

REGULAR GIG HARBOR CITY COUNCIL MEETING OCTOBER 11, 1999

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

CALL TO ORDER: 7:04 p.m. Mayor Wilbert welcomed the Scouts present in the audience, and asked everyone to stand and recite the Pledge of Allegiance in recognition of Columbus Day.

SPECIAL PRESENTATION:

I-695 and It's Possible Effects on Pierce Transit. Mayor Wilbert introduced Jean Jackman, Public Information Officer for Pierce Transit. Ms. Jackman gave a presentation on the potential cuts in bus and other service if Initiative 695 is approved by the voters.

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 September 27, 1999, City Council Meeting.
2. Correspondence / Proclamations:
 - a) Pierce Transit - Amendment to Bylaws.
 - b) WSDOT - Letter in Support of the Roundabout.
 - c) Thank you from Capt. Blake - H.M. Endeavor Foundation.
3. Approval of Payment of Bills for October 11, 1999:

Checks # 23412 through #23519 in the amount of \$387,407.98.
4. Approval of additional Payroll for August (processed in September):

Checks #18824 and #18825; in the amount of \$379.72.
5. Approval of Payroll for September:

Checks #18827 through #18974 in the amount of \$289,399.80.
6. Special Occasion Liquor License - Knights of Columbus.
7. Liquor License Renewals: Water to Wine; Fred Meyer Marketplace; Harvester Restaurant; and Olympic Village BP.

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

OLD BUSINESS:

1. First Reading of Ordinance - Parks and Transportation Impact Fees. Mayor Wilbert explained that this item had been discussed during the worksession held before this meeting. She asked if anyone who was unable to attend the worksession or had additional comments would like to speak.

Jim Pasin - 3208 50th St. Ct. - Mr. Pasin said because of the upcoming agenda item to discuss a proposed LID, he wanted to make an observation on the latest update of the Impact Fee Ordinance. He said that a statement had been added to give credit against the impact fee equal to the amount of the LID assessment paid for transportation related facilities. He said his basic concern is that a tax benefit would be received by those who can participate in a LID as opposed to those who cannot. His second concern was that if a transportation project is funded by a LID, then it shouldn't be on the list, as it is being funded by another means.

MOTION: Move we schedule another worksession on the impact fee ordinance on Monday, October 18th at 7:00 p.m. and that this return for a third reading at the October 25th Council meeting.
Picinich/Young - unanimously approved.

NEW BUSINESS:

1. Amendment to Municipal Court Judge Employment Agreement. Carol Morris, Legal Counsel, explained that the Police Chief had asked for an amendment to the Judge's employment contract to address civil forfeiture hearings. She said that under the statute, the Chief is allowed to conduct these hearings, but for appearance of fairness reasons, he would like to distance himself from these hearings and recommended that the Municipal Judge conduct the hearings. She added that this contract amendment would address his hourly rate for these services.

MOTION: Move to approved the amended employment agreement for Michael Dunn at the rate of \$125.00 per hour.
Picinich/Owel - unanimously approved.

2. Hearing Examiner Contract. Mark Hoppen, City Administrator, presented this contract renewal for 2000. He explained that the contract reflects a 2.7% increase for both Hearing Examiner and secretarial services. He added that this is the opportunity for Council to decide to seek new services. After discussing the terms of the contract, the following motion was made.

MOTION: Move to approve the Hearing Examiner Contract as presented.
Young/Ekberg - unanimously approved.

3. Bid Award - WWTP SCADA Control System Upgrade. Wes Hill, Public Works Director, explained that he had received three bids to update the control system at the Wastewater Treatment Plant and recommended that the contract be awarded to Systems Interface Inc. as the lowest responsible bidder.

MOTION: Move we approve award and execution of the contract for the SCADA and Control System Upgrade to System Interface, Inc., as the responsible

bidder, in the amount of thirty-one thousand four hundred twenty dollars and no cents (\$31,420.00), plus state sales tax.
Dick/Picinich - unanimously approved.

