

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JANUARY 10, 1994

PRESENT: Councilmembers Markovich, Platt, Stevens Taylor, Ekberg, Picinich, and Mayor Wilbert.

Mayor Wilbert introduced the new councilmembers, Steve Ekberg and John Picinich.

PUBLIC COMMENT: No requests.

CALL TO ORDER: 7:04 p.m.

APPROVAL OF MINUTES:

MOTION: Move to approve the minutes of the last council meeting.
Platt/Markovich - Platt, Markovich, and Picinich voted in favor.
Councilmembers Stevens Taylor and Ekberg abstained.

SPECIAL PRESENTATION:

Rainier Cable Commission. Marc Pease, Manager of Municipal Television for Tacoma, and Administrator for Rainier Cable Commission, gave a presentation describing the background, function and purpose of the commission, and answered questions.

COMMITTEE APPOINTMENTS:

Mayor Wilbert announced the 1994 Committee appointments and asked for council's approval. Councilmembers agreed to serve on the following committees:

<u>Finance Committee:</u>	Corbett Platt Steve Ekberg
<u>Public Works Committee:</u>	Nick Markovich Corbett Platt
<u>Public Safety Committee:</u>	Jeanne Stevens Taylor John Picinich

OLD BUSINESS:

1. **Second Reading - Municipal Court Judge Salary Ordinance.** Mark Hoppen presented the second reading of the Municipal Court Judge Salary Ordinance. He clarified the proposed changes in language under Section 'D' of the contract regarding payment of Pro Tem judges.

MOTION: Move adoption of Ordinance Number 659.
Markovich/Stevens Taylor -

AMENDED MOTION: Move to adopt Ordinance Number 659 with proviso that the employment agreement adopted by that Ordinance and incorporated by that Ordinance, Section 'D' be modified such that Judges Pro Tem serving at the convenience of the

Judge be paid by the Judge, and Judges Pro Tem who are serving not at the convenience of the Judge but otherwise required by law be paid by the City of Gig Harbor.
Markovich/Stevens Taylor - unanimously passed.

2. Public Works Standards. Ben Yazici presented the final Comprehensive Public Works Standards. He thanked all the people who were involved in the process of gathering and formulating this information and putting it into final form. He stated he felt the document would cut plan review time by two weeks.

MOTION: Move we table this item to the next meeting to allow Councilmembers to review the document.
Platt/Markovich - unanimously passed.

3. Easley - Side Sewer. Ben Yazici said the original plan authorized by Council to correct the problem by installing a pump station was not feasible. He requested authorization to build a gravity sewer system instead. He explained the cost would be the same, but would require crossing private property. The owner of this property is willing to give the necessary easements with provision their property be returned to its original condition.

MOTION: Move to authorize the Mayor to sign the necessary easement document to authorize the Public Works Department to build a gravity sewer connection to the Rainier Avenue main sewer line via private easement, in order to address the Easley side sewer problem.
Markovich/Stevens Taylor - unanimously passed.

NEW BUSINESS:

1. Utility Extension Request - Nelson. Mark Hoppen presented the request from Arna Nelson for six ERUs of sewer service to her property at 65th St. Ct. NW. He explained the circumstances surrounding the request and subsequent petition for annexation. Councilman Platt asked about the city policy that water would be extended along with sewer service. Ben Yazici stated that this property received water from Shoreacres, who bought the water from the City. Therefore the property did obtain city water indirectly.

MOTION: Move we authorize this extension as submitted.
Ekberg/Stevens Taylor -

AMENDED MOTION: Move authorization of this extension on the condition that the applicant move forward with the annexation.
Markovich/ - unanimously approved.

2. First Reading - Utility Extension Capacity Agreement Ordinance. Mark Hoppen presented the ordinance. He said it should diminish the negotiation of terms of the extension agreement and provide parameters for the Council's intent on contractual issues in the extension contract. He added that Mayor Wilbert had language she would like added that would refer to the limitation of extensions to area within the Urban Boundary Area to

ensure consistency with the Growth Management Act. Carol Morris, legal counsel, stressed that all this ordinance does is set the requirements if the city chooses to extend water or sewer outside city limits. Council agreed to substitute the language drafted by legal counsel for section 13.34.010, and adding the language suggested by Mayor Wilbert. This ordinance will come back with modifications at the next council meeting for the second reading.

3. First Reading - Water & Sewer Rate Ordinance. Tom Enlow presented the first reading of these three ordinances and explained that the rate changes were based upon the Engineering News Index. Council asked him to remove the new sections from these ordinances which provide for automatic, annual rate adjustments based on this index. Councilman Platt said he thought the reduced rate for the school district had been discussed and modified in 1993 so that the schools were paying the same rate as other users. Mr. Enlow was asked to research that change and make the necessary adjustments in these ordinances. The ordinances will be modified and brought back for a second reading at the next council meeting.
4. Special Occasion Liquor License - Lions Club. No action taken.
5. Application for Liquor License - Mimi's Pantry. No action taken.
6. Liquor License Renewals - Harbor Inn & Shoreline Restaurants. No action required.

DEPARTMENT DIRECTORS' REPORTS:

Public Works Department. Ben Yazici extended an invitation to all Councilmembers to tour the public works facilities. He will schedule two weekend dates in the near future for the tour. He then explained that the hydraulic broom adjuster for the new street sweeper had arrived early, so the funds would come from the 1993 budget rather than the 1994 budget.

Gig Harbor Police Department. Chief Richards also extended an invitation to Councilmembers to "ride along" in a patrol car. He then gave an update on the police activity for the month of December and explained that reason that the 1993 activity report was down from 1992 was that 1992 was an unusually bad year, and 1993 was more the normal standard.

MAYOR'S REPORT:

Emergency Preparedness. Mayor Wilbert gave a brief update on the activities of the Emergency Preparedness Committee. She shared her "Christmas Present" of an emergency kit for her car.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Emergency Preparedness for Olympic Village Businesses - Thursday, January 13th, 8:00 a.m. - Roundtable Pizza.
2. Staff meeting with DOE/DOF/DNR - Shoreline Master Program - January 18th, 3 p.m. - City Hall Conference Room.

APPROVAL OF PAYROLL:

MOTION: To approve payroll warrants #9264 through #9373, less 9285, 9296, and 9344, in the amount of \$158,660.52.
Platt/Stevens Taylor - unanimously approved.

APPROVAL OF BILLS:

MOTION: To approve bill vouchers #11568 through #11686 less #11599 and #11654 in the amount of \$77,993.76.
Platt/Stevens Taylor - unanimously approved.

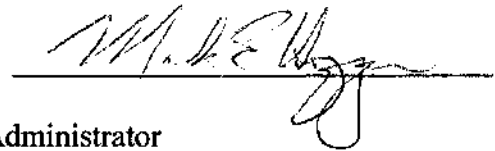
ADJOURN:

MOTION: Move to adjourn at 7:29 p.m.
Stevens Taylor/Platt - unanimously approved.

Cassette recorder utilized.
Tape 337 Side A 412 - end.
Tape 337 Side B 000 - end.
Tape 338 Side A 000 - end.
Tape 338 Side B 000 - 312.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JANUARY 24, 1994

PRESENT: Councilmembers Markovich, Platt, Stevens Taylor, Ekberg, Picinich, and Mayor Wilbert.

PUBLIC COMMENT:

Pete Darrah, 3311 Harborview Drive - Mr. Darrah addressed the Council in reference to the Shorelines Management Substantial Development Permit (SDP) 92-04. He requested Council's consideration to remove requirement No. 4 which states that no commercial lodging be permitted aboard the Ketch Krestine while moored at the facility. He voiced his objection to this requirement which would result in the elimination of his major source of livelihood which he has operated successfully over the last seven years. He also requested reconsideration of item No. 12 which relates to the requirement for 9 parking spaces.

Mayor Wilbert thanked Mr. Darrah for his comments and suggested that any Councilmembers who would like more information on this matter contact Ray Gilmore and the Planning Department staff.

CALL TO ORDER: 7:05 p.m.

APPOINTMENT OF MAYOR PRO TEM:

Mayor Wilbert confirmed the appointment of Councilmember Markovich as Mayor Pro Tem.

APPROVAL OF MINUTES:

MOTION: Move to approve the minutes of the last council meeting as submitted. Stevens Taylor/Picinich - unanimously passed.

CORRESPONDENCE:

1. Household Hazardous Waste Turn-In Event. Mayor Wilbert announced the Household Hazardous Waste Turn-In-Event which will take place on Wednesday, February 2, from 11:00 am to 7:00 pm in the Tacoma Dome. This is a free service to residents of Pierce County.
2. Peninsula Running Club. Mayor Wilbert shared with the Council a letter of thanks received from the Peninsula Running Club regarding their annual New Year's Eve Race.

OLD BUSINESS:

1. Second Reading - Utility Extension Capacity Agreement Ordinance. Mark Hoppen presented the second reading of the ordinance regulating extension of utility services to property outside the city limits. He called attention to new language under Section 13.34.010 B., which limits the City's authority to extend services to property outside the

city limits which is not contained within the City's Urban Growth Area. Councilmember Markovich suggested that paragraph I. - Waiver of Right to Protest LID be corrected to add the word "protest" in the last sentence as follows: "The Owner shall agree to sign a petition for the formation of an LID or ULID for the specified improvements at the time one is circulated, and to waive his/her right to protest formation of any such LID or ULID."

Ben Yazici asked to add the Public Works Standards to paragraph J. in addition to land use plan, zoning and building codes.

MOTION: Move adoption of Ordinance Number 660, with suggested modifications. Markovich/Stevens Taylor - unanimously passed.

2. Second Reading - 1994 Utility Rate Ordinances. Mark Hoppen presented the second reading of three ordinances to set sewer, storm drain, and water utility rates for 1994. He noted that an increase of 10% is proposed for water rates, and five percent for sewer and storm drainage.

There was discussion regarding the difference in the base rate for single family residential, multi-family, and commercial/school with sentiment expressed that the base rate should be the same for all categories. Director of Public Works Ben Yazici noted that standardizing the base rate in either direction would not have a significant impact on revenue, as long as the commodity charge was not altered.

Mr. Hoppen suggested the Council approve the ordinances as submitted and suggested that next year a formalized review of the rate structure be conducted. The last major study was done in 1986 and annual incremental adjustments have been based on the rates established at that time.

MOTION: Move adoption of Ordinance No. 661 respecting the municipal sewer system sewer rates and amending section 13.32.010, and 13.32.015 and 13.32.020 of the Gig Harbor Municipal Code. Markovich/Ekberg - Unanimously passed.

MOTION: Move adoption of Ordinance No. 662 respecting the municipal storm drainage utility charges and amending sections 14.10.050 of the Gig Harbor Municipal Code. Markovich/Ekberg - unanimously passed.

MOTION: Move adoption of Ordinance No. 663, respecting the municipal water rates and amending sections 13.04.010 and 13.04.020 of the Gig Harbor Municipal Code. Markovich/Picinich - unanimously passed.

3. Public Works Standards. Ben Yazici discussed the development of the Public Works

Standards which was a goal of the Department in 1993. The first draft was presented to Council in September 1993, and extensive comments were received by former Councilmembers Frisbie and English, and numerous others in the development community in Pierce County and subsequently incorporated in the final document. Mr. Yazici was very appreciative of all that contributed to the development of this document.

He noted that the intent will be to continually update and improve the document and the Council will be presented with significant updates January of each year.

Carol Morris, legal counsel, suggested that the last paragraph of the proposed resolution be amended to include the language "...published in 1994 *and a copy filed with this resolution with the City Clerk* are hereby adopted...

Mr. Yazici was commended for the development of this document which is the first of its kind to be adopted in Pierce County.

MOTION: Move adoption of Resolution No. 403 adopting the Public Works Standards of the City of Gig Harbor, and that the same be published and filed with this Resolution with the City Clerk.

Markovich/Stevens Taylor (with the comment that the date resolution passed be corrected to show January 24, 1994) - unanimously passed.

NEW BUSINESS:

1. Hearings Examiner Contract. Mark Hoppen discussed the proposed contract with Ron McConnell, the City's Hearings Examiner, which contains a proposed increase in fees from \$75 to \$85 per hour, and provides for the resolution of disputes before the Superior Court, instead of through arbitration.

Councilmember Stevens Taylor asked if concerns expressed by former Councilmember Frisbie regarding the selection process had been addressed. It was generally believed that previous concerns related to the examiner pro tem and would be resolved with the commitment that Bob Burke would serve as pro tem during this contract period. It was also clarified that the straight hourly rate would apply regardless of whether McConnell or the pro tem was in attendance there was no potential for double payment.

MOTION: To approve the contract with the Hearings Examiner as presented.
Stevens Taylor/Markovich - unanimously passed.

2. Little League Agreement. Mark Hoppen presented a request by the Little League Organization of Greater Gig Harbor to reserve the City Park field for Little League games and team practice sessions for a two year period beginning in April, 1994. He noted that the proposed Field Use Agreement provided for payment to the City of a portion of the profit from the concession operation. Mr. Hoppen stressed that this was a temporary arrangement until such time as the Little League Organization is able to develop its own dedicated baseball facility.

The agreement as presented reserved the field for practice sessions from 3:30 pm to 7:30 pm, Monday through Friday for the entire season, April 11 through August 5; also for games on both Saturday and Sunday, from 8:00 am through 5:00 pm for the period May 7 through August 7.

Both Councilmembers Ekberg and Picinich expressed concern that such a concentrated usage would effectively preclude other residents of Gig Harbor from using the park for much of the summer. Councilmember Ekberg suggested that the Council may want to develop standards as a basis on which future decisions can be made relative to the "dedication" of city facilities for certain activities and/or organizations. Ben Yazici noted that the contract under Item F. does allow for termination of the agreement by either party, but calls for 60 days notice. It was agreed that the termination notice period be reduced to 30 days.

Carol Morris expressed concern that the city may open itself up to some additional liability by accepting a portion of the concession profits. Mr. Hoppen noted that the city will be named as an additional insured on a \$1,000,000 insurance policy by the Little League. Councilmember Markovich suggested that Ms. Morris do further research on this item.

Theresa Hutchins, President of the Gig Harbor Little League, addressed the Council and stated that the city's field will be needed for games on Saturdays only, not on Sundays. She also noted that once registration is completed in early February, a definite schedule for the field will be developed. She admitted that the agreement before Council contains the maximum possible usage that would be required. As soon as registration is completed in early February, the exact needs will be assessed and a definite schedule for the City park can be developed.

The Council summarized that they support the activities of the Little League organization and are willing to work with them to make the city park available for games on a temporary basis as needed. However, they requested a more realistic schedule with less intensive city park usage.

Mr. Hoppen will coordinate with the Little League and address all issues raised, and will bring the matter back to the Council at the February 28th council meeting.

3. Public Health Agreement. Mark Hoppen reported that the contract for services between the City of Gig Harbor and the Tacoma Pierce County Health Department had been reduced by \$3,812, as a result of a re-calculation of our allocation. The Council congratulated Mr. Hoppen for obtaining this reduction.

MOTION: To approve the Amendment to Agreement for Public Health Services as submitted.

Stevens Taylor/Picinich - unanimously approved.

4. First Reading - Updated Fee Schedules for Land-Use/Building Permits Ordinance.

Planning Director, Ray Gilmore, presented to the Council the first reading of an ordinance to update fees associated with land-use and building permit applications. A correction to the proposed fee for Short Plats from \$135 to \$225 was noted. Mr. Gilmore stressed that the new fees were developed after a comprehensive review by his department of the actual time spent in processing various applications and that the proposed fees are meant to recoup the actual costs involved. It was noted that the new rates proposed are still 50% less than fees charged by many other jurisdictions in the County.

The Council expressed its support for the ordinance and acknowledged that current fees are significantly less than necessary. Councilmember Stevens Taylor expressed concern that the citizens be alerted to the proposed increases and Brian Miller of the Gateway responded that he would be running a comprehensive article on the issue.

5. First Reading - Ordinance Amending the 1994 Salary Schedule. Mr. Hoppen presented first reading of the ordinance amending the 1994 Salary Schedule, which reflects the salary ranges approved in the Employees' Guild Contract. The ordinance will be brought to the Council for second reading at the next Council meeting.

6. Puyallup Jail Services Contract.

MOTION: To approve the Interlocal Agreement for Jail Services Contract
with the City of Puyallup as submitted.
Stevens Taylor/Markovich

AMENDED MOTION: To approve the contract subject to review by legal counsel.
Markovich - unanimously approved.

6. Bid for Official Newspaper.

MOTION: To approve the Peninsula Gateway as the official newspaper for the City
of Gig Harbor.
Markovich/Picinich - unanimously passed.

