of Ordinance - Amendment to GHMC 12.02 - Encroachment Permit. Dave Skinner presented this ordinance to combine two separate permits, the right-of-way

permit and the encroachment permit. He recommended approval of the ordinance as presented.

MOTION: Move to adopt Ordinance No. 836
Dick/Ekberg - unanimously approved.

NEW BUSINESS:

1. Agreement for Dedication of Right-of-Way / Bingham. Mark Hoppen explained that no one from the Miller family was present to speak on this agreement and he asked that Council table the item until the next meeting.

MOTION: Move to table this agreement.
Picinich/Ruffo - unanimously approved.

2. First Reading of Ordinance - Donation from the Morris Foundation. Dave Rodenbach, Finance Director, presented this ordinance accepting a donation of \$15,000 for the purpose of enhancing the Borgen Property. This will return at the next meeting for a second reading.

3. First Reading of Ordinance - Donation to Skateboard Park. Dave Rodenbach presented this ordinance accepting a donation of \$100 from Donald Douglas for aiding in the construction of the skateboard park. Dave Skinner, Public Works Director, gave an update on the progress of the bid for construction, and added that there is \$100,000 committed to the project to date. This will return at the next meeting for a second reading.

4. Resolution - Amendments to the Pierce County County-Wide Planning Policies. Mark Hoppen explained that the County-wide Planning Policies were the framework that will lead to adjustments in the Comprehensive Plan for various cities within Pierce County. He said that these amendments would affect the way the city's policies on the development of private roads and sewer interceptors outside the city. Councilmember Dick asked if adoption of these policies would affect any of the city's ordinances. Carol Morris, Legal Counsel, explained that she and Dave Skinner had discussed this issue and amendments to the ordinances that affect private roads and sewer extensions would be made.

MOTION: Move to adopt Resolution No. 542 adopting the Pierce County County-Wide Planning Policies.
Picinich/Robinson - unanimously approved.

5. Resolution - Well Pump No. 5 - Emergency Declaration and Purchase Authorization. Dave Skinner explained that in December the pump on Well No. 5 experienced mechanical failure and currently, Well No. 3 was handling the demand. He said that if something were to happen to Well No. 3, there would be no backup system to supply water and requested that Council approve the resolution declaring that an emergency

exists to allow him to purchase a new pump and related equipment without utilizing the normal purchasing requirements.

MOTION: Move to approve Resolution No. 543 declaring that an emergency exists and authorizing the purchase of a new pump and related equipment without the need for compliance with the purchasing requirements of RCW 39.04.190, RCW 39.04.155 and City Resolution No. 411.
Picinich/Ekberg - unanimously approved.

6. Survey - Consultant Services Contract. Dave Skinner explained that this scope of work was identified in the 2000 Budget to survey both the newly acquired Shop Property and the intersection of Franklin Avenue and Fuller Street. He added that the survey would allow the city to begin engineering pedestrian improvements in that area.

MOTION: Move to authorize the execution of the Consultant Services Contract with Skillings-Connolly, Inc. for survey work in the amount not to exceed twenty-eight thousand six hundred twenty-five dollars and sixty-five cents (\$28,625.65).
Owel/Ruffo - unanimously approved.

7. Burnham Drive Watermain Extension - Zellman Easement Agreement. Dave Skinner explained that this was a budget objective to provide a sixteen-inch diameter watermain extension from Bujacich Drive to Burnham Drive and on to Gig Harbor North Annexation properties. He said that this easement acquisition from Mr. Zellman was the first phase in construction of this line. Carol Morris asked that language be added to Section 5, paragraph C to read "...Perpetual Easement for any purpose compatible with this easement."

MOTION: Move to authorize payment of \$5,000 for the required easement with the amendment to language as recommended by Legal Counsel.
Dick/Picinich - unanimously approved.

8. First Reading of Ordinance - Burnham Drive Rezone. Ray Gilmore, Planning Director, presented this recommendation from the Planning Commission to rezone three parcels along the west side of Burnham Drive from R-1 to B-2. He answered Council's questions and explained that this would return for a second reading at the next meeting.
9. First Reading of Ordinance - Amendments to Chapter 17.07. Ray Gilmore presented this ordinance amending the enforcement procedures in the Zoning Code, eliminating the administrative appeal of a Notice of Violation, which could subject the violator to criminal prosecution. This will return for a second reading.
10. Addendum to Expert Witness Contracts. Carol Morris presented these addendums to several expert witness contracts for the Wilkinson Property, which are required because the amount budgeted for services had been exceeded. She said that the contracts would

have to be adopted with separate motions. Councilmember Dick asked that in the future, that Legal Counsel administer any contracts of this type with Council's consent.

MOTION: Move to approve the Addendum to Expert Witness Contract between the City of Gig Harbor and Shannon & Wilson, Inc.
Dick/Picinich - unanimously approved.

MOTION: Move to approve the Addendum to Expert Witness Contract between the City of Gig Harbor and Halsan Frey Associates LLC.
Dick/Picinich - unanimously approved.

MOTION: Move to approve the Addendum to Expert Witness Contract between the City of Gig Harbor and Adolfson & Associates, Inc.
Dick/Picinich - unanimously approved

At this time, Mark Hoppen explained that Mr. Scott Miller had arrived, and asked for a motion to bring the tabled agenda item back for discussion.

MOTION: Move to remove from the table New Business agenda item number one, Agreement for Dedication of Right-of-Way / Bingham, and bring back to Council for discussion.
Picinich/Ruffo - unanimously approved.

Mr. Hoppen explained that his agreement exchanges 3.2 % of the capacity of the East-West Road for a piece of property necessary to construct the road. He described the location of the property and asked for approval of the agreement.

Scott Miller - 6602 Cromwell Beach Drive. Mr. Miller said that he appreciated the efforts to solve his problem with capacity issues.

MOTION: Move to authorize the Agreement for Dedication of Right-of-Way with the Bingham Family
Owel/Picinich - unanimously approved.

PUBLIC COMMENT/DISCUSSION:

Walt Smith - 11302 Burnham Drive. Mr. Smith welcomed the new Councilmembers. He then said that he wished to clarify any misunderstandings about the efforts by the Chamber of Commerce to build consensus within the town, concentrating on downtown Gig Harbor. He added that the first meeting will be on the 13th in the Council Chambers. He said that he was hopeful that Councilmembers and staff could attend the meeting.

COUNCIL COMMENTS / MAYOR'S REPORT:

COUNCIL COMMENTS / MAYOR'S REPORT:

Councilmember Dick announced the upcoming gathering at the Inn at Gig Harbor with Senator Patty Murray and Representative Norm Dicks on Wednesday, January 12th from 5:00 to 7:00 p.m. He encouraged everyone to attend the meeting and asked that it be advertised as a special meeting by the City Council so several Councilmembers could attend and not violate the Open Public Meetings Act. Mayor Wilbert read the Public Meeting Notice that had been prepared announcing this legislative meeting. She then announced that there would also be a Special Meeting of the Council at the Forward Together gathering in City Hall on Thursday, January 13th at 2:57 p.m.

Councilmember Ruffo asked for clarification of the Open Public Meetings Act requirements. Carol Morris gave a brief explanation and recommended that a special meeting be held so she could present a more in-depth presentation of information. This meeting was scheduled for Monday, January 31st at 6:00 p.m.

Mayor Wilbert asked Councilmembers to sign up to serve on the six available Council Committees for the year 2000. She added that the makeup of the committees will be announced at the next meeting.

STAFF REPORT: Mayor Wilbert introduced Lt. Bill Colberg and explained that he would be acting Chief of Police while Chief Mitch Barker was attending the FBI Academy at Quantico.

Mark Hoppen reported that the City had received the audit report from the State. He added that due to the efforts of the past Finance Director, Tom Enlow, and the current Finance Director, Dave Rodenbach, the city had received a clean audit with no findings for seven years in a row.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Legislative Reception - Wednesday, January 12th, 5:00 p.m. - Inn at Gig Harbor.
2. Forward Together - Thursday, January 13th, 2:57. p.m. - City Council Chambers.
3. Special Council Meeting - January 31st, 6:00 p.m. - Open Public Meetings Act Requirements.

EXECUTIVE SESSION: For the purpose of discussing pending and potential litigation per RCW 42.30.110(i).

MOTION: Move to adjourn to executive session at 8:30 p.m. for approximately 30 minutes.
Ekberg/Ruffo - unanimously approved.

MOTION: Move to return to regular session at 8:57 p.m.
Picinich/Ruffo - unanimously approved.

ADJOURN:

MOTION: Move to adjourn at 8:57 p.m..
Picinich/Ekberg – unanimously approved.

Cassette recorder utilized.
Tape 554 Side A 000 - end.
Tape 554 Side B 000 - end.
Tape 555 Side A 000 - 323.

Fletcher Waldert
Mayor

Mally M Jawslee
City Clerk