4. Resolution to Form an Local Improvement District for the Construction of the East-West Road. Dave Rodenbach, Finance Director, presented this resolution to announce intent to form a LID to complete the East-West Road. He explained that it is very similar to the last effort to form a LID, except the level of public participation is increased by \$250,000, so that the total level of public participation is \$1.85 million, with a million of that coming from Pierce County and \$85,000 coming from the city. The remaining \$1.65 million would be the LID amount assessed to the participating properties. He added that a formation and public hearing is scheduled for November 8th.

MOTION: Move to approve Resolution No. 538.
Ekberg/Owel - unanimously approved.

5. First Reading of Ordinance - Eliminating Administrative Appeal. Carol Morris explained that currently, the code enforcement procedures have an appeal process for notices of violation issued by the Building Official for building, fire, plumbing and mechanical code issues. She said that there is no requirement for the city to have a provision for administrative appeal, but it was found that having an appeal for a civil penalty notice of violation is important because the appeal to Superior Court is based on the record developed at the city. In regards to a criminal notice of violation, the prosecutor would take the violation and file a lawsuit in Municipal Court and then prosecute it in that manner. She said that this ordinance would eliminate the administrative appeal for a criminal penalty notice of violation. This will return for a second reading at the next meeting.

PUBLIC COMMENT/DISCUSSION:

Rosemary Ross - 3315 Lewis Street. Ms. Ross said she wanted to speak in favor of the city's purchase of the Borgen Property. She explained that the Historical Society has purchased the property abutting this property and that it would be a good marriage between the city and the Historical Society if the city were to purchase the property. She added that she took part in a survey in January regarding the acquisition or development of existing parks. She said that the results of the survey showed that the Borgen Property was second only to the further development of the City Park at Crescent Creek. She asked that Council take this into consideration when they discuss the possibility of the purchase.

Wade Perrow - 9119 North Harborview Drive. Mr. Perrow also spoke in favor of the city purchase of the Borgen Property. He said that in Appendix 'D' of the Parks Project, there are several projects that could be changed and impact fees could be collected so the city would have the funds for the project.

COUNCIL COMMENTS: None.

STAFF REPORT: None.

ANNOUNCEMENT OF OTHER MEETINGS:

The second session of the worksessions on the Impact Fee Ordinance - Monday, October 18, 1999, City Hall at 7:00 p.m.

The Mayor called a short minute recess at 7:48 p.m. The meeting resumed at 7:55 p.m.

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

MOTION: Move to add an item to executive session to discuss possible property acquisition, and to adjourn to executive session at 7:56 p.m. for approximately thirty minutes.
Owel/Young - unanimously approved.

MOTION: Move to return to regular session at 8:25 p.m.
Picinich/Owel - unanimously approved.

MOTION: Move to authorize the City Clerk to pay \$250 in settlement to John Paglia for the claim with regards to the sewer overflow as long as the claimant signs the release and covenant not to sue.
Picinich/Owel - five voted in favor. Councilmember Ekberg voted against the motion.


Councilmember Owel discussed the possible acquisition of the Borgen Property. She spoke of the value to the city and how it would fit well with the Historical Society's plans to complete their vision. She continued to say that it is a piece of property that the citizens want as a park and made the following motion.

MOTION: Move to authorize staff to make an offer to purchase the Borgen Property upon the following contingencies: Council approval of the Environmental Assessment Phase I, the property appraisal, and the Contract to Purchase. In addition, Council must approve a budget amendment for the purchase of the property, which would include an amendment to the comprehensive plan.
Owel/Picinich - unanimously approve.

ADJOURN:

MOTION: Move to adjourn at 8: 55 p.m.
Picinich/Owel – unanimously approved.

Cassette recorder utilized.
Tape 545 Side A 000 - end.
Tape 545 Side B 000 - 169.


Fletcher Allibert
Mayor

Mally M Jowles
City Clerk