DEPARTMENT DIRECTORS' REPORTS:

Finance - Mr. Hoppen reported the city is in good fiscal standing with an increase in the General Fund ending fund balance from last year; he also noted the receipt of expected revenues in the enterprise funds and a 20% increase in sales tax revenues over what had been budgeted.

Public Works - Ben Yazici will conduct a tour of the Public Works Department facilities including the Wastewater Treatment Plant and the Public Works Shop on Saturday, February 5, beginning at 11:00 a.m. Councilmembers should meet at City Hall.

Ben Yazici presented the Council with a listing of the 1994 objectives of the Public Works Department. Mr. Yazici reported that he is still negotiating with the Department of

Transportation to obtain the funds for the North Harborview Drive project for 1994 instead of 1995. If the transfer is obtained, this project will be added to the 1994 objectives.

The Council suggested that the Jerisich Park dock extension construction be delayed to begin after Labor Day so as not to disrupt the heavy usage of the dock in the middle of the summer and consequent negative impact to local businesses.

The Scenic Viewpoint project on Harborview Drive was discussed. There has been extensive input from the public and, consequently, generally favorable reaction to the design.

MAYOR'S REPORT:

East/West Road. Mayor Wilbert reported on the upcoming hearing at the County regarding the placement of the East/West Road. She noted that she will be accompanied by Ben Yazici, Mark Hoppen, and Carol Morris to testify and present the city's position in support of Alternate Number Three which will connect Peacock Hill Road with SR16 via a route along 112th Street.

APPROVAL OF BILLS:

MOTION: To approve Bill Vouchers #11578 through #11743 less #11696 through #11700 in the amount of \$31,455.32.
Platt/Stevens Taylor - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 8:50 p.m. to discuss property acquisition, claim, and legal matter.
Stevens Taylor/Platt - unanimously approved.

MOTION: Move to return to regular session.
Stevens Taylor/Platt - unanimously approved.


MOTION: Move to approve and pay to James A. Thomas his property damage claim as a result of hitting a pothole in one of our Gig Harbor streets in the sum of \$261.13.
Markovich/Stevens Taylor - unanimously approved.

ADJOURN:


MOTION: To adjourn at 9:15 p.m.
Platt/Stevens Taylor - unanimously approved.

Cassette recorder utilized.

Tape 338 Side B 314 - end.
Tape 399 Side A 000 - end.
Tape 339 Side B 000 - end.
Tape 340 Side A 000 - end.
Tape 340 Side B 000 - 058.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF FEBRUARY 14, 1994

PRESENT: Councilmembers Markovich, Platt, Stevens Taylor, Ekberg, Picinich, and Mayor Wilbert.

PUBLIC COMMENT:

PUBLIC HEARING: Resolution - Six Year Transportation Plan.

Ben Yazici introduced the Resolution updating and adopting the Six-Year Transportation Plan. He gave a brief explanation of the changes to this year's plan and an overview of each project. He added he had left out the Harborview Street End project and asked Council to make a motion to include this project. Carol Morris, legal counsel, suggested modification of the language in the last paragraph because all projects, except the Jerisich Dock Extension, are exempt from SEPA review.

MOTION: Move we include the Harborview Street End Project to the 1994 Public Works Six-Year Transportation Plan.
Platt/Stevens Taylor - unanimously approved.

Mr. Yazici introduced John Hubbard, Senior Planner for Pierce Transit. Mr. Hubbard asked that the expansion to the Park 'N Ride lot on Kimball Drive be added to the Six-Year Plan. They are planning to enlarge the current 165 spaces to 300 parking spaces, add a bus platform to accommodate up to 5 buses, and update signalization in adjacent intersections to make it easier for buses to get in and out of the facility.

Mr. Yazici told Council that typically other jurisdiction's projects are not included in the city's six-year plan, but because of the Wollochet Interchange project, a joint funding package is being sought. He added that the project name, Pioneer Way Improvements, would need to be changed to Pioneer Way / Kimball Drive Improvements to include the Park 'N Ride expansion, and the narrative re-written to include that the expansion is primarily Pierce Transit's responsibility.

MOTION: Move we make the amendment to the Six-Year Transportation Plan, Section 3 - Pioneer Way Improvements, to include Kimball and the Park 'N Ride.
Platt/Stevens Taylor - unanimously approved.

MOTION: Move approval of Resolution 405 with amendments as recommended by legal counsel.
Platt/Stevens Taylor - unanimously approved.

CALL TO ORDER: 7:23 p.m.

APPROVAL OF MINUTES:

MOTION: Move to approve the minutes of the last council meeting as submitted.
Markovich/Stevens Taylor - unanimously passed.

CORRESPONDENCE: None presented.

MAYOR'S REPORT: Emergency Preparedness for City Businesses.

Mayor Wilbert introduced Ray Zimmerman, Chairman of the Gig Harbor/Key Peninsula Emergency Preparedness Committee, who gave a description of the one-hour information sessions being presented to city business owners and managers to help prepare for an emergency. He in turn introduced Len McAdams, Chairman, Building and Structures Sub-Committee, who gave an overview of the Rapid Visual Screening program being offered. This service is being performed on "critical buildings" to assess their stability.

Mayor Wilbert encouraged Councilmembers to attend one of the four upcoming preparedness sessions.

OLD BUSINESS:

1. Second Reading - Updated Fee Schedules for Land-Use/Building Permits Ordinance. Ray Gilmore presented the second reading of this ordinance to update fees associated with land-use and building permit applications, and answered Council's questions. Councilman Ekberg suggested language be inserted to provide for an annual update of the fee schedule.

MOTION: Move adoption of Ordinance 664 with addition of annual review language.
Platt/Ekberg - unanimously approved.

MOTION: Move adoption of Resolution 406 establishing fees for land use planning and building applications and permits pursuant to Ordinance 664 just adopted.
Markovich/Stevens Taylor - unanimously approved.

2. Second Reading - 1994 Salary Schedule Ordinance.
Tom Enlow introduced the second reading of this ordinance that reflects the salary ranges approved in the Guild Contract.

MOTION: Move adoption of Ordinance 665.
Markovich/Platt - unanimously approved.

NEW BUSINESS:

1. Kitsap County Jail Services Contract. Molly Towslee introduced this contract and Carol Morris explained the suggested changes to the contract regarding medical and health care

for confined persons pursuant to Chapter 70.48 of the RCWs, indemnification language, and requirements for filing this interlocal agreement.

Chief Richards said he didn't feel much time or money should be spent on this contract, as this facility was rarely used.

MOTION: Move we discontinue this contract with Kitsap Jail.
Platt/ no second to the motion.

Councilman Markovich stated he liked the idea of an alternative to the Pierce County Jail, and because most of the work on the contract had been completed, he suggested this be tabled until the details regarding the suggested language from legal counsel had been worked out with Kitsap officials. Councilman Platt withdrew his motion.

MOTION: To table this contract until the details can be worked out with Kitsap County and language can be drafted.
Markovich/Platt - unanimously approved.

2. OCS Services Contract. Tom Enlow presented this software support services contract for the municipal court. Council had several questions regarding the frequency of usage and suggested that Catherine Washington, Municipal Court Administrator, come to the next council meeting to answer questions regarding this contract. Carol Morris suggested language be added regarding liability insurance, confidentiality, and a sufficient indemnity clause.

MOTION: To table this contract until the next council meeting when Catherine Washington can explain the use.
Ekberg/Platt - unanimously approved.

3. East/West Road Resolution. Mayor Wilbert introduced this resolution supporting Alternative 3 of the Pierce County plan for an east/west corridor between Crescent Valley and the Swede Hill Interchange. Several suggestions were made for changes to the resolution making it read more positively.

MOTION: Move adoption of Resolution 407 as amended.
Platt/Stevens Taylor - unanimously approved.

4. East/West Road, Preformation Expenditure. Ben Yazici explained the concept of a Preformation Expenditure Agreement to be executed with the Gig Harbor North property owners. The agreement will not obligate the city to either form an LID nor to reimburse the property owners for any expenses incurred in the event an LID is not formed, but would encourage the developers to continue their preliminary design work project. The agreement will indicate that the city will only consider the formation of an LID for the 112th Street connection. He introduced Mr. LaViollette from Parametrix, Inc., who has been hired by Thompson Properties Four, as a consultant for this project. Council directed Mr. Yazici to proceed to develop and execute a Preformation Expenditure

Agreement with the Gig Harbor North property owners.

5. Eden System Support Agreement. Tom Enlow presented this contract for technical support for the city's accounting software and answered questions. Carol Morris told Council she had the same concerns as with the OCS Contract regarding insurance and indemnification.

MOTION: Move approval of this software support agreement with Eden Systems conditioned upon inclusion of the modifications suggested by legal counsel. Markovich/Picinich - four voted in favor. Platt voted against.

6. First Reading - Business License Ordinance. Molly Towslee introduced this ordinance which would refine the business licensing process and combine the licensing regulations under one title. This ordinance would also allow the alteration of business licensing fees by resolution. The ordinance will return at the next council meeting, with a fees resolution, for a second reading.

7. Surveying Equipment Purchase. Ben Yazici explained the need for a new surveying transit station, and asked Council to authorize the transfer of funds that have budgeted for design of the Harborview Drive street end project to purchase the equipment. He explained that with the new equipment, the project could be surveyed by the Public Works Department rather than hiring an outside consultant.

MOTION: Move we authorize the transfer of the money allowing the purchase of the surveying equipment.
Platt/Picinich - unanimously approved.

8. Wollochet Interchange Avenue Improvements. Ben Yazici explained the scope of the project and named the various agencies that have agreed to work together to obtain grant funding which would cost approximately \$1,000,000. Pierce Transit, who originally agreed to be the lead agency, found they were not a state certified agency, so the City of Gig Harbor will be the lead agency. Pierce County Fire District 5 is committing \$25,000, Pierce Transit has committed \$90,000, and financial participation by proposed business owners along Kimball is anticipated at approximately \$7,000. Mr. Yazici asked Council to approve the commitment, and authorize the Mayor to provide a financial participation letter in the amount of \$25,000 to be included in the grant application. He explained these funds would not be spent in 1994, but if the grant application is successful, the adjustments would be made in the 1995 budget.

MOTION: Move to authorize the Mayor to send a financial participation letter in the amount of \$25,000 to be spent in 1995 for the Wollochet Interchange area improvements.
Stevens Taylor/Platt - unanimously approved.

9. Surplus Equipment - Public Works. Ben Yazici asked Council to approve a resolution

declaring a list of materials and equipment as surplus and eligible for sale.

MOTION: Move we adopt Resolution 408.
Ekberg/Stevens Taylor - unanimously approved.

10. Liquor License Renewal - The Keeping Room. No action required.

DEPARTMENT DIRECTORS' REPORTS:

1. Planning/Building. Ray Gilmore gave an update on the Shoreline Master Program. He announced the next meeting with the Department of Ecology, Department of Fisheries, and the Department of Natural Resources had been scheduled for March 3rd. The meeting is to address their concerns on the city's updated Shoreline Master Program.

Mr. Gilmore passed out sample client assistant memos currently being developed by the Planning/Building staff to help citizens through the permitting process. He stated these informational brochures would be available for distribution over the next several months.

2. Police Department. Chief Richards announced that the "Are You O.K.?" program was up and running. He added that he has two new Reserve Officers that will be sworn in at the next council meeting.

APPROVAL OF BILLS:

MOTION: To approve Bill Vouchers #11744 through #11857 less #11747 and #11750, in the amount of \$83,956.97.
Platt/Stevens Taylor - unanimously approved.

APPROVAL OF PAYROLL:

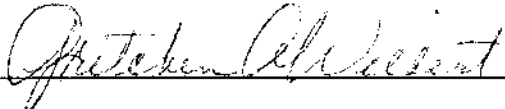
MOTION: To approve Payroll Warrants #9375 through #9483, less #9374, #9406, and #9454, in the amount of \$160,640.96.
Platt/Stevens Taylor - unanimously approved.

ADJOURN:

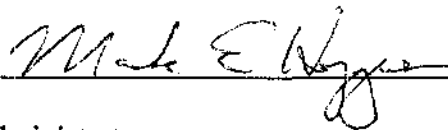
MOTION: To adjourn at 9:30 p.m.
Stevens Taylor/Markovich - unanimously approved.

Cassette recorder utilized.
Tape 340 Side B 060 - end.
Tape 341 Side A 000 - end.
Tape 341 Side B 000 - end.

Tape 342 Side A 000 - end.
Tape 342 Side B 000 - 186.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF FEBRUARY 28, 1994

PRESENT: Councilmembers Platt, Stevens Taylor, Ekberg, and Picinich. Councilmember Markovich acted as Mayor Pro-Tem in Mayor Wilbert's absence.

PUBLIC COMMENT: No public comment.

SPECIAL PRESENTATION: Mr. Raymond Day Jr., Coordinator for the Pierce County Health Department Community and Government Relations Division, came to speak before council about services. He passed out an informational flyer that explained several services performed by the Health Department and explained that commitment by the Health Department the last couple of years has led to a better tracking system of the areas served, and as they become more sophisticated, it will even further streamline their ability to track clients and the areas where they are served. He added this will increase the Health Department's ability to make their services more cost effective and enable them to correctly charge the areas served on a per-client basis.

Councilmembers voiced concern that the City of Gig Harbor was being charged for services performed in the County, due to the method of tracking a client by their zip code. Mr. Day was asked to check on charges to the City for septic system checks, dental education in schools, and food safety services to make sure all we were being charged for were being performed within city limits. He will provide this information a later date.

CALL TO ORDER: 7:24 p.m.

APPROVAL OF MINUTES:

MOTION: Move to approve the minutes of the last council meeting as submitted.
Stevens Taylor / Ekberg - unanimously approved.

CORRESPONDENCE: None presented.

OLD BUSINESS:

1. **Second Reading - Business License Ordinance and Fee Resolution.** Mark Hoppen presented the second reading of this ordinance to refine the business license process. Councilmembers were concerned that there was not sufficient language to ensure compliance and asked that the ordinance be modified and brought back for a final reading.

MOTION: Move to continue this ordinance to the next meeting.
Stevens Taylor / Picinich - unanimously approved.

2. **OCS Contract - Municipal Court & G.H. Police.** Mark Hoppen presented these contracts and explained both contracts were identical in content. Catherine Washington, Court Administrator, answered council questions about the frequency of use and the necessity for future use of this software support.

MOTION: Move approval of the OCS software support services contracts.
Stevens Taylor / Ekberg - three voting in favor. Councilman Platt voting against.

3. Little League Agreement for Use of City Park. Mark Hoppen introduced Brad Carpenter, who made a presentation to council and explained the need to "borrow" the city park until a permanent facility could be built. He explained that the permanent facility on Burnham Drive should be up and going by June. He added this would be a public park and open to the community.

Mark Johnston, President of Gig Harbor Little League, gave Councilmembers a pamphlet explaining their liability insurance coverage and health coverage indemnifying the City.

MOTION: Move we enter into an agreement allowing Gig Harbor Little League to use the City Park.
Platt / Stevens Taylor - unanimously approved.

NEW BUSINESS:

1. Utility Extension Capacity Agreement - Gig Harbor Retirement Center. Mark Hoppen presented this sewer request from the Gig Harbor Retirement Center. He explained that they were part of ULID #2, and making payments to sewer, and that the recent ordinance reflects the various land use and annexation provisions which should apply to all utility extensions outside city limits.

MOTION: Move to approve the contract as stated with the addition that it be subject to review of flow after the first year of operation and reassessed as appropriate.
Stevens Taylor / Ekberg - Councilmembers Stevens Taylor and Ekberg voting in favor, Councilmembers Platt and Picinich voting against. Mayor Pro-Tem Markovich voted in favor breaking the tie.

2. First Reading - Amendment to Zoning Code - Fencing Standards. Ray Gilmore presented the first reading of this amendment to the zoning code regarding fencing standards. He explained the intent of the ordinance to allow additional types of fence materials within city limits. There were no public comments, so the public hearing portion of this first reading was closed.
3. Hearing Examiner Recommendation - SPR 93-05 Heartwood Homes (15-unit motel). Ray Gilmore and Steve Osguthorpe presented information on this request for site plan approval of the proposal of a 15 room motel located at 3212 Harborview Drive. They told council that all references to "gazebo" in the HEX recommendation be changed to reflect "deck area."

Bob Mitton - 5500 Soundview Drive. Mr. Mitton explained the need for a deck area for people who may want their family to meet them in the summer and want a place to sit and visit. He added that no final decision on 24-hour on-site management had been

...ors who were concerned about
ng a big problem.

reinforced what Mr. Mitton had
g materials had been finalized.

changes reflecting changing the
oved.

Crum.) Ray Gilmore presented
lverwood addition for one year
the revised plat expiration date

his intent to stay involved with

g the one-year preliminary plat

r Wash II. Steve Osguthorpe
or a car wash located at 6750
are feet of retail space in favor
vice bays. He read the five
on.

he proposed changes and asked
n was included. Staff explained
n multi-ownership businesses.

is the project architect for this
e plan adding that they made a

Ben Yazici asked the applicant
are they are assessed the correct
improvements. The applicant's

ed until the next regular meeting
n submitted for consideration.

Yazici asked for adoption of a

reached. He said he had been working with the neigh
excessive noise, and that he didn't see the deck area a bei

Larry Williams - 1127 7th Ct. Fox Island - Mr. Williams r
said about the deck. He added that no decision on buildin

MOTION: Move to approve Resolution #409 with
"gazebo" to "deck area."
Stevens Taylor / Platt - unanimously appro

4. Request to Extend Preliminary Plat - Silverwood (Michael
this request to extend preliminary plat approval for the Si
and recommended granting the one year extension making
May 31, 1995.

Mike Crum - 7501 Stinson - Mr. Crum assured council
the project.

MOTION: Move to adopt Resolution #410 granting
extension.
Platt / Ekberg - unanimously passed.

5. Request to Amend Site Plan 93-02 - Gig Harbor Ca
presented this amendment to the approved site plan f
Kimball Drive. The revision consists of deleting 3434 squ
of a 1948 square feet "drive-thru" automotive serv
recommended conditions suggested by staff for the revisi

Phil Arenson - 105 Raft Island - Mr. Arenson explained t
staff why the "one-owner or a new traffic study" provision
it was due to traffic impact concerns that would arise from

Ken Snodgrass - 84th Ave Fox Island - Mr. Snodgrass
proposed facility. He explained the changes to the sit
queuing area in lieu of parking stalls.

Councilmembers asked several questions of the applicant.
to obtain supplemental traffic impact information to be su
amount for the Kimball Drive/Pioneer Way Intersection
agreed to this.

MOTION: Move the site plan amendment be postpone
and the supplemental traffic study had bee
Ekberg / Platt - unanimously approved.

6. Resolution - Public Works Small Works Roster. Ben

resolution establishing a Small Works Roster process to award public works' contracts between \$30,000 and \$100,000 and for the purchase of supplies, materials, and equipment between \$7,500 and \$15,000.

MOTION: Move to adopt Resolution #411 establishing a Small Works Roster process.
Platt / Ekberg -

Councilman Platt asked if it would be possible to change the resolution to read "any purchase over \$3,500." Mr. Yazici requested that the resolution be left as is, and that he would supply Councilmembers with copies of the three bids for any purchases between \$3,500 and \$7,500, but not to included these purchases in the small works roster process.

AMENDED MOTION: Move to amend the motion to provide council with copies of three bids for any purchase over \$3,500, but not required for the Small Works Roster.
Platt / Ekberg - unanimously approved.

DEPARTMENT DIRECTORS' REPORTS: None scheduled.

ANNOUNCEMENT OF OTHER MEETINGS:

Thursday, March 3rd - County Council's Recommendations on the East/West Road. 7 - 9 p.m. at the Peninsula High School Auditorium.

APPROVAL OF BILLS:

MOTION: To approve Bill Vouchers #11859 through #11896, in the amount of \$20,582.74.
Platt/Stevens Taylor - unanimously approved.

EXECUTIVE SESSION:

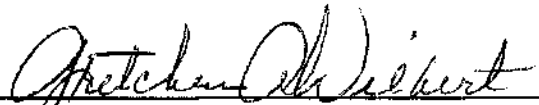
MOTION: Move to go into Executive Session for discussion of a legal matter for approximately 15 minutes.
Stevens Taylor / Platt - unanimously approved.

MOTION: Move to return to regular session.

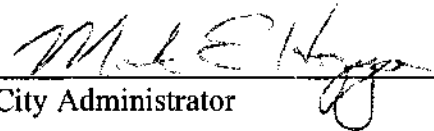
ADJOURN:

MOTION: To adjourn at 9:40 p.m.
Stevens Taylor/Markovich - unanimously approved.

Cassette recorder utilized.
Tape 342 Side B 189 - end.
Tape 343 Side A 000 - end.
Tape 343 Side B 000 - end.
Tape 344 Side A 000 - end.
Tape 344 Side B 000 - 293.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF MARCH 14, 1994

PRESENT: Councilmembers Platt, Stevens Taylor, Ekberg, Markovich, Picinich and Mayor Wilbert.

PUBLIC COMMENT: No public comment.

SPECIAL PRESENTATION: Chief of Police, Dennis Richards and City Administrator, Mark Hoppen performed the swearing in ceremony of two new Reserve Officers. Chief Richards explained that John Wall and Craig Powell had both completed their course at the Washington State Police Reserve Academy. Chief Richards congratulated the new reserves and presented them with their badges.

CALL TO ORDER: 7:10 p.m.

APPROVAL OF MINUTES:

MOTION: Move to approve the minutes of the last council meeting as submitted.
Stevens Taylor / Platt - unanimously approved.

CORRESPONDENCE: None presented.

OLD BUSINESS:

1. **Final Reading - Business License Ordinance and Fee Resolution.** Mark Hoppen presented the final reading of this ordinance to refine the business license process. Carol Morris, legal counsel, answered questions regarding the inclusion of new language requested at the last council meeting. Councilmember Markovich asked that language also be included under the Suspension or Revocation procedure section to include the City Council in the process to initiate this action.

MOTION: Move Ordinance #666 relating to general business licensing and describing the process for business licensing application, review, approval, and appeals, and also setting fees, be approved, modifying Section 5.01.130 by addition of language preapproving license suspension or revocation procedures by the City Council and making the other amendments to words and grammar as indicated.
Markovich / Stevens Taylor - unanimously approved.

MOTION: Move adoption of Resolution #412 establishing the means to modify business license fees.
Markovich/Picinich - unanimously approved.

2. **Second Reading - Amendment to Zoning Code - Fence Standards.** Ray Gilmore presented the second reading of this amendment to the zoning code regarding fencing standards. After discussion regarding design standards and restriction of building materials for

fences, Council asked that Section 17.08.010 - Conformance Required - Fence or Shrub Height, be stricken, and the reference to this section be removed from Section 17.04.340. Mr. Gilmore suggested that a definition of perimeter be added to Section 17.04.340 as follows: "...and which the prime purpose is to separate, screen or partition a parcel or parcels along the perimeters from adjoining parcels." Changes will be made and this ordinance presented for a final reading at the next council meeting.

3. Resolution - Request to Amend Site Plan 93-02 Gig Harbor Car Wash II. Ray Gilmore presented the second reading of this resolution and the additional traffic study information requested by council at the last reading of this resolution. After discussing the project, the following motions were made.

MOTION: Move approval of Resolution #413.
Stevens Taylor / Markovich -

AMENDED MOTION: Under paragraph 4, so this is consistent with the properties on either side, that it read "a revised final landscape plan reflecting the revised site plan shall be submitted for a staff review and approval prior to permit issue and that the west side of the property be landscaped with evergreen screening."
Ekberg/Picinich - Ekberg and Picinich voting in favor, Councilmembers Stevens Taylor, Markovich and Platt voting against.

AMENDED MOTION: Amend the resolution to correct the amount of the participation due to \$2,681.25.
Ekberg/Platt - unanimously passed.

Phil Arenson, project owner, presented council with a letter from the Public Works Director, Ben Yazici, which listed the calculated amounts for the project participation. In addition to the 1.1% of the total construction cost of the Kimball / Pioneer Way intersection of \$243,750, he added a 10% credit for visits to the site that would utilize both the oil change and carwash services. Therefore, the financial participation should be \$2,413.13, the original amount stated in the resolution.

NEW MOTION: Move we adopt Resolution #413 with the original proposal of the assessment amount \$2,413.13 and inclusion of conditions one through five.
Picinich/Markovich - unanimously approved.

NEW BUSINESS:

1. First Reading - Hearing Examiner Recommendation: Zoning Map Correction. Ray Gilmore presented the Hearing Examiner's decision on a zoning map correction that was proposed by the City of Gig Harbor Planning-Building Department. The recommendation

is that the official zoning map be corrected and that the proper designation of RB-1 be assigned to the property located at the southeast corner of North Harborview Drive and Vernhardson Street. Both Mr. Gilmore and legal counsel advised councilmembers that this was not a public hearing, and no additional information could be submitted at this reading. This ordinance will return at the next council meeting for a second reading.

2. Professional Service Contract: Comprehensive Plan EIS - Beckwith Consulting Services. Ray Gilmore presented this contract for consulting services with Beckwith Consulting Services to prepare an environmental impact statement for the revised City of Gig Harbor Comprehensive Plan. This EIS will help meet the SEPA compliance obligations under the Growth Management Act. He explained that \$11,500 of State DCD funds will be used to offset the City's expense.

MOTION: Move to authorize staff to negotiate a contract with Beckwith Consulting Group, for a fixed amount of fifteen thousand dollars for the preparation of the draft and final EIS for the City's revised comprehensive plan.
Stevens Taylor / Ekberg - unanimously approved.

3. Request for Time Extension - SPR 92-01/VAR 92-02 Ribary Dental Clinic. Ray Gilmore presented this request for a two year extension for site plan approval for a dental clinic to be located at 6867 Kimball Drive, to allow additional time for securing financing. He suggested that to be consistent with the one year extension allowances on variances and conditional use permits, that council limit the extension to one year only.

MOTION: Move we adopt Resolution #414 allowing a one year extension for site plan approval for this project.
Picinich/Markovich - unanimously approved.

4. Special Occasion Liquor License - Double Diamond Dancers. No action required.
5. Liquor License Renewals - Eagles, Rib Ticklers, & The Tides. No action taken.

DEPARTMENT DIRECTORS' REPORTS:

Chief Richards presented the monthly activity report, and gave a brief overview of the program to prevent blood borne pathogens within his department. He explained that the officers, reserves, and clerks had all received their hepatitis B inoculations, placing them in compliance with regulations.

ANNOUNCEMENT OF OTHER MEETINGS: No announcements made.

APPROVAL OF BILLS:

MOTION: To approve Bill Vouchers #11897 through #11988, in the amount of \$110,817.26.
Platt/Picinich - unanimously approved.

APPROVAL OF PAYROLL:

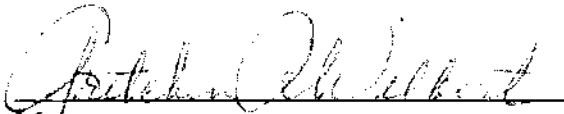
MOTION: To approve payroll warrants #9485 through #9597, less 9516, 9564, 9580, and 9587, in the amount of \$161,378.23.
Platt/Stevens Taylor - unanimously approved.

EXECUTIVE SESSION: None scheduled.

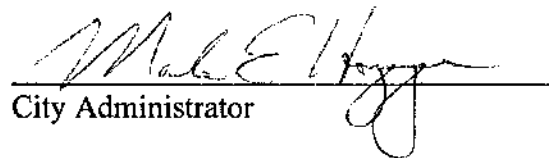
ADJOURN:

MOTION: To adjourn at 8:45 p.m.
Stevens Taylor/Ekberg - unanimously approved.

Cassette recorder utilized.
Tape 344 Side B 296 - end.
Tape 345 Side A 000 - end.
Tape 345 Side B 000 - end.
Tape 346 Side A 000 - 383.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF MARCH 28, 1994

PRESENT: Councilmembers Platt, Stevens Taylor, Ekberg, Markovich, Picinich and Mayor Wilbert.

SPECIAL PRESENTATION:

Proclamation - National Child Abuse Prevention Month. Mayor Wilbert presented a Proclamation from the City of Gig Harbor declaring April to be National Child Abuse Prevention Month. Regina Hunthausen accepted the proclamation and gave a brief description of what the program involves.

PUBLIC COMMENT / DISCUSSION:

Joseph Quinn, attorney for James Healey, asked to be placed on a future council agenda to discuss temporary sewer service for Harbor Pond, to be replaced with permanent service in the future. They currently have a Utility Extension Capacity Agreement with the City of Gig Harbor. Mayor Wilbert asked that information be submitted to the Public Works Committee for review before placement on the City Council Agenda.

PUBLIC HEARING:

Pre-annexation Zoning / Notice of Intent to Annex - Anna Nelson. Ray Gilmore presented the first of two required public hearings on this one acre parcel located east of and adjacent to Soundview Drive. She is requesting a zoning designation of R-2 (single family/duplex) as the property contains three duplex dwelling units. The second public hearing has been scheduled for the May 9th City Council meeting. Mayor Wilbert closed this first public hearing at 7:15 p.m.

CALL TO ORDER: 7:17 p.m.

APPROVAL OF MINUTES:

MOTION: Move to approve the minutes of the last council meeting as submitted.
Platt / Stevens Taylor - unanimously approved.

CORRESPONDENCE:

1. Waste Reducers / Bag Hunger. Mayor Wilbert introduced this community project and newsletter to be mailed to all county and city residents beginning March 25th, sponsored jointly by Pierce County, all solid waste haulers, the Emergency Food Network, and the City of Tacoma. The project is aimed at raising food for the area's hungry and increase awareness of curbside recycling programs.

2. Voices that Matter Program. - Mayor Wilbert explained this program that encourages kids to write, draw, and be creative.
3. Puget Sound Regional Council. - Mayor Wilbert introduced this correspondence asking if the City of Gig Harbor wants to be involved in a task force to study and take action on the noise issue created by SeaTac airport. Councilmembers decided not to become involved at this time.

OLD BUSINESS:

1. Third Reading - Amendment to Zoning Code - Fence Standards. Ray Gilmore summarized the changes from the second reading of this ordinance.

MOTION: Move adoption of Ordinance 667.
Markovich / Stevens Taylor - unanimously approved.

2. Second Reading - Hearing Examiner Recommendation: Zoning Map Correction. Ray Gilmore explained that discussion with legal counsel has brought up the issue that the City does not have an established process to deal with map error corrections. Carol Morris, legal counsel, explained that for this map change to be considered a map error, it has to be clearly shown as a map error, and cited an example. In this instance, there is no clear evidence pointing to a map error, and so the zoning map must be changed through the rezone process. The applicant currently has a rezone application on file with the city that had been put on hold for the map change that could be reactivated.

MOTION: Move we indefinitely table this ordinance to correct a map error.
Picinich / Platt - unanimously approved.

NEW BUSINESS:

1. First Reading - Ordinance Adopting New City Code. Mark Hoppen introduced the new city code and the ordinance adopting the new edition of the city code. He described the software program "Folio" that was included with the package that will allow easy research and reference capabilities for the code. A public hearing is scheduled at the second reading of this ordinance, April 11th, 1994.

MOTION: Move we set a public hearing on April 11th, the second reading of the Ordinance.
Markovich / Picinich - unanimously approved.

2. Award of Bid - Supplies to Construct Waterline along Stanich Avenue. Ben Yazici presented the three bids for materials to construct the Stanich Avenue waterline. He explained the low bidder, H.B. Fowler, at \$13,775.23, had been disqualified because it was not accompanied by a 5% bid bond. The next low bidder at \$13,794.33 was Pacific Water Works Supply Co., Inc. The total anticipated cost of the project is \$24,794.33.

MOTION: Move we authorize the Public Works Director to accept the low bid by Pacific Water Works Supply, Inc., in the amount of \$13,794.33.
Platt / Stevens Taylor - unanimously approved.

3. First Reading - Commute Trip Reduction Ordinance and Interlocal Agreement. Mark Hoppen presented this ordinance and interlocal agreement to reduce single occupancy vehicle trips in an attempt to reduce traffic congestion, air pollution and energy consumption. In 1991, the Washington State Legislature passed the Commute Trip Reduction Law requiring local governments to enact a CTR Ordinance and Plan. PTI Communications has recently become an "affected" employer by employing over 100 people. This initiates the need for the City of Gig Harbor to pass this ordinance. By entering into an interlocal agreement with Pierce County, the city would qualify for funding. This is the first reading of this ordinance.
4. Ray Nash Drive Community Drainfield. Ben Yazici presented information regarding this community drainfield located on Ray Nash Drive. The City maintains this drainfield per an interlocal agreement with Pierce County. Because this area is outside the City's current Urban Planning Area and the City's Comprehensive Sanitary Sewer Plan service area and because of the cost of maintaining the drainfield, he recommended that Council authorize the Mayor to sign a Release of Assignment of Utility Service Agreement to return responsibility for the drainfield back to Pierce County.

MOTION: Move we authorize the Mayor to sign the Release of Assignment of Utility Service Agreement.
Picinich / Ekberg - unanimously approved.

DEPARTMENT DIRECTORS' REPORTS:

Public Works - Ben Yazici said that his department is trying to implement the 1994 objectives and actively pursuing grants. He added that it looks like there might be other grant money available.

Planning Department - Ray Gilmore gave a brief report on Growth Management. He announced the hearing schedules for the Planning Commission and added that he was working on the E.I.S. in preparation that the draft be released for the first meeting of the Planning Commission in May.

MAYOR'S REPORT:

Establishing a Reference Library. Mayor Wilbert explained the establishment of a reference library at City Hall, making an abundance of materials available to the public, as well as employees. Copies would be made available at fifteen cents per page.

COUNCIL COMMENTS:

Councilman Corbett Platt said he wanted to make other councilmembers aware that if the portion

of Gig Harbor North up Burnham Drive were annexed, that would include a gun club. He mentioned that the city currently has an ordinance prohibiting the discharge of guns in city limits. Letters in the Gateway regarding the noise has brought the issue to light. Councilman Markovich added that the gun club has been there for a very long time. Carol Morris suggested that the city may want to adopt regulations limiting the time of operation and any other type of conditions that might be appropriate to impose on such a facility, and offered to gather information on this.

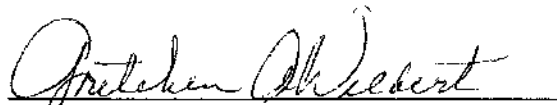
APPROVAL OF BILLS:

MOTION: To approve Bill Vouchers #11989 through #12034, in the amount of \$45,012.25.
Platt/Stevens Taylor - unanimously approved.

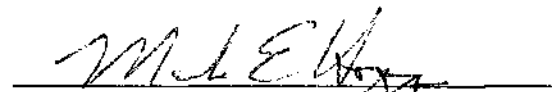
ADJOURN:

MOTION: To adjourn at 8:09 p.m.
Platt / Stevens Taylor - unanimously approved.

Cassette recorder utilized.
Tape 346 Side A 385 - end.
Tape 346 Side B 000 - end.
Tape 347 Side A 000 - end.
Tape 347 Side B 000 - 021.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF APRIL 11, 1994

PRESENT: Councilmembers Platt, Stevens Taylor, Ekberg, Markovich, Picinich and Mayor Wilbert.

PUBLIC HEARING:

New City Code Ordinance. Mayor Wilbert opened the Public Hearing for this ordinance adopting a new city code. No public comment was heard, the Public Hearing was closed at 7:05 p.m.

PUBLIC COMMENT / DISCUSSION: None.

CALL TO ORDER: 7:05 p.m.

APPROVAL OF MINUTES:

MOTION: Move to approve the minutes of the last council meeting as submitted. Picinich / Ekberg - unanimously approved.

CORRESPONDENCE:

1. Selection of AWC Delegates. Mayor Wilbert asked if any Councilmembers would be interested in acting as a voting delegate for the City of Gig Harbor at the upcoming AWC Conference in Spokane. Councilmember Stevens Taylor volunteered.
2. Washington State Department of Transportation. Mayor Wilbert announced that the City of Gig Harbor, through the experience and knowledge of the City Engineer, Ben Yazici, had been granted Limited Certification Acceptance status for administration of Federal-aid projects on a WSDOT project-by-project approval basis. Mr. Yazici explained that this status would allow more control over the projects within city limits. Mr. Yazici was congratulated for his efforts in this endeavor.

OLD BUSINESS:

1. Second Reading - Ordinance Adopting New City Code. Mark Hoppen introduced the second reading of this ordinance.

MOTION: Move to adopt Ordinance #668 adopting a new city code. Markovich / Stevens Taylor - unanimously approved.

2. Second Reading - Commute Trip Reduction Ordinance and Resolution - Interlocal Agreement. Mark Hoppen presented the ordinance and resolution adopting an interlocal agreement to reduce single occupancy vehicle trips in an attempt to reduce traffic congestion, air pollution and energy consumption.

MOTION: Move adoption of Ordinance #669.

Markovich / Stevens Taylor - unanimously approved.

MOTION: Move adoption of Resolution #415 to approve the Interlocal Agreement with Pierce County to support Ordinance #669.
Markovich / Picinich - unanimously approved.

NEW BUSINESS:

1. Contract for Indigent Defense Services. Mark Hoppen presented the contract with Pierce County for indigent defense services and explained there are no changes in the terms of the contract. He added that this service is used frequently.

MOTION: Move approval for a contract for Indigent Defense Service for a maximum expenditure of \$15,750 per year.
Picinich / Platt - unanimously approved.

2. Transpo Contract Amendment. Ben Yazici explained that due to unforeseen circumstances, Transpo Group has asked for an additional 100 days to complete the Comprehensive Transportation Plan. He added this would not cause a problem in meeting our internal deadlines for the Growth Management Act, and would not alter the original contract amount of \$44,790. Councilmembers voiced concern that the company would not be able to meet their future deadlines and asked legal counsel to draft language to be added to the contract requiring progress reports to be submitted along with invoices, a \$300 per day penalty clause for failure to meet the deadline, and a liquidated damages clause.

MOTION: Move we approve the time extension to the Transpo Group contract with additional language regarding progress reports, \$300 per day penalty, and liquidated clause to be drafted by legal counsel.
Picinich / Stevens Taylor - unanimously approved.

3. Sanitary Sewer and Storm System T.V. Inspection Contract. Ben Yazici explained that the city had budgeted \$9,750 for television inspections on various utility lines. He added that these inspections would detect any potential problems with the lines and enable for repairs to be done before significant damage occurs to the system. The low bidder for the project is Gelco at \$10,012.31 which is approximately \$250 more than budgeted, but that funds are available.

MOTION: Move to authorize the Public Works Director to hire Gelco to complete the television inspection of the storm drainage and sanitary sewer utilities for a total price of \$10,012.31 which includes Washington State Sales Tax.
Stevens Taylor / Ekberg - unanimously approved.

4. Authorization to Purchase Utility Truck. Ben Yazici requested council to authorize the purchase of a utility truck for \$30,144.49.

MOTION: Move to authorize the Public Works Department to proceed with the purchase of the utility truck for a cost not to exceed \$30,344.59.
Stevens Taylor / Ekberg - unanimously approved.

5. Liquor License Application - Captain's Terrace. No action taken.

DEPARTMENT DIRECTORS' REPORTS:

Police Department - Chief Denny Richards presented the latest report figures and answered council questions.

MAYOR'S REPORT:

Emergency Preparedness Update. Mayor Wilbert announced that the week of April 11th through the 17th has been declared Earthquake Awareness by Governor Lowry. She added that city employees had just completed a course in Basic First Aid and CPR certification. A handbook for emergency procedures for city employees is in the final stages of development.

COUNCIL COMMENTS:

Councilmember Stevens Taylor said she appreciated the article in the Peninsula Gateway regarding the new police reserve officers. She also thanked Mayor Wilbert for her comments during the follow-up meeting on the East/West Road last Monday. She added that the Pierce County Council Subcommittee Chairman did an excellent job in terms of fairness and how the meeting was run.

Councilmember Stevens Taylor also spoke about last years AWC Conference. She stated she felt it was outstanding and encouraged the department heads as well as councilmembers to attend.

ANNOUNCEMENT OF OTHER MEETINGS:

Gig Harbor Planning Commission Open House Forums - April 12th, April, 26th, and the 17th of May.

Retreat for Councilmembers and Department Heads - June 6th, at North by Northwest from 1:00 p.m. to 7:00 p.m.

APPROVAL OF BILLS:

MOTION: To approve Bill Vouchers #12035 through #12105, in the amount of \$43,974.70.
Platt/Stevens Taylor - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: To approve Payroll Warrants #9898 through #9709 in the amount of \$164,205.77.
Platt/Stevens Taylor - unanimously approved.

EXECUTIVE SESSION:

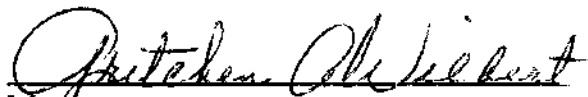
MOTION: Move we adjourn to Executive Session for approximately 25 minutes to discuss legal matters.
Stevens Taylor / Platt - unanimously approved.

MOTION: Move to go back to regular session.
Stevens Taylor / Platt - unanimously approved.


ADJOURN:

MOTION: To adjourn at 9:05 p.m.
Platt / Stevens Taylor - unanimously approved.

Cassette recorder utilized.
Tape 347 Side B 021 - end.
Tape 348 Side A 000 - end.
Tape 348 Side B 000 - 163.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF APRIL 25, 1994

PRESENT: Councilmembers Platt, Stevens Taylor, Markovich, Picinich and Mayor Wilbert.
Councilman Ekberg was absent.

PUBLIC HEARING: None scheduled.

PUBLIC COMMENT / DISCUSSION: None.

CALL TO ORDER: 7:03 p.m.

APPROVAL OF MINUTES:

MOTION: Move to approve the minutes of the last council meeting as submitted.
Markovich / Picinich - unanimously approved.

CORRESPONDENCE:

1. Gig Harbor Little League. Mayor Wilbert read a letter from Brad Carpenter, representing the Little League, thanking the City of Gig Harbor, and especially the Public Works Crew, for the excellent job that was done on the ballfield at the City Park.
2. Emergency Preparedness. Ray Zimmerman wrote to thank the City for its donation of \$500 toward the purchase of antennas for the emergency notification system.
3. AWC Wellness Coordinator. Julie McDowell, of the Association of Washington Cities, sent a letter accepting the City of Gig Harbor's Employee Wellness Program. With good participation, the city will qualify for grant funding for the wellness program next year.

OLD BUSINESS:

1. Eden Systems Contract. Mark Hoppen explained the previous contract that had been modified by legal counsel and approved by Council was not accepted by Eden Systems. The company has adopted a policy which prohibits the company from signing contracts that deviate from their standard agreement. He added that Eden Systems had agreed to add the City of Gig Harbor as an additional insured on their liability policy, which should alleviate any concerns regarding liability.

MOTION: Move approval of the standard form contract submitted by Eden Systems Inc. for their support agreement for 1994.
Markovich / Stevens Taylor - unanimously approved.

NEW BUSINESS:

1. **First Reading - Definition of Telephone Services Ordinance.** Mark Hoppen presented this ordinance to include cellular phones in the business tax section of the Gig Harbor Municipal Code. This ordinance will return for a second reading at the next regular meeting.
2. **First Reading - Marine Ordinance.** Mark Hoppen presented the first reading of this ordinance to authorize the marine enforcement activities on City of Gig Harbor jurisdictional waters. Councilmember Platt voiced concerns that personal watercrafts (jetskis), could not be banned because they are a licensed vessel. He suggested that they be regulated along with other vessels. This ordinance will return with suggested changes at the next regular meeting.
3. **Appeal of Hearing Examiner Decision - Monique DeMartin - VAR 94-05.** Steve Osguthorpe introduced this appeal of the Hearing Examiner's Decision to deny a side yard variance of four feet, and a height variance of four feet eight inches. He explained the Hearing Examiner denied the variance request upon finding that there were other alternatives for developing the property. Dean Lamb, architect for the applicant, spoke briefly about the property and structure design. Monique DeMartin, the appellant, also spoke, thanking the Councilmembers for hearing her appeal. She voiced disappointment that others surrounding her had been allowed to obtain variances, and she was not being allowed to improve her property and regain the view lost when a neighbor built in front of her home. Council determined that because of the large size of the lot, the architect could work within the restraints of the zoning code without the variances.

MOTION: Move we adopt the Hearing Examiner's findings and fact and conclusions of law in Variance Request 94-05 and uphold the denial of those variance requests.

Markovich / Picinich - unanimously approved.

MOTION: Move to adopt Resolution #416 supporting the Hearing Examiner's decision.
Picinich / Platt - unanimously approved.

4. **Liquor License Renewals - Stockmarket and Thriftway.** No action taken.

STAFF REPORTS:

1. **East / West Road.** Mark Hoppen announced the final meeting to establish a route for the road from Swede Hill to Peacock Hill had been set by County Council and urged the Mayor and Councilmembers to attend this meeting May 10th.
2. **Finance Department** - Tom Enlow gave the Quarterly Finance Report. He announced the General Fund Revenue is at 25%, a little higher than expected due to sales tax receipts. Water and sewer funds are looking good for the first quarter.

MAYOR'S REPORT: None scheduled.

COUNCIL COMMENTS:

Councilmember Stevens Taylor commended Ben Yazici and the public works crew for their work around town. She mentioned the retaining rock wall on Hunt Street, the curb and sidewalk across from the Tides Tavern and the planter boxes around town. She added that the grass strip on Stinson could use some additional attention.

ANNOUNCEMENT OF OTHER MEETINGS:

Pierce County Council Public Meeting - East/West Road. Tuesday, May 10th, 4:00 p.m. at the County Council Chambers.

APPROVAL OF BILLS:


MOTION: To approve Bill Vouchers #12106 through #12207, in the amount of \$64,619.92.
Platt/Stevens Taylor - unanimously approved.

EXECUTIVE SESSION: None scheduled.


ADJOURN:

MOTION: To adjourn at 8:04 p.m.
Stevens Taylor / Platt - unanimously approved.

Cassette recorder utilized.
Tape 348 Side B 166 - end.
Tape 349 Side A 000 - end.
Tape 349 Side B 000 - 143.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF MAY 9, 1994

PRESENT: Councilmembers Platt, Ekberg, Stevens Taylor, Markovich, Picinich and Mayor Wilbert.

PUBLIC HEARING:

Resolution - ANX 93-02 - Preannexation Zoning and Notice of Intent to Annex. Mayor Wilbert opened the Public Hearing at 7:04. Ray Gilmore explained that this was the second of two required public hearings for intent to annex a one acre parcel located east and adjacent to Soundview Drive by the owner, Anna Nelson. He added the petitioner was requesting a zoning designation of R-2 as the property contains three duplexes. Mr. Gilmore presented the resolution for the annexation and explained that upon adoption of the resolution, the petition will be forwarded to the Pierce County Boundary Review Board for approval.

Jim Boge - 6606 Soundview Drive - Mr. Boge wanted to know the reason for the request. Mr. Gilmore explained that the petitioner wants to annex to obtain city sewer service. The public hearing portion of the meeting was closed at 7:07.

MOTION: Move to adopt Resolution #417 accepting the annexation petition for Anna Nelson, and also establishing the zoning designation of R-2.
Markovich / Stevens Taylor - unanimously approved.

PUBLIC COMMENT / DISCUSSION:

Steve Phipps - 4214 Harborview Drive - Mr. Phipps wanted to let the City Council know that he is still interested in working with the city on the purchase of a piece of property. He explained that they are still working things out among themselves. He added that the appraiser was currently working on the appraisal.

CALL TO ORDER: 7:10 p.m.

APPROVAL OF MINUTES:

MOTION: Move to approve the minutes of the last council meeting as submitted.
Picinich/Platt - unanimously approved.

CORRESPONDENCE:

OLD BUSINESS:

1. **Second Reading - Definition of Telephone Services Ordinance.** Mark Hoppen presented the second reading of this ordinance to include cellular phones in the business tax section of the Gig Harbor Municipal Code.

MOTION: Move approval of Ordinance #670 which relates to the city's business utility tax and adds the definition of telephone business consistent with state law.
Markovich / Stevens Taylor - unanimously approved.

2. Second Reading - Marine Ordinance. Mark Hoppen presented the second reading of this ordinance to authorize the marine enforcement activities on City of Gig Harbor jurisdictional waters. He explained a change to the ordinance under section 8.24.080, changing the Rules of Road from Inland Waters to International Regulations. He added that concerns about regulating the sailboat races exceeding the 4 mph speed limit could be handled by adding a new definition under the Special Events License section of the code.

Michael Perrow - 911 North Harborview Drive - Mr. Perrow stated his concerns that the 4 knots speed limit on the water was too low. He said he lived approximately one mile from the mouth of the harbor, and with that speed limit, he could reach the mouth of the harbor faster by walking than by water. He mentioned that paddleboats, rowboats, canoes, kayaks, and even swimmers reach speeds of over 4 knots. Councilman Ekberg asked what he thought the limit should be raised to, and Mr. Perrow suggested doubling the limit.

Jim Boge - 6606 Soundview Drive - Mr. Boge explained that he was a licensed pilot and float-plane rated, and due to the traffic in the harbor, sea-planes should be excluded, and the speed on the harbor kept low.

Mark Hoppen explained that the county harbor speed is 5 mph, 4 knots is 4.6 mph, only .4 mph difference. Chief Richards explained that the officers have jurisdiction to enforce county code on the east harbor waters. He added that what will mostly concern the officers is the wake, not if the vessel is exceeding the 4 knot limit.

MOTION: Move to adopt Ordinance #671 authorizing marine enforcement activities on City of Gig Harbor jurisdictional waters.
Picinich / Markovich - unanimously approved.

NEW BUSINESS:

1. State Revolving Funds Loan Document. Ben Yazici presented this resolution authorizing a loan to help finance the Wastewater Treatment Plant expansion project. He explained that since Council's authorization in October to pursue the loan, staff had met with the Department of Ecology to review the loan document. Because Ecology requires adoption of a Resolution approving the loan agreement, the resolution was drafted.

MOTION: Move to adopt Resolution #418 authorizing the City to enter into a State Revolving Fund loan agreement with the Department of Ecology for approximately \$891,000.
Stevens Taylor / Platt - unanimously approved.

2. Maintenance and Testing of Fire Hydrant Agreement. Ben Yazici explained that Fire District No. 5 has asked the City to execute an Operational Agreement for the maintenance and testing of fire hydrants. He added there would be no financial requirement of the City to execute the agreement.

MOTION: Move to authorize the Mayor to sign the Operational Agreement between the City of Gig Harbor and Fire District No. 5 for the maintenance and testing of fire hydrants.
Stevens Taylor / Picinich - unanimously approved.

3. Comprehensive Transportation Plan - KJS Associates. Ben Yazici stated that due to the fact the Transpo Group Inc. was behind schedule for completing the Comprehensive Transportation Plan, and had requested a time extension but did not want to sign the contract amendment with the liquidated damages clause, he had met with the Public Works Committee and it had been decided to select another firm to complete the plan. Councilman Ekberg voiced concerns that the new firm, KJS Associates, did not carry professional liability insurance.

Joe Savage, representing KJS Associates, explained to council that because they are not performing design work that they don't have a need for professional liability insurance. They will be offering advice towards our transportation plan but not actually designing a project. John Wallace, legal counsel, assured council that because they are proposing a comprehensive plan only, the chances of liability flowing from those planning recommendations is next to nothing. He added that the contract has an extensive indemnity clause.

Councilmember Stevens Taylor asked Mr. Wallace if there would be a problem with setting precedent by changing a standardized contract. He assured her it would not. Councilman Ekberg asked that the language under Section 8 - Legal Relations, paragraph C, be updated to read "In no event will such policies provide coverage in amounts less than one million dollars (\$1,000,000) per occurrence."

MOTION: Move we approve the agreement for consultant services between the City of Gig Harbor and KJS Associates to complete the City Comprehensive Transportation Plan in the amount of \$38,624 with the stipulation that under Section 8, paragraph C, the insurance for general liability amount be amended to read one million (\$1,000,000) per occurrence.
Ekberg / Platt - unanimously approved.

4. Wastewater Treatment Plant Expansion Project Septage Handling System. Ben Yazici explained the city is in the process of completing the final design and specifications of the Wastewater Treatment Plant Expansion project. He added that with minor modifications to the plans, septage could be treated and processed, bringing additional net revenues of approximately \$125,000 per year to the city.

MOTION: Move we authorize the Mayor to sign the Professional Services Contract Amendment with Gray & Osborne, Inc. in the amount of \$5,000 to proceed with the design of the septage handling system at the Wastewater Treatment Plant.

Platt / Stevens Taylor - unanimously approved.

5. Resolution - Building Inspection Fees - Wastewater Treatment Plant Expansion. Ben Yazici explained that due to the nature of the expansion project, the biggest portion of the plan review was performed by the Wastewater Treatment Plant Supervisor and himself. He added that the second category inspection services were to be performed primarily by Gray & Osborne, Inc., the Public Works Inspector, and in some cases, a certified testing laboratory. Only the first category inspection services will be performed by the City Building Official. Mr. Yazici asked council to approve a resolution waiving a portion of the building permit fee before the project is to be advertised.

MOTION: Move adoption of Resolution #419 which is a resolution waiving a portion of the building permit and inspection fees associated with the hired consultants plan review and inspection of the expansion of the city's wastewater treatment plant.

Markovich / Picinich - unanimously approved.

6. Special Occasion Liquor License - Chamber of Commerce & PSD Teacher's Assoc. No action taken.

STAFF REPORTS:

1. Police Department. Chief Richards talked about the upcoming Citizen's Police Academy that was formulated by Officer Scott Emmett in response to the interest in the police department that was shown in the citizen's survey last year. He was please that there was such a good response, and added that the class was full. He gave a brief report on the patrol boat, the new patrol car, and the latest monthly activity report. He showed councilmembers and staff a "beer bong" that had been confiscated from students behind Gig Harbor High School.
2. Planning / Building Department. Ray Gilmore passed out a working draft of the Comprehensive Plan to councilmembers. He gave a brief overview of the worksessions schedule. He estimates it being completed by the middle of August.

Steve Bowman, Building Official and Fire Marshal, gave a presentation on the May 3rd fire at Olympic Village. He said the fire was still under investigation, and asked for the council's patience in waiting for the completed report.

3. Administration. Mark Hoppen added that next Monday, at 5:00 p.m. the business owners affected by the fire have been invited to meet with Ben Dew, State Emergency Management, who has information about small business administration loans that are available if there are five businesses that are either under or non-insured. These are start-

up monies that can be used for payment of debt, payment of wages, or payment for inventory at a rate of 4% for a 30 year term.

MAYOR'S REPORT:

Mayor Wilbert offered Councilmembers T-Shirts and pins that had been given to her by the GHHS Cultural Awareness Group. Funds for the program were provided through community donations. The Awareness Group sponsored an assembly this morning at the high school. Mayor Wilbert was very complimentary of the dance troupe at the presentation, and added that she was asked to read a proclamation declaring the week of May 9th - 13th, Diversity Week.

Last Thursday and Friday, Mayor Wilbert was invited by the Air Mobility Command of the Air Force to fly (at her own expense of \$120) in a C141 to Scott Airforce Base in Illinois for a P.R. trip. The orientation at Scott Air Force Base reinforced that our combined military services are is prepared to respond to any crisis, defense or humanitarian.

COUNCIL COMMENTS: None.

ANNOUNCEMENT OF OTHER MEETINGS:

Meeting of the Olympic Village Business Owners affected by the fire - 5 p.m. at City Hall, Monday, May 16th.

APPROVAL OF BILLS:

MOTION: To approve Bill Vouchers #12208 through #12268, in the amount of \$47,397.44.
Platt/Stevens Taylor - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: To approve Payroll Vouchers #9710 through #9816, in the amount of \$157,665.66.
Platt/Stevens Taylor - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move we go into Executive Session at 8:30 for the purpose of discussing property acquisition, claim, and a legal matter for approximately 20 minutes.
Platt / Stevens Taylor - unanimously approved.


MOTION: Move we return to regular session at 9:04 p.m.
Stevens Taylor / Platt - unanimously approved.

MOTION: Move that the claim of Mr. J. Norman Kelly for damage as a result of his automobile collision with a telephone pole be denied.
Markovich / Picinich - unanimously approved.

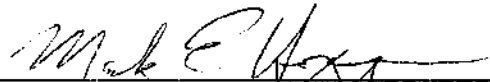
ADJOURN:

MOTION: To adjourn at 9:05 p.m.
Stevens Taylor / Platt - unanimously approved.

Cassette recorder utilized.
Tape 349 Side B 145 - end.
Tape 350 Side A 000 - end.
Tape 350 Side B 000 - end.
Tape 351 Side A 000 - 037.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF MAY 23, 1994

PRESENT: Councilmembers Platt, Ekberg, Stevens Taylor, Markovich, Picinich and Mayor Wilbert.

PUBLIC HEARING: None scheduled.

PUBLIC COMMENT / DISCUSSION: None.

CALL TO ORDER: 7:05 p.m.

APPROVAL OF MINUTES:

MOTION: Move to approve the minutes of the last council meeting as submitted. Markovich/Ekberg - unanimously approved.

CORRESPONDENCE:

1. Peninsula Communities Parks & Recreation Association. Councilman Ekberg agreed to accept nomination to be a representative to the Board of Directors which will include the County, State, Schools, Key Peninsula Park District, Peninsula Park District, the City of Gig Harbor, and various recreation groups from the area.
2. Peacock Hill Meadow Endorsement. Mayor Wilbert presented her letter endorsing the Performance Circle's campaign to preserve the historic Peacock Hill Meadow for the arts. Councilman Markovich also voiced his approval and encouraged the support of this endeavor.

OLD BUSINESS:

1. Crescent Valley Corridor Link to 112th Street. Mark Hoppen asked Council to sign a letter on behalf of the citizens, thanking Pierce County Councilmembers for taking the leadership role in approving the first portion of the East-West Road and requesting them to take action to enable the City of Gig Harbor to take the lead on the second leg. The letter was signed by all Councilmembers and the Mayor.

NEW BUSINESS:

1. North Harborview Drive - Professional Services Contract. Ben Yazici presented this request for Council to approve the signing of the contract with Inca Engineers Inc. to do the design portion of the North Harborview Drive Project.

MOTION: I move to authorize the Mayor to sign the Professional Services Contract with Inca Engineers Inc. to complete the design of North Harborview Drive Project for no more than \$113,000.07. Markovich/Stevens Taylor - unanimously approved.

2. North Harborview Drive Project - Undergrounding of Utility Lines. Ben Yazici explained this request for the City to pay an estimated cost of \$50,000 towards providing a trench to underground the utility lines in conjunction with the North Harborview Project. He introduced Jay Coffey, Engineering Manager for Peninsula Light. Mr. Coffee answered Council's questions and explained that Peninsula Light's portion of the undergrounding would be approximately \$250,000, without the trench.

MOTION: I move to authorize the Public Works Director to spend up to \$50,000 for undergrounding the existing overhead utility lines on North Harborview Drive.

Picinich/Markovich - unanimously approved.

3. Amendments to UBC and Zoning - First Reading. Ray Gilmore presented the first reading of this ordinance to make several proposed changes to the City's Uniform Building Codes and Zoning Code respective to enforcement and penalty provisions. At the advise of legal counsel, he explained that Title 15 of the Gig Harbor Municipal Code must be amended to augment civil penalties for certain violations, and that they must be affective by July 1, 1994. The proposed changes provide specific mandatory penalties for violation of the Uniform Plumbing and Building Codes. The building code enforcement provisions will include criminal penalty provisions as required by state law. The second reading of this ordinance will occur at the next council meeting.

4. Request to Review and Revise Interim Urban Growth Boundary. Ray Gilmore explained that he had been contacted by Mr. Paul Miller and other interested parties, requesting Council to consider changing the Interim Urban Growth Area Map to include some properties located west of the IUGA. He added that he felt that any proposed adjustments to the UGA should be made by the City Planning Commission.

MOTION: Move we follow staff's recommendation to return this to the Planning Commission for consideration.

Ekberg/Stevens Taylor - unanimously approved.

5. Liquor License Renewals - Gourmet Essentials & W.B. Scotts Restaurant. No action taken.

STAFF REPORTS: None.

MAYOR'S REPORT:

Mayor Wilbert encouraged Councilmembers to bring their ideas and thoughts to the Retreat on the planning and placement of potential alternative routes to disperse increasing traffic in Gig Harbor.

COUNCIL COMMENTS: None.

ANNOUNCEMENT OF OTHER MEETINGS:

Council / Staff Retreat - June 6th, 1p.m. - 7p.m. at North by Northwest.

APPROVAL OF BILLS:

MOTION: To approve Bill Vouchers #12269 through #12352, in the amount of \$77,084.49
Platt/Stevens Taylor - unanimously approved.

EXECUTIVE SESSION: Cancelled.

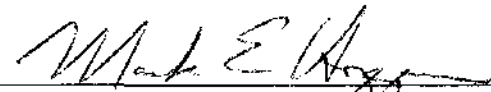
ADJOURN:

MOTION: To adjourn at 8:05 p.m.
Stevens Taylor / Platt - unanimously approved.

Cassette recorder utilized.
Tape 351 Side A 038 - end.
Tape 351 Side B 000 - 395.



Mayor



City Administrator

SPECIAL GIG HARBOR CITY COUNCIL MEETING OF JUNE 6, 1994

PRESENT: Councilmembers Platt, Ekberg, Stevens Taylor, Markovich, Picinich and Mayor Wilbert.

CALL TO ORDER: 1:10 p.m.

OLD BUSINESS:

1. **Resolution Setting Date and Time for the ULID #3 Final Assessment Hearing.** Mark Hoppen introduced this resolution fixing the time for a Final Assessment Hearing for ULID #3 for 7:00 p.m. on June 27, 1994 at the regular City Council Meeting.

MOTION: Move we adopt Resolution #420 setting a time and date for a hearing on the final assessment roll for Utility Local Improvement District No. 3.
Markovich / Stevens Taylor - unanimously approved.

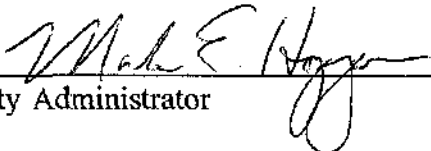
ADJOURN:

MOTION: To adjourn to a Council Retreat at 1:12 p.m.
Stevens Taylor / Markovich - unanimously approved.

Cassette recorder utilized.
Tape 351 Side B 397-425.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JUNE 13, 1994

PRESENT: Councilmembers Platt, Ekberg, Markovich, Picinich and Mayor Wilbert. Councilmember Stevens Taylor was absent.

PUBLIC HEARING: None scheduled.

PUBLIC COMMENT / DISCUSSION: None.

CALL TO ORDER: 7:05 p.m.

APPROVAL OF MINUTES:

MOTION: Move to approve the minutes of the May 23rd council meeting and the special meeting of June 6th as submitted.
Markovich/Picinich - unanimously approved.

CORRESPONDENCE:

Pierce County Police Chiefs Association. This letter to Pierce County Executive Doug Sutherland voices the Pierce County Police Chiefs Associations wish to keep the Pierce County Jail within and subordinate to the Pierce County Sheriff's Department.

OLD BUSINESS:

1. Second Reading - Amendment to City Building Code - Enforcement Procedures. Ray Gilmore presented the second reading of this amendment to the Building Code with changes suggested at the last council meeting. He explained additional changes by legal counsel to the civil and criminal penalty sections clarifying penalties.

MOTION: Move approval of Ordinance 672 adopting revisions to the City of Gig Harbor Uniform Building Code and Zoning Code.
Markovich/Ekberg - unanimously approved.

NEW BUSINESS:

1. Emergency Ordinance - Model Traffic Ordinance. Mark Hoppen introduced this ordinance readopting the Model Traffic Ordinance, explaining the need for emergency passage due to the fact the existing ordinance will expire as of July 1, 1994. If allowed to expire, it would leave the local traffic code invalid and unenforceable, and city violations would be heard in District Court. Because the ordinance would not become effective until five days after publication of the passed ordinance, it was necessary to pass the ordinance with one reading to allow it to be effective by the July 1st date. Carol Morris suggested to council a change in the city code to allow for passage of certain ordinances with one reading. Council directed her to draft an ordinance to be brought back at the next council meeting to this effect.

MOTION: Move adoption of Ordinance 673 to readopt the Model Traffic Ordinance in the manner recommended by legal counsel.
Markovich/Picinich - unanimously approved.

2. Stanich Avenue / Shirley Avenue Overlay Project - Contract Award. Ben Yazici presented this bid for the overlay of two city streets. He added that the low bid of \$35,966.11 was approximately \$14,000 less than the budgeted figure, and asked council to award the contract to Associated Sand and Gravel, the low bidder in the project.

MOTION: Move we award the contract for the Stanich Avenue and Shirley Avenue Overlay projects for the budgeted amount of \$35,966.11 to Associated Contract and Gravel.
Picinich/Markovich - unanimously approved.

3. Rejection of Bid for Big Toy. Ben Yazici explained that because the low bidder, Recreation Resources, eliminated the "pilot house" from the design, the project was less versatile. Although they did comply with the specifications, Ben requested council to reject the bids, allowing for him to rewrite the specs to include this portion of the toy. There was also a question of the bid being opened by mistake prior to the official bid opening. Due to these factors, the following motion was made.

MOTION: Move we reject the bids for the Big Toy for the City Park.
Markovich/Ekberg - unanimously approved.

4. Contract Change Orders for ULID #3 - PSD #401 Portion. Ben Yazici explained two change orders to the original contract which will decrease the ULID #3 contract and allow closure of the contract. Because Peninsula School District had not yet been issued a Shoreline Permit, a portion of the sewer pressure line on SR-302 could not be completed resulting in one change order. The contaminated soil conditions on Harborview Drive adjacent to the Union 76 gas station prevented the construction of a wetwell at this site. A second change order allowed the Purdy Pump station to be tested even though the line is not completed. A temporary pump-around system was constructed at the station, to facilitate testing.

MOTION: Move to approve Change Orders #2 and #3 in the amount of \$5,796.02 and \$39,725.80, not including Washington State Sales Tax, and to authorize the Public Works Director to sign the change orders.
Markovich/Platt - unanimously approved.

5. Resolution to Create a Public Works Assistant Position. Mark Hoppen announced that Susan Matthew, the Public Works Office Clerk, had left to work for the new city of Newport Hills. He explained that the position had evolved into an administrative assistant role and recommended approval of the resolution to create a Public Works Assistant position to bring the job description for the position in line with task requisites of the job. He discussed the ordinance setting the salary range.

MOTION: Move approval of Resolution #421 creating a job classification for the Public Works Assistant.
Markovich / Platt - unanimously approved.

6. First Reading - Ordinance to Set Salary Range for Public Works Assistant. This is the first reading of an ordinance setting a new salary range for the Public Works Assistant position.
7. First Reading - Sewer Connection Fee Ordinance. Mark Hoppen introduced the first reading of this Ordinance designed to modify the sewer connection fees and uncomplicate the rate structure and charges. This ordinance will return for a second reading at the next council meeting.
8. Liquor License Renewals - Roundtable Pizza, Puerto Vallarta, and Harvester Restaurants.
No action taken.

STAFF REPORTS:

Ben Yazici shared a letter from the Department of Transportation approving the grant application for the Kimball Drive / Pioneer Way Improvements / Park & Ride Expansion Project in the amount of \$949,850. He added the city's participation in this project is to be \$25,000. Legal counsel was asked to draft an Interlocal Agreement with Pierce County before the next council meeting.

MAYOR'S REPORT:

Mayor Wilbert spoke briefly about the upcoming meetings to research the alternatives to a second Narrows Bridge.

COUNCIL COMMENTS: None.

ANNOUNCEMENT OF OTHER MEETINGS:

Transportation Plans Alternative presentation by KJS Associates - 7:00 p.m., Monday, June 27th at City Hall. The regular meeting of the City Council will follow the presentation at 8:00 p.m.

APPROVAL OF BILLS:

MOTION: To approve Bill Vouchers #12353 through #12458, in the amount of \$194,782.96.
Platt/Ekberg - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: To approve Payroll Warrants #9817 through #9927, in the amount of \$161,448.78.
Platt / Ekberg - unanimously approved.

EXECUTIVE SESSION: None scheduled.

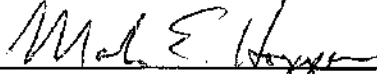
ADJOURN:

MOTION: To adjourn at 8:01 p.m.
Platt / Picinich - unanimously approved.

Cassette recorder utilized.
Tape 352 Side A 019 - end.
Tape 352 Side A 000 - blank.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JUNE 27, 1994

PRESENT: Councilmembers Platt, Ekberg, Stevens Taylor, Markovich, Picinich and Mayor Wilbert.

PUBLIC HEARING:

ULID #3 Final Assessment Roll. Ben Yazici presented a history of the sewer construction project from SR-16 Burnham Drive Interchange to the City of Gig Harbor Waste Water Treatment Plant. He explained that the project was completed for \$115,672 less than the original project cost stated within Ordinance #617 forming ULID #3, and \$93,480 less than the Preliminary Assessment Roll, due to excellent bids, and the exclusion of the upgrade of Lift Station #3 on Harborview Drive due to contaminated soils. He reviewed the changes in the numbers from the Preliminary Assessment Roll and the Final Assessment Roll and explained the reason for the changes.

Mr. Yazici explained that the Peninsula School District had requested that some of their expenditures incurred before formation of the ULID #3 be credited to their assessment and requested the public hearing be postponed until the details could be worked out. The District had not executed a Preformation Expenditure Agreement with the City to legally receive credit for these expenditures.

The city's bond counsel, Cynthia Weed of Preston, Thorgrimson and Ellis, stated that she had contacted the Attorney General for the State Auditor and found that if all the participants are in agreement with the School District, and if they all sign a document giving the district credit, then the credit could be given without requiring the city to account for such expenses. Mr. Yazici recommended that the public hearing not be postponed and that the agreement between the participants be brought back to Council at the second reading of the ordinance on July 11th.

Dave Cunningham - Mr. Cunningham spoke representing Pope Resources, a participant in the ULID #3. He said he has been a participant of the ULID from the beginning and is willing to support it. When their assessment increased approximately \$60,000, he was concerned. After checking on the reasons for the increase with Tom Semon, he feels it is a legitimate expense. Although they have not had time to examine the figures, he supports coordinating with the Peninsula School District as long as it does not delay the ULID #3 Final Assessment.

Greg Elderkin - Mr. Elderkin, representing Ballinger Corporation, stated they support the final assessment and are looking forward to working with the school district over the next week to come to an agreement on their costs.

Mary Urbach - Vandenberg & Johnson - Ms. Urbach, counsel for the school district, stated that they concur with the approach that is recommended by the city's bond counsel. She added that the school district is in the process of trying to obtain voluntary agreements from all the participants. She said she also spoke with the Attorney General for the State Auditor and that she has approved the form of the agreement. They expect to have a successful conclusion to present at the July 11th second reading of the Ordinance.

Tom Tucci - Mr. Tucci spoke representing Tucci and Sons. He stated he felt uncomfortable with the overestimated amount that is set for his property in this ULID. He said they had gone on record as opposing the amount of gallons per day that had originally been requested. When they went in the preliminary assessment requesting 127,000 gallons, they grossly overestimated the amount. He added that he was not here to throw a kink into this thing and would certainly live up to the commitment they made. He said that in discussing this matter with some of the other participants, he knows that there is another member in the ULID that has underestimated his amount and asked Ben or Mark, that within this time frame of the final assessment, is it possible to do some shifting of allocations between the ULID members?

Mr. Yazici clarified to council there was no influence by the city to assign the original gallonage requested. He asked Cynthia Weed to answer the question from Mr. Tucci. Ms. Weed answered Mr. Tucci by suggesting that the School District meet with all the participants to work out the details of the allocation of the preformation expenditures. If it's part of that, if you reach an independent agreement and both parties have signed the agreement, then it will become part of the assessment roll brought back to the council.

Tom Tucci - Mr. Tucci added the following information: In January of 1992 just before the preliminary assessment was finalized they discovered that they grossly overestimated their flow and they had provided a notice when they signed the preliminary assessment to that fact. Then they notified the ULID members. They will certainly live with the commitment they have, and do not wish to throw a kink in this thing and delay it any further. He would certainly be willing to sit down and review the cost, and he's sure it will be acceptable.

Walt Smith - Mr. Smith stated he was not involved in the early negotiations but that he has signed an agreement with the Peninsula School District that all applicable funds would be paid and due that they put up front and that he felt the participants should share in, and therefore he has already signed an agreement with the school district and is willing to pay a proportionate share, whatever it is, and that he concurs with their assessment.

Mayor Wilbert asked if there were any objections to the ULID #3 Final Assessment Roll. Mr. Tom Tucci handed a letter to the City Administrator, Mark Hoppen, which he in turn presented to Cynthia Weed. After reviewing the letter and determining that it basically reiterated his previous testimony, said it would not be considered an objection if the participants were able to come to a compromise in regards to his overestimate of gallons.

The public hearing for this item was closed at 7:44 p.m.

PUBLIC COMMENT / DISCUSSION: None.

CALL TO ORDER: 7:44 p.m.

APPROVAL OF MINUTES:

MOTION: Move to approve the minutes of the June 13 council meeting as submitted. Picinich/Platt - unanimously approved. Councilmember Stevens Taylor abstaining.

CORRESPONDENCE:

Washington Finance Officers Association - Mayor Wilbert discussed this letter awarding the Distinguished Budget Award to the City of Gig Harbor for the second year in a row. She congratulated Tom Enlow on his hard work.

OLD BUSINESS:

1. Second Reading - Sewer Connection Fee Ordinance. Mark Hoppen presented the second reading of this ordinance.

Jack Bujacich - 3607 Ross Avenue. Mr. Bujacich voiced his objection to raising the rates for hooking up to the sewer from the original price of \$150 when ULID #1 was formed to the current \$650. He cited a court case in Seattle to illustrate his concerns. Mark Hoppen said he was well aware of that case and the city was within its rights to upgrade the hookup fees.

Bob Frisbie - 9720 Woodworth Avenue. Mr. Frisbie stated that the original \$150 fee did not include the changes that had occurred in the City of Gig Harbor. He said the previous hookup fee was based on the old Wastewater Treatment Plant that had been torn down and replaced since that time.

MOTION: Move approval of Ordinance 674 fixing sewer connection fee zones. Picinich/Platt - unanimously approved.

2. Second Reading - Ordinance to Set Salary Range for Public Works Assistant. Mark Hoppen presented the second reading of an ordinance setting a new salary range for the Public Works Assistant position at \$2210 - 2762.

MOTION: Move approval of Ordinance #675 as presented. Platt/Ekberg - unanimously approved.

Mayor Wilbert asked if item #5 on the agenda could be moved to #2 to allow Mr. Yazici to leave the council meeting.

NEW BUSINESS:

1. Presentation of Comprehensive Transportation Plan Alternatives (KJS Associates). Ben Yazici presented Mr. Joe Savage, from KJS. Mr. Savage explained that he had met with the Planning Commission and had received valuable input. He presented some alternative solutions to council and staff that had been formulated from this meeting. He stressed that it was the City's plan, and should reflect what the citizens of the city want to see in future

transportation. He added the plan needs to work with Ray and his Land Use Plan, and Ben's six year transportation plan.

Mr. Savage illustrated his preliminary plan with maps and discussed several options to specific problems. He answered council and staff questions, and encouraged feedback. He said the Planning Commission had voiced a strong desire to include bike lanes and pedestrian walkways throughout the city. He touched on parking problems and a passenger ferry service.

2. Department of Corrections Water Service Request. Ben Yazici presented this request by the Department of Corrections to extend water service to the Womens Correction Center on Bujacich Drive. He added that because the Correction Center already receives sanitary sewer from the city, extending the water service would help in the billing process. He said that in addition to the initial connection fees, an anticipated \$20,000 in revenue could be expected from the new customers and recommended council to approved the request.

MOTION: Move to approve the Department of Correction's water request and authorize the Mayor to sign a Standard Water Utility Extension Agreement with the Department of Corrections.
Stevens Taylor/Platt - unanimously approved.

3. First Reading - ULID #3 Final Assessment Roll Ordinance. Mark Hoppen presented the first reading defining the figures for the Final Assessment Roll for ULID #3 and added that all required procedures had been carried out per statutory mandates. This will return at the next council meeting for a second reading.
4. First Reading - 1994 Water and Sewer Revenue and Refunding Bonds. Tom Enlow, Finance Director, presented this ordinance authorizing the sale of Water and Sewer Revenue Bonds and answered council questions. This ordinance will return for its second reading at the next council meeting.
5. First Reading - Procedure for Adoption of Ordinances. Mark Hoppen presented this ordinance drafted by Carol Morris, legal counsel, which would enable Council to pass an ordinance with one reading. This will return for its second reading at the next council meeting.
6. Appointment to Planning Commission. Mayor Wilbert introduced Dr. Paul Kadzik and asked council to approve his appointment to the Planning Commission. Councilmember Stevens Taylor asked for clarification of the process to appoint members to the commission.

MOTION: Move approval of the appointment of Dr. Paul Kadzik to the Gig Harbor Planning Commission.
Platt/Ekberg - unanimously approved.

7. Selection of Harborline Alternative. Mark Hoppen presented the map from DNR with the Harborline assumed to be correct since 1974, and the corrected Harborline. He added that

DNR wanted citizen's input and asked Council to make a recommendation before making the final decision to place the Harborline.

Jerry Fickland - Mr. Fickland is the Governor's Appointment to the Puget Sound Water Quality Agency, and a citizen of Gig Harbor. Mr. Fickland voiced concerns that if the DNR were allowed to extend the outer harborline, it would allow extension of docks, thus more marinas. The DNR's Environmental Impact Statement states there would not be any impact to the harbor from the line being expanded and Mr. Fickland disagreed with that. He felt that additional marinas, dredging, and other actions that could result from an extended Harborline would significantly impact the harbor.

Jack Bujacich - 3607 Ross Avenue. Mr. Bujacich stated that the original Harborline was formed in 1974 because the marinas were going out too far and they wanted to control that. He said originally that the marinas were only allowed to go to the inside Harborline, but that changed, DNR allowed extension to the outer line. He said that according to the maps presented by DNR, they do want to extend the outer harborline. He said his concern that if you go to the outer line and go out an additional 90' or so, and then the people on the other side of the harbor extend their docks, you won't be able to get into the harbor. He added there are several instances of infractions and yet nothing has ever been done.

Bob Frisbie - 9720 Woodworth. Mr. Frisbie passed out a copy of a map with his suggestions for a solution. He agreed that DNR had made many mistakes in surveys over the years. He suggested moving the outer harborline to encompass all the existing docks or grandfathering them in. He suggested to decide where the line is and then have one agency, preferably the City of Gig Harbor, take a hard line on requirements and enforcement.

Ron Ray - 3519 Harborview Drive. Mr. Ray stated he didn't see how anyone could expand their marinas as they couldn't meet parking requirements. He added that he'd just like to see the survey corrected.

Del Stutz - 3003 Harborview Drive. Mr. Stutz talked about his lease with DNR and added there are several lines, meander lines, vegetation lines, upland lines, etc. and hopes it can be reduced to just two, an inner and outer Harborline.

Mike Thornhill - 3216 Dorotich. Mr. Thornhill stated he is part owner in the Ellsworth Dock. He stated they had paid a "ton of money" and "jumped through several hoops" to be able to extend and upgrade their dock. He asked that whatever happen to the Harborline, that it be made fair to everybody.

Mayor Wilbert shared her suggestions for the harborline. She showed a map that basically followed the old, existing harborline that everyone has thought was in existence since 1974, that captured all the existing marina extensions, except one known as the Conan/Hix Marina. Additionally, from a point off Gig Harbor Marina, the proposed line goes south to the opening

of the harbor. From the Gig Harbor Marina vertices, the outer harborline should be brought in further than the DNR existing lines, to preserve the opening at the mouth of the harbor for navigation purposes. She shared her map with citizens and Council. She added that DNR would accept comments at the next public hearing on July 6th, and up until July 22nd. DNR is scheduled to make a final decision in September.

MOTION: Motion that staff take this particular map proposed by Mayor Wilbert, back for review, and then bring back at the next meeting for Council review and approval.
Ekberg /

AMENDED MOTION: That in their review, staff define the point where the harborline would taper from the existing line, inward toward the opening of the harbor, and state the rationale behind the chosen point.
Platt/Markovich - unanimously approved.

STAFF REPORTS:

Chief Denny Richards - Gig Harbor Police Department. Chief Richards gave a brief report on the new marine patrol. To date, only one infraction had been issued, 32 warnings, and several "friendly suggestions." He said people seem to be very appreciative of their being in the harbor. He went on to talk about a drug raid on the peninsula, where a 12 x 12 shed had been confiscated. The shed will become a new evidence locker for the police department. He answered council's questions about domestic violence issues.

Tom Enlow - Finance Director. Tom reported that after almost two years, a refund of \$53,096 had been received from the Department of Revenue for utility taxes collected. He added that the way the city files monthly returns will be adjusted with an estimated a savings of \$8,000 to \$10,000 per year in utility taxes, which will be offset by the new tax on connection fee revenues that took effect on 7/1/93.

MAYOR'S REPORT: None scheduled.

COUNCIL COMMENTS:

Councilmember Stevens Taylor commented on the AWC Conference she attended in Spokane the previous week. Although the selection of topics wasn't as varied as in the past, the issues covered were well done and worthwhile. She brought back brochures and other information which she shared with the staff. She also complimented staff in the fact that several positive comments were made about the City of Gig Harbor at the convention. The City's Public Works Standards, recently published and made available through Municipal Research to other municipalities in Washington, is becoming a standard model for other cities.

ANNOUNCEMENT OF OTHER MEETINGS: None.

APPROVAL OF BILLS:

MOTION: To approve Bill Vouchers #12459 through #12513, in the amount of \$30,291.97.
Platt/Stevens Taylor - unanimously approved.

EXECUTIVE SESSION: None scheduled.


ADJOURN:

MOTION: To adjourn at 10:12 p.m.
Platt / Ekberg - unanimously approved.

Cassette recorder utilized.
Tape 352 Side B 000 - end.
Tape 353 Side A 000 - end.
Tape 353 Side B 000 - end.
Tape 354 Side A 000 - end.
Tape 354 Side A 000 - end.
Tape 355 Side A 000 - 351.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JULY 11, 1994

PRESENT: Councilmembers Platt, Ekberg, Markovich, Picinich and Mayor Wilbert.
Councilmember Stevens Taylor was absent.

PUBLIC HEARING: None scheduled.

PUBLIC COMMENT / DISCUSSION:

Phil Arenson - Car Care Center, 6750 Kimball Drive. Mr. Arenson asked council to review how the city charges sewer hookup fees for tunnel car wash facilities in light of the new technology that recycles up to 70% of its water usage, reducing the amount of water released in the city sewer system. He suggested an additional category be added for a tunnel car wash with reclaim capabilities. He will supply the Public Works Department with the manufacturer's reports to help facilitate a new formula. He also suggested reviewing his water/sewer usage after a one-year period and adjusting accordingly. Mr. Yazici will return to council with recommendations after reviewing pertinent information.

CALL TO ORDER: 7:25 p.m.

APPROVAL OF MINUTES:

MOTION: Move to approve the minutes of the June 27 council meeting as submitted.
Platt/Picinich - unanimously approved.

CORRESPONDENCE: None.

OLD BUSINESS:

1. Second Reading - ULID #3 Final Assessment Roll Ordinance. Mark Hoppen presented the second reading defining the figures for the Final Assessment Roll for ULID #3. He added that all the participants had reached an equitable agreement and the city had received signed agreements to that effect.

MOTION: Move approval of Ordinance #676 approving the ULID #3 Assessment Roll.
Picinich/Markovich - unanimously approved.

2. Second Reading - 1994 Water and Sewer Revenue and Refunding Bonds. Tom Enlow, Finance Director, presented the second reading of this ordinance authorizing the sale of Water and Sewer Revenue Bonds. He introduced Mr. Dave Trageser from Dain Bosworth, who explained the sale of the bonds. Cynthia Weed, the city's bond counsel, explained what information was included in the ordinance.

MOTION: Move approval of Ordinance #677 authorizing the sale of \$2,995,000 of Water and Sewer Revenue and Refunding Bonds.
Markovich/Picinich - unanimously approved.

3. Second Reading - Procedure for Adoption of Ordinances. Mark Hoppen presented the second reading of this ordinance which would enable Council to pass an ordinance with one reading.

MOTION: Move approval of Ordinance #678 as presented.
Markovich/Picinich - unanimously approved.

4. Selection of Harborline Alternative. Mark Hoppen presented three exhibits that resulted from a DNR workshop held at City Hall on July 6th and explained the different options.

Bob Frisbie - 9720 Woodworth Avenue. Mr. Frisbie asked that council be uniform in its recommendation to DNR. He stated exhibits A & B were not uniform in allowing property owners the same capabilities and suggested that the line be moved out uniformly, except towards the mouth of the harbor.

Tom Oldfield - Warren Drive, Fox Island. Mr. Oldfield stated that although he was not a resident, he enjoyed coming into the harbor for recreation purposes. He encouraged council to recommend extending the harborline to allow for continued, controlled growth to encourage boaters to come to the city.

Phil Sloan - 126 Pt. Fosdick Circle. Mr. Sloan stated he was Tom Oldfield's partner. He also owns a dock on Goodman Drive and said he watched the boat traffic on Sunday, and that several boats entered the harbor, circled because they couldn't find moorage, then left again. He suggested council allow extension of the harborline and encourage more overnight moorage.

John Holmaas - 7524 Goodman Drive. Mr. Holmaas spoke as a resident and a rowboater. He said he was offended by the mistake with the Bayview Marina and that the dock was a hindrance when he rows. He encouraged council to recommend not extending the harborline. He said exhibit 'A' was the most appropriate.

At this point in the meeting, approximately 8:15 p.m., the electricity went out and the recorder could no longer be utilized.

Stan Stearns - Arabella's Landing. Mr. Stearns stated that the current docks were in existence based on two separate surveys and that an increase of 35' to the harborline would not represent an increase in land owned. He proposed that council should recommend extending the outer harborline to allow for additional moorage, and that the city could require restrooms, showers, pumpouts and other amenities for any new moorage facilities built. He said the bigger boats coming into the harbor that would utilize these

facilities would be an asset to the city.

Peter Stanley - 2925 Harborview Dr. Mr. Stanley, owner of the Tides Tavern, voiced his concerns that he would not be allowed future expansion on his dock if the harborline was moved shoreward. He recommended exhibit 'C' but only extend outward until it reaches the Babich Netsheds.

Paul Gustafson - 8215 Dorotich. Mr. Gustafson, former owner of Arabella's Landing, said he would like to see all the existing docks encompassed as in exhibit 'B', and added he was not against a 90' extension to give all the owners a break. He agreed the mouth of the harbor was a concern.

Ron Ray - 3519 Harborview Drive. Mr. Ray briefly stated that if the harborline was moved out, everyone would benefit and agreed with Bob Frisbie that if one owner benefits, all should benefit equally.

Steve Luengen - 8913 No. Harborview Drive. Mr. Luengen, owner of Peninsula Yacht Basin, said he likes the character of the Harbor and doesn't want to see the harborline extended. He added that as far as lack of overnight facilities, he said he normally has spaces available. He is in favor of exhibit 'A' with minimum expansion, but if council agrees with more expansion, he agreed with Mr. Frisbie and Mr. Ray, it should be done with equality.

After comments from all councilmembers, Mark Hoppen was instructed to draw a 35 foot parallel line extending the harborline, until it reaches a point at the herring netsheds, and using that as a "hinge-point", bring the line back shoreward toward the mouth of the harbor. The new exhibit will be drawn and brought back before council for consideration at a special council meeting to be held Monday, July 18, at 7:00 p.m.

Because the power had not yet returned, it was decided to move items 4 and 5 under New Business to the end because they needed to be recorded.

NEW BUSINESS:

1. First Reading - Ordinance Adopting the 1994 Nonresidential Energy Code. Ray Gilmore presented the first reading of this ordinance to adopt the nonresidential energy code 1994 second addition. This ordinance will return for a second reading at the next, regular council meeting.
2. Chinook Avenue Extension - St. Nicholas Church. Ben Yazici introduced this project and explained that one of the 1994 Public Works objectives was to connect the dead end water lines at the end of Edwards and Coho Streets to improve the water quality in that area. Representatives from St. Nicholas Church offered to deed the property needed for the extended water line to the city in return for having the road paved and installing a fire

hydrant in lieu of granting an easement or having the city purchase the property. Ben recommended complying with the church's request. Carol Morris, legal counsel, voiced concern regarding contaminated soils and recommended Ben obtain a statutory warrant instead of a quit claim deed, and obtain title insurance. Councilman Platt asked if paving this road would constitute a gift of public funds. Carol Morris said because there was an exchange of property, it would not. Ben was instructed to research these items.

MOTION: Move to authorize the Mayor to sign the documents for the right-of-way dedication from Saint Nicholas Church, and to authorize the Public Works Director to build a paved easement road on this property and provide a fire hydrant that will be connected to the new water line, providing that we are indemnified for any potential soil contaminants and an additional condition that we obtain a statutory warranty deed rather than a quit claim deed, and obtain title insurance on the property.
Markovich /

AMENDED MOTION: That an inclusion be made in the motion that the road being cleared and paved be no more than 16 feet wide.
Ekberg/Picinich - three voted in favor. Councilman Platt voted against.

3. TIA Grant for North Harborview Drive Project. Ben Yazici announced that the city had been awarded a grant for the \$26,000 matching funds for the North Harborview Drive Project from the Transportation Improvement Board. He recommended a motion to authorizing signing of the grant documents.

MOTION: Move to authorize the Mayor to sign the grant documents to receive a \$26,000 federal grant from the Transportation Improvement Account.
Picinich/Markovich - unanimously approved.

4. Bond Purchase Contract. Tom Enlow introduced this bond contract with Dain Bosworth to finalized the purchase of the ULID #3 bonds.

MOTION: Move we approve the bond purchase contract and authorize the city officers to sign the same.
Markovich/Platt - unanimously approved.

5. Street Striping Contract - Apply-A-Line. Ben Yazici presented the bids for the street striping project and recommended awarding the contract to the low bidder, Apply-A-Line.

MOTION: Move to award the striping contract to Apply-A-Line Inc. for \$11,716.32, which includes Washington State Sales Tax of 7.9%.
Platt/Picinich - unanimously approved.

6. Liquor License Request - Maritime Mart. Mark Hoppen presented this request and explained that the applicant had yet to obtain site plan approval for the facility. The issue of its proximity to the Henderson Bay Alternative School, and that no other gas station facility in Gig Harbor was allowed to sell alcohol was discussed.

MOTION: Move we deny this application.
Ekberg/Platt - Platt and Ekberg voted in favor. Picinich and Markovich abstained. The motion passed.

The power had not yet been restored, so the following agenda items will be carried over to the special meeting of Monday, July 18th.

1. HEX Recommendation - REZ 94-01 - Providence Ministries.
2. Appeal of HEX Decision - CUP 94-02 - Jackson, Bed & Breakfast.

STAFF REPORTS:

Ben Yazici - Public Works. Ben discussed several issues that had arisen with the bid opening for the Wastewater Treatment Plant Expansion Project, and explained that when these issues were resolved, he would bring the results before council for approval. He added that because of Bill Ireys hard work, that the Wastewater Treatment Plant had been State accredited to perform analyses testing for biochemical oxygen demand BOD/CBOD, chlorine total residual, dissolved oxygen, pH, fecal coliform, and solids total suspended. Mr. Ireys also developed an extensive procedures manual that included all aspects of testing and the equipment involved.

MAYOR'S REPORT: None scheduled.

COUNCIL COMMENTS:

ANNOUNCEMENT OF OTHER MEETINGS:

Special Meeting of the City Council for the purpose of continuing agenda items not able to be recorded at this evenings meetings, and to formalize a recommendation for the Harborline Alternative to be presented to DNR before the July 21st deadline.

APPROVAL OF BILLS:

MOTION: To approve Bill Vouchers #12514 through #12578, in the amount of \$57,959.94.
Platt/Ekberg - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: To approve Payroll Warrants #9928 through #1040, in the amount of \$164,494.80.
Platt/Ekberg - unanimously approved.

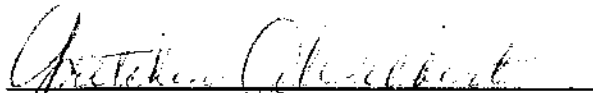
EXECUTIVE SESSION: Continued to the special council meeting of Monday, July 18th.

ADJOURN:

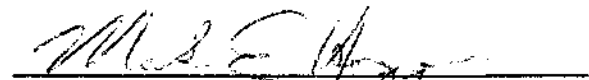
MOTION: To adjourn at 9:44 p.m.
Ekberg/Platt - unanimously approved.

Cassette recorder utilized.
Tape 355 Side A 352 - end.
Tape 355 Side B 000 - end.
Tape 356 Side A 000 - 303.

Due to the power outage at approximately 8:15 p.m., actions from that point until 9:44 p.m. were not tape recorded. A special meeting of the City Council for the purpose to act on the following agenda items: HEX Recommendation - REZ 94-01 - Providence Ministries, the Appeal of HEX Decision - CUP 94-02 - Jackson, Bed & Breakfast and to formalize a recommendation for the Harborline Alternative to be presented to DNR before the July 21st deadline, will be held on Monday, July 18th, at 7:00 p.m.



Mayor



City Administrator

SPECIAL GIG HARBOR CITY COUNCIL MEETING OF JULY 18, 1994

PRESENT: Councilmembers Platt, Ekberg, Stevens Taylor, Markovich, Picinich and Mayor Wilbert.

PUBLIC COMMENT / DISCUSSION:

CALL TO ORDER: 7:09 p.m.

MOTION: Move we move the executive session to the end of tonight's meeting.
Picinich/Platt - unanimously approved.

OLD BUSINESS:

1. **HEX Recommendation - REZ 94-01 - Providence Ministries.** Ray Gilmore presented a table that staff prepared summarizing the staff analysis on this rezone request located at the corner of Vernhardson and North Harborview Drive. He gave a brief history of the property and explained why it was before Council for consideration of the Hearing Examiner's recommendation. He answered questions from councilmembers regarding the building's history of usage and current condition. Mr. Gilmore will bring back an ordinance at the next regular council meeting supporting council's decision.

MOTION: Move adoption of Alternative Number 4, denying the rezone request.
Platt/Stevens Taylor - unanimously approved.

Richard Chenier - 3415 Vernhardson. Mr. Chenier stated vehemently that he wants a stop sign at the corner of Vernhardson and North Harborview Drive.

2. **Appeal of HEX Decision - CUP 94-02 - Jackson, Bed & Breakfast.** Ray Gilmore presented information regarding the appeal of the Hearing Examiner's decision approving a conditional use permit for this two-bedroom bed and breakfast located at the end of Dorotich Street. The appellant was not present to provide testimony. The applicant, Mary Jackson, explained she had met with Steve Bowman, Building Official, at the property. She explained that she had come up with suitable solutions for each of the items brought up by Messrs. Ellsworth and Thornhill. Councilman Picinich asked that an additional condition be placed upon the conditional use approval providing for equipment to pump water from the property into the sewer rather than running into the bay.

MOTION: Move to adopt Resolution #422 uphold the Hearing Examiner's decision with inclusion of conditions A, B C and adding a 'D' for the pump.
Picinich/Stevens Taylor - unanimously approved.

3. Selection of Harborline Alternative. Mark Hoppen presented an updated exhibit resulting from the request from council for a line be equally extended from the existing harborline out the distance that the Hix dock extended past the existing line, except at the opening of the harbor, where it should extend landward.

Marie Lovrovich - 3319 Ross Avenue. Ms. Lovrovich said she felt the docks that extend past the existing line should be brought into compliance. She added she was against extending the harborline because of the near misses that occur in the harbor now. She said if the harborline were extended, marina people will make more money to the detriment of our beautiful harbor.

Jerry Crutchfield - 2800 Harborview Drive. Mr. Crutchfield asked that if Alternative #4 was taken to the DNR, if that meant it was preferred over the other alternatives. He asked what the plan was for further north and added that in the past many errors were made, and this solution does not correct those errors. He asked that if we accept this line, and other docks go over the line, will we correct those errors or move the line again. He said he hates to see the harbor get smaller by extending the outer harborline.

Scott Davis - 8524 Goodman Drive NW. Mr. Davis, president of the East Gig Harbor Improvement Board, said the views of the recreational boaters were not adequately expressed. He stated that when the harbor gets full, the overflow goes into the eastern portion of the harbor and if the harborline was extended, it would make it more difficult to keep the lane by the marinas clear. He suggested adding signage at the public dock alerting boaters that there is available transient moorage available at places like Arabella's Landing. He said the EGHIB had worked long and hard to preserve keeping as much of the harbor space available and was dismayed to see the extension.

Bob Drohan - 3111 Harborview Drive. Mr. Drohan said that in the summer it was crowded, and in the winter, it was dark. He added that the south channel was narrow enough and that boats back up entering and leaving. He said he would be disappointed if the docks were allowed to be extended another 30 or 40 feet.

Paul Gustafson - 8215 Dorotich. Mr. Gustafson said he appreciated the concerns voiced tonight and previously, especially for the mouth of the harbor, but he felt that there was adequate room in the middle of the harbor. He said people may not be aware that for years the waterfront owners have been charged on their leases for property they already owned, therefore paying property taxes and a lease. He stated that extending the harborline would not hurt navigation and will be an amenity to the harbor.

Stan Stearns - 3323 Harborview Drive.. Mr. Stearns said it is important that everyone remember that there is an incredible amount of restrictions and named several departments that are involved in extending a dock. He said the positive issues if expansion were

allowed that areas that are not in compliance could be brought in and if extended, could be required to have amenities such as pump-outs, restrooms, and other facilities that would make the harbor more attractive. He added that the line only represents a possibility.

Mark Wambold - 7503 Soundview Drive. Mr. Wambold, owner of Marco's Restaurant, said additional transient moorage would be beneficial to his business. He added his business relies upon these people.

Tom Oldfield - Warren Drive, Fox Island. Mr. Oldfield said that when he cruised the harbor he was able to get around without coming near the marinas. He added that people are able to transfer in a relatively small entrance.

Ron Ray - 3519 Harborview Drive. Mr. Ray said it is imperative to move the line out to clear up the legal issues, and that is why this all came about. He said he wants to make sure its done fairly.

Steve Luengen - 8913 No. Harborview Drive. Mr. Luengen said once you push that line out there, it will get built to. He added he harbor area will get smaller and that something irrevocable is being done by extending the line. He said he would like to see the line stay where it is.

June Gerla - 2827 Harborview Drive. Ms. Gerla stated no one had spoken about the quality of the bay. What used to be a fountain of clams three years ago is now gone. She added that she just wanted to remind people that we have a beautiful bay here and that she hates to see it disintegrate.

Mayor Wilbert added her own comments. She said no one had spoken to the upland development of the harbor. She spoke about parking problems. She added that a plus would be to have the option of more pumpout stations and other amenities for boaters currently not in place. She asked council to consider these issues.

Councilman Markovich said the congestion, the navigable waterway problems, all these problems are things that need to be addressed but are not caused by where the harborline is located. He added that we need to go to the DNR with a strong recommendation that hopefully will have an impact. He said there is plenty of room, and there were several docks that haven't extended to what was believed to be the outerline before and didn't believe there would be a "landrush" to extend if the line were extended.

MOTION: Recommend we move as a body to recommend to DNR that we establish an outer harbor area line which will encompass all existing facilities to the outermost point of the Conan/Hix dock which I understand is approximately 45' outside of what was thought to be the 1974 harborline and to continue that in a fashion which will parallel 45' the 1974

harborline so that all other property owners will have the same extended harborline area as that which the Hix/Conan dock takes and that in the south portion of the harbor that it be tapered such as indicated on your map at the location closest to the harbor entrance that's designated on your map that it be no greater than 50' of distance between the inner harborline and the outer harborline.

Markovich/Ekberg - unanimously approved.

EXECUTIVE SESSION:

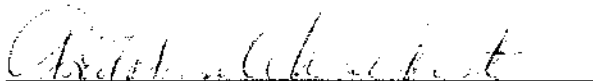
MOTION: Move we adjourn to Executive Session at 8:26 for the purpose of discussing property acquisition.
Platt/Stevens Taylor - unanimously approved.

MOTION: Move to return to regular session at 8:40 p.m.
Platt/Stevens Taylor - unanimously approved.

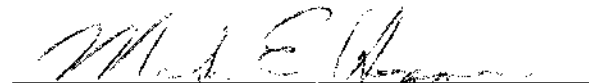
ADJOURN:

MOTION: Move to adjourn at 8:40 p.m.
Stevens Taylor/Platt - unanimously approved.

Cassette recorder utilized.
Tape 356 Side A 304 - end.
Tape 356 Side B 000 - end.
Tape 357 Side A 000 - end.
Tape 357 Side B 000 - 095.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JULY 25, 1994

PRESENT: Councilmembers Stevens Taylor, Markovich, Picinich and Mayor Wilbert. Councilmembers Platt and Ekberg were absent.

PUBLIC COMMENT / DISCUSSION:

Judy Larson - 7904 Schoolhouse Avenue - Ms. Larson explained that her daughter was hit crossing the street by someone pulling out of the high school parking lot this spring. She stated the traffic at that intersection during the hours of 7:15 a.m. to 8:30 a.m. is a nightmare and would like to see a pedestrian pushbutton crosswalk at that site. She added that the high school is often used for other community events. She also said that the 25 mph speed limit in that area is not being enforced.

Greg Larson - 7904 Schoolhouse Avenue - Mr. Larson introduced himself as Judy's husband and expressed gratitude to the Mayor and council for allowing them to speak on the issue of the intersection at the high school. He thanked Ben Yazici for working with them and the neighborhood. He said the current light is no more than what was there previously. He stated that so much money and time is being spent on the aesthetic appeal of Gig Harbor, but he feels it is the city's primary responsibility to consider the safety and well-being of the citizens. He said the funds should be made available to add the Opticon and pedestrian push-button crosswalk to the system and activate it as soon as possible.

Frank Kinney - 7969 Beardsley Avenue - Mr. Kinney stated his concerns are the same as his neighbors. He said it is ludicrous that so much time is being spent deciding who is going to pay for the upgrades to the signal. He suggested a pedestrian crosswalk button and warning signs stating there are crosswalks and that you must stop when occupied. He also said people drive much faster than 25 mph in this area.

SPECIAL PRESENTATION: Performance Circle - The Meadow.

Joe Loya and Kathy McGillard presented an overview of the plans and intentions that Performance Circle has for The Meadow on Peacock Hill. They presented council with a brochure and explained renderings with different roofline possibilities to fit in with the 100 year old Peacock Hill Home, currently used as a restaurant. They added that the cultural and educational capabilities of a facility of this type would be a great addition to the City of Gig Harbor.

CALL TO ORDER: 7:30 p.m.

MOTION: Move we table item #2 under new business, HEX Recommendation - SPR 94-01 North Office Retail Building, to the next regular council meeting of August 8th, because there wouldn't be a voting quorum.
Picinich/Markovich - unanimously approved.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the July 11, 1994 meeting.
Markovich/Picinich - two voted in favor with Councilmember Stevens-Taylor abstaining.

MOTION: Move approval of the minutes of the special council meeting of July 19, 1994, with correction.
Markovich/Stevens Taylor - unanimously approved.

OLD BUSINESS:

1. Second Reading - Ordinance Adopting the 1994 Nonresidential Energy Code. Ray Gilmore introduced the second reading of this ordinance and asked council to amend the effective date to September 1st. He asked council to allow him to execute a one-year contract with a licensed inspector to do energy code inspections allowing time for Steve Bowman to become certified.

MOTION: Move approval of Ordinance #679 with an amendment to Section 4 providing for an effective date of September 1, 1994 and that a one-year contract with an independent inspector be drafted and brought back to council.
Markovich/Picinich - unanimously approved.

2. Right-of-Way Easement - Coho Street. Carol Morris, legal counsel, summarized the information in her memo to council and explained that St. Nicholas had expected the city to assume responsibility for maintenance, repair and liability of the "driveway". She contacted Rick Evans, the church's representative and explained that council was concerned that this would constitute a gift of public funds. She informed Mr. Evans that to accept the conveyance of the property and to do the requested improvements to the driveway, the church would be required to accept an easement which would transfer all ownership of maintenance, repair and liability back to the church. Mr. Evans indicated he did not think the church would accept this easement. Ben Yazici added that it was not necessary to obtain the easement to connect the water lines at this time.

MOTION: Move we stop the right-of-way easement proceedings with St. Nicholas Parish for the purpose of connecting the water lines between Coho Street and Edwards at this time.
Picinich/Stevens Taylor - unanimously approved.

AMENDED MOTION: Move we direct legal counsel to communicate Council's decision to Rick Evans, the Church's representative.
Picinich/Stevens Taylor - unanimously approved.

NEW BUSINESS:

1. Resolution - Council Action on HEX Recommendation to Deny Rezone - REZ 94-01 Providence Ministries. Ray Gilmore presented this Resolution to follow-up on Council's decision to deny the requested rezone by Providence Ministries.

MOTION: Move adoption of Resolution #423 denying an application for a rezone from R-1 to RB-1 with a RB-2 contract overlay zone, rejecting the Hearing Examiner's recommendation of June 20, 1994.
Markovich/Stevens Taylor - unanimously approved.

2. First Reading - Ordinance, Annexation 93-02, Nelson. Ray Gilmore presented the first reading of this ordinance to annex a one acre parcel located east of and adjacent to Soundview Drive. He added that the 45 day review period with Pierce County Boundary Review Board had passed without comment. This ordinance will return for a second reading at the next council meeting.

3. Award of Contract - WWTP Expansion Project. Ben Yazici gave a presentation of background information regarding the bidding process for this project which planning began back in 1988. He explained facts leading to the need for the three separate motions.

MOTION: Move to approve Richard L. Martin's bid withdrawal.
Markovich/Picinich - unanimously approved.

MOTION: Move we deny the Pease Construction protest.
Picinich/Stevens Taylor - unanimously approved.

MOTION: Move to award the Wastewater Treatment Plant Expansion Project to McClure & Sons Inc. for a total amount of \$2,213,570.66, which includes the optional items of Polymer Feed Equipment, Blower, Dissolved Oxygen Meters, Cyclone Degritter and existing Secondary Clarifier Modifications, with a proviso that this contract award be approved by the Department of Ecology and the Environmental Protection Agency.
Markovich/Stevens Taylor - unanimously approved.

4. Shirley Avenue Water Extension - Latecomers Agreement. Ben Yazici presented this request from John Godulas to enter into a Latecomers Agreement with the city and eight lots on Shirley Avenue to help recoup his cost of installing an 8" water main to satisfy fireflow requirements. Ben explained that the other property owners currently being served by private wells would not be required to hook to the line, but that in the future if they choose to do so, would be required to pay a proportionate cost of installing the line.

MOTION: Move to authorize the Mayor to sign the attached Latecomers Agreement after the line is constructed and the true cost of the line is identified. The

Agreement currently shows the estimated cost of the project, which is anticipated to be within 10% of the estimated cost of \$17,646.47, and that the latecomer's fee will include a 15% administrative fee.
Stevens Taylor/Markovich - unanimously approved.

AMENDED MOTION: Move to include an Exhibit 'A-1' with a legal description to be recorded.
Markovich/Stevens Taylor - unanimously approved.

5. Amendment to UECA Agreement - Gig Harbor Car Wash II. Ben Yazici explained the Ordinance amending Section 13.32.060 to reduce the ERU assignment from 20 to 7.5 ERUs relating to sewer rates and charges, amending the hook-up charge for tunnel car wash use. This ordinance will return at the next council meeting for a second reading.
6. Liquor License Request - Gabe's Ristorante Italiano. No action taken.

STAFF REPORTS:

Ray Gilmore - Planning/Building. Ray passed out the final, approved copy of the Shoreline Master Program. The Mayor and councilmembers congratulated Ray and thanked him for his hard work on this project.

Tom Enlow - Finance Director. Tom passed out a copy of the Quarterly Report and gave a brief overview.

MAYOR'S REPORT: None scheduled.

COUNCIL COMMENTS:

Nick Markovich asked Ben when the light at the high school would be finalized and fully actuated. Ben explained that two separate traffic studies confirmed that the light wasn't necessary until The Heights neighborhood was fully developed, approximately one year. Councilman Markovich stated he felt the funds should be spent now, since we were planning to install the improvements within one year anyway, to add the Opticon and push button pedestrian crosswalk to get the light fully functional now, before someone else is seriously injured.

John Picinich added he avoided that route on his way to work because of the traffic. He said he felt the light should be activated in advance of September 1st to get vehicles used to the idea.

Jeanne Stevens Taylor voiced concerns of setting precedence if we deviate from the traffic study results and suggested interim measures such as enforcing the 25 mph speed limit. She said the city should be consistent with what is required.

Ben Yazici answered their questions and asked if council wished to direct him to begin the process to update the signal. Council directed Ben to bring this item back for the next council agenda.

ANNOUNCEMENT OF OTHER MEETINGS:

A time for a joint meeting with Peninsula Light Company and the City Council, regarding Utility Undergrounding, will be tentatively set for Thursday, September 15th.

APPROVAL OF BILLS:

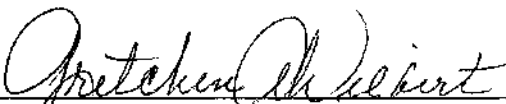
MOTION: Move approval of Warrants #12579 through #12662, in the amount of \$59,024.43.
Picinich/Markovich - unanimously approved.

EXECUTIVE SESSION: None scheduled.

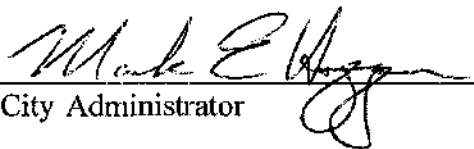
ADJOURN:

MOTION: Move to adjourn at 9:07 p.m.
Markovich/Stevens Taylor - unanimously approved.

Cassette recorder utilized.
Tape 357 Side B 097 - end.
Tape 358 Side A 000 - end.
Tape 358 Side B 000 - end.
Tape 359 Side A 000 - 006.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF AUGUST 8, 1994

PRESENT: Councilmembers Markovich, Picinich, Ekberg, Platt and Mayor Wilbert.
Councilmember Stevens Taylor was absent.

PUBLIC COMMENT / DISCUSSION: None.

CALL TO ORDER: 7:05 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the July 25, 1994 meeting with changes.
Markovich/Picinich - two voted in favor with Councilmembers Ekberg and Platt abstaining.

OLD BUSINESS:

1. Second Reading - Ordinance, Annexation 93-02 (Nelson). Ray Gilmore presented the second reading of this ordinance to annex a one acre parcel located east of and adjacent to Soundview Drive.

MOTION: Move adoption of Ordinance #680 adopting the annexation.
Markovich/Ekberg - unanimously approved.

2. Second Reading - Ordinance Amending UECA Agreement - Gig Harbor Car Wash II. Ben Yazici introduced the second reading of this ordinance amending Section 13.32.060 of the GHMC, reducing the ERU assignment from 20 to 7.5 ERUs relating to sewer rates and charges, therefore amending the hook-up charge for tunnel car wash use. He explained the water usage for the car wash would be monitored for a two-year period and the charges adjusted accordingly.

MOTION: Move adoption of Ordinance #681.
Markovich/Platt - unanimously approved.

NEW BUSINESS:

1. HEX Recommendation/Resolution - SPR 94-01 North Office Retail Building. Ray Gilmore presented the resolution accepting the Hearing Examiner's decision. He also presented and explained the optional resolution in the packet, drafted by staff, asking for the council to uphold the code regulations requiring a 25 foot rear-yard setbacks, thereby appealing the Hearing Examiner's recommendation. Mr. Gilmore explained that legal counsel had recently informed him that if Council were to choose the optional resolution, then an additional public hearing would be required. Mr. Geoff Moore, Pac Tech Engineering, further explained the circumstances surrounding the Hearing Examiner's decision, and answered questions.

MOTION: Move approval of Resolution #424 which upholds the Hearing Examiner's Findings and Recommendations in a report dated July 6, 1994.
Markovich/Platt - three voted in favor. Councilman Ekberg voting against.

2. Rosedale Street Traffic Signal. Ben Yazici presented the bids he obtained at Council's request to proceed with the traffic light modifications at Rosedale Street in front of the High School. Councilman Ekberg wanted to be sure it was noted that the reason the city is preceeding with these modifications approximately one year before necessitated by surrounding development, is due to the fact a student was hit crossing at that intersection and that the congestion of traffic at that intersection, because of the high school, results in safety concerns. Mayor Wilbert will correspond with the School District.

MOTION: Move to authorize the Public Works Director to hire Totem Electric to complete the necessary modifications to the traffic light in an amount not to exceed \$16,345.77, which includes Washington State Sales Tax.
Picinich/ Markovich - unanimously approved.

STAFF REPORTS:

Ray Gilmore - Planning/Building. Ray passed out a copy of the Comprehensive Plan Review Schedule to the Council and advised them that the Planning Commission's recommendation will be available by the end of the week, and the E.I.S. will be available by next week. He also stated that there will be plenty of time in this review schedule for work sessions with the Planning Commission.

MAYOR'S REPORT:

Station KGHP - Emergency Communications. Mayor Wilbert gave a brief presentation regarding this emergency communication station that is losing its funding due to cut-backs in the school's budget. She explained that this station may be the only form of communication for some people during a major disaster and deserves consideration.

COUNCIL COMMENTS: None.

APPROVAL OF BILLS:

MOTION: Move approval of Warrants #12663 through #12731, in the amount of \$73,433.34
Platt/Ekberg - unanimously approved.

APPROVAL OF PAYROLL:

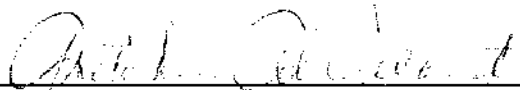
MOTION: Move approval of Payroll Warrants #10041 through #10125, in the amount of \$163,526.84.

EXECUTIVE SESSION: None scheduled.

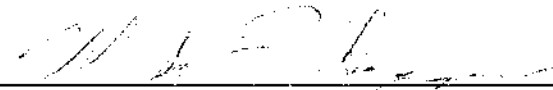
ADJOURN:

MOTION: Move to adjourn at 8:09 p.m.
Picinich/Platt - unanimously approved.

Cassette recorder utilized.
Tape 359 Side B 009 - end.
Tape 360 Side A 000 - 410.



Mayor



City Administrator

22

REGULAR GIG HARBOR CITY COUNCIL MEETING OF AUGUST 8, 1994

PRESENT: Councilmembers Stevens Taylor, Picinich, Ekberg, Platt and Mayor Wilbert. Councilmember Markovich was absent.

PUBLIC COMMