

## REGULAR GIG HARBOR CITY COUNCIL MEETING OF DECEMBER 13, 1999

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

**CALL TO ORDER:** 7:10 p.m.

**SPECIAL PRESENTATION:** Special Olympics - Presentation of Award to GHPD.

Mayor Wilbert introduced Gordon Wohlfehl, Sgt. Scott Emmett and Chief Mitch Barker. Mr. Wohlfehl explained that he is the Director for the Southwest Washington Chapter of the Special Olympics and gave an overview of the Special Olympics program. He said that Chief Barker was the president/chairperson of the law enforcement torch run program campaign for the State of Washington which had raised almost \$200,000 in 1999 for the program and that the Gig Harbor Police Department alone raised over \$5,000 for Special Olympics. In honor of that, Mr. Wohlfehl awarded the Department a Gold-Medal Sponsor plaque.

### **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 November 22, 1999, City Council Meeting.
2. Correspondence / Proclamations:
  - a. Washington Utilities and Transportation Committee - Workshop on Solid Waste.
  - b. Proclamation - Drunk and Drugged Driving Prevention Month.
3. Approval of Payment of Bills for December 13, 1999:  
Checks # 23776 through #23927 in the amount of \$422,926.89.
4. Liquor License Renewals:  
Marco's Restaurant                      Mimi's Pantry                      The Green Turtle

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

### **OLD BUSINESS:**

1. Second Reading of Ordinance - East-West Road Local Improvement District. Dave Rodenbach, Finance Director, explained that at the last meeting, this item had been tabled pending a determination of participation. He said that during the last three weeks, several meetings had occurred between Pope Resources and Logan International, and several concerns had come up. He explained that Pope Resources had decided to participate in the LID without contingencies and Logan will assume \$140,000 of Pope's assessments. He recommended that this ordinance forming the LID be passed at this reading.

**MOTION:** Move adoption of Ordinance No. 833 establishing a local improvement district for construction of the East-West Road.  
Markovich/Picinich - unanimously approved.

2. Second Reading of Ordinance - Amendment to the Capital Facilities Element of the 1996 Comprehensive Parks, Recreation and Open Space Plan. Dave Skinner, Public Works Director, explained that this ordinance amends the city's Comprehensive Parks Plan to include the Borgen property to facilitate the purchase of this property.

**MOTION:** Move to adopt Ordinance No. 834.  
Picinich/Owel - unanimously approved.

3. Second Reading of Ordinance - Amendment to the 1999 Budget. Dave Skinner explained that this ordinance is a budget amendment to facilitate the purchase of the Borgen property and recommended adoption of the ordinance.

**MOTION:** Move to adopt Ordinance No. 835.  
Dick/Young - unanimously approved.

4. Borgen Property Acquisition. Mark Hoppen, City Administrator, explained that there were three contingencies for acquisition of the property. Approval of the Purchase and Sale Agreement, a Summary Appraisal, and the Phase I Site Assessment would be required for the purchase of the property. Carol Morris, Legal Counsel, gave an overview of her changes in the Purchase and Sale Agreement. Councilmember Picinich asked if the changes would affect the closing date of the agreement. Mr. Hoppen explained that the changes would need review and approval by Mrs. Borgen.

John Holmaas. Mr. Holmaas clarified that the city would not pay a commission, only the seller.

**MOTION:** Move to approve the Purchase and Sale Agreement with the amendments recommended by Legal Counsel.  
Picinich/Dick - unanimously approved.

**MOTION:** Move to approve the Limited Summary Appraisal.  
Picinich/Markovich - unanimously approved.

**MOTION:** Move to approve the Phase I Environmental Site Assessment.  
Picinich/Markovich - unanimously approved.

**NEW BUSINESS:**

1. Resolution - Building Code Advisory Board Term of Office. Ray Gilmore, Planning Director, explained that there are four memberships up for renewal on the board. He said that three current members, Mr. Hunter, Mr. Mitchell and Mr. Snodgrass have agreed to

serve another term, and Mr. Jeff Stroud has volunteered to serve for the fourth position. He recommended approval of these appointments to the Building Code Advisory Board.

**MOTION:** Move adoption of Resolution No. 541.  
Markovich/Young - unanimously approved.

2. First Amendment to Pre-Annexation Agreement for Gig Harbor North. Mark Hoppen, City Administrator, explained that the signatories from the original pre-annexation agreement were very involved with the amendments. He explained that a public hearing would be held at the next meeting, before the passage of this agreement.

Greg Elderkin - Logan International. Mr. Elderkin said he had been working with staff but had not had a chance to read through the latest agreement. He said he looked forward to reviewing and commenting on the document at the next meeting and to finalize the agreement.

3. Boating Safety Program Agreement. Chief Mitch Barker introduced this safety program agreement that disperses funds from state vessel registration fees via Pierce County. He said that under the formula, the city would receive \$9,634.04 for the marine services operations.

**MOTION:** Move to authorize the approval of the Boating Safety Program Agreement.  
Dick/Picinich - unanimously approved.

4. Contract for Specialized Police Services. Chief Barker explained that this agreement entered into with Pierce County and the Pierce County Sheriff's Department would allow the city to call upon specific services that are offered for a fee. He added that the services that he would anticipate may be utilized would be the K-9 services, the Methamphetamine Team, and SWAT services.

**MOTION:** Move to authorize the approval of the Contract for Specialized Police Services.  
Markovich/Picinich - unanimously approved. Councilmember Dick abstained as an employee of Pierce County.

5. Agreement to Perform LID Administration Services. Dave Rodenbach explained that this agreement was to outsource local improvement district administrative services for the city. He gave an overview of the services such as database management, annual billings, posting penalties and answering questions. He said that it was expected to cost approximately \$780 per year until further LIDs are formed.

**MOTION:** Move to approve the agreement to perform LID administration services.  
Dick/Owel - unanimously approved.

6. WSDOT Overhead Agreement. Dave Skinner presented this agreement from the Department of Transportation to allow the city and state to operate without charging each other overhead for such services as maintenance activities, construction inspection and plan review.

**MOTION:** Move to approve the proposed agreement.  
Picinich/Young - unanimously approved.

7. First Reading of Ordinance - Amendment to GHMC 12.02 - Encroachment Permit. Dave Skinner presented this ordinance amending the Gig Harbor Municipal Code that addresses encroachment permits. He gave an overview of the amendments and explained that the revised language will provide one complete application process for all forms of activities that occur within the public right-of-way. This will return at the next meeting for a second reading.
8. Court Consolidation - Draft Interlocal Agreement. Carol Morris explained the process to create a Municipal Department within the District Court to address the issue of the inability to reestablish a Municipal Court for ten after it is abolished. She said that the Municipal Department would allow the city to select its judge and manage its Municipal Department if the consolidation efforts did not work satisfactorily. She said that her memo explained her comments on the interlocal agreement.

Councilmember Markovich said that this has been discussed over the last three years and that he is in favor of this important step. He explained that it is the city's obligation not to run a duplicative, costly, capital intensive service when we have the ability, within city limits, to have Pierce County provide those services. He said that he is in favor of a Municipal Department if it will help move toward consolidating the services. He added that he feels we have a competent District Court Judge system and encouraged Ms. Morris to move toward negotiation efforts.

Judge Michael Dunn - Municipal Court Judge. Judge Dunn gave an overview of his experience. He said that he had read the agreement and Carol's comments and that whatever decision Council makes would be acceptable to him. He continued to say that he was uncertain of the provision to discontinue the agreement with Pierce County after a few years. He also said he thought the city would lose the ability to have "local" prosecution, as there would be no distinction between the city and county cases or how they are handled. He concluded by saying that he is not in a position to make a recommendation, but that he would be willing to help to study the issue further. He added that he would like Council to review the case load management for the city's Municipal Court for the one year period after he took office before any decisions were made.

Mayor Wilbert spoke of her concern that the District Court Judge is an elected position and that there may be continual change. She requested that Judge Dunn review the courts' financial numbers with Dave Rodenbach to see if any savings could be determined.

Mark Hoppen pointed out that the space needs analysis for a new facility indicates that construction of a new Municipal Court is an \$876,000 undertaking. He said that efforts to go forward with a Request for Proposals for a new facility are somewhat encumbered without knowing what direction to proceed.

Councilmember Ekberg said he thought that the city should proceed with investigating the matter further. He added that he preferred this proposal over the previous one, due to the ten year concerns. He asked staff for a list of cities in the state that operate under this type of system, any cities that have dissolved their court and then gone back to a forming their own Municipal Court, and budgetary numbers relative to the savings to the citizens.

Councilmember Owel suggesting bringing this back at the second meeting in January to review the information and make a decision.

**MOTION:** Move to postpone this to the second meeting in January and that Council come prepared to make a decision at that time.  
Owel/Ekberg - unanimously approved.

9. Contract for Services - Madsen Electric. Dave Skinner presented this contract to hook up the new back-up generator at the Wastewater Treatment Plant.

**MOTION:** Move to authorize the agreement for the Wastewater Treatment Plant Backup Generator Electrical Installation to Madsen Electric, for the amount of thirty-two thousand dollars and no cents (\$32,000.00) plus state sales tax.  
Picinich/Young - unanimously approved.

**PUBLIC COMMENT/DISCUSSION:**

Jim Pasin - 3208 50th St. Ct. Mr. Pasin talked about the letter that he had sent to Council with the recommendations submitted by the Subarea Planning Committee concerning the Westside. He gave an overview of the recommendations and what had been accomplished to date. He encouraged that an effort be made to complete the items that had not been addressed such as sidewalk improvements, an LID for sewer, and park areas. He then thanked Sgt. Scott Emmett for attending their Neighborhood Association meeting to address concerns.

Mark Robinson - 7415 Stinson Ave. Mr. Robinson submitted his letter of resignation from the Planning Commission to take his seat as a newly elected City Councilmember. He thanked the Mayor for the opportunity to serve on the Planning Commission.

Charles Martin - Quail Run Mr. Martin said that he also was a member of the Westside Subarea Committee, and that his main concern was the traffic in Quail Run on Briarwood Lane. He said that he would like to see an effort to mitigate the traffic. His second concern was the new stormwater detention facility that had recently been installed by Pierce County. Dave Skinner and Mark Hoppen addressed several of Mr. Martin's concerns.

**COUNCIL COMMENTS:**

Mayor Wilbert announced that the *Winterfest for Birds* celebration was scheduled for Saturday, December 18th at the City Park at Crescent Creek, and invited everyone to attend. She then gave a brief overview of her three-week trip to Australia and New Zealand, and explained that she had compiled a notebook of pictures of streets, round-a-bouts, parks, bridges, flooded areas, and noxious weeds that she had seen on her travels. She invited Councilmembers to review the notebook.

Mayor Wilbert and Councilmembers thanked Nick Markovich for the many years served to his community as a City Councilmember, as this was his last meeting in that capacity.

**STAFF REPORT:**

Gig Harbor Police Department - November Statistics. No verbal report given.

**ANNOUNCEMENT OF OTHER MEETINGS:**

**EXECUTIVE SESSION:** For the purpose of discussing pending litigation per RCW 42.30.110(i). No action will be taken after the session.

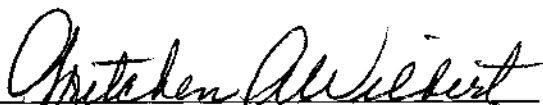
**MOTION:** Move to adjourn to executive session at 8:44 p.m. for approximately five minutes.  
Dick/Owel - unanimously approved.

**MOTION:** Move to return to regular session at 8:49 p.m.  
Owel/Picinich - unanimously approved.

**ADJOURN:**

**MOTION:** Move to adjourn at 8:50 p.m..  
Picinich/Owel - unanimously approved.

Cassette recorder utilized.  
Tape 552 Side A 236 - end.  
Tape 552 Side B 000 - end.  
Tape 553 Side A 000 - end.  
Tape 553 Side B 000 - 311.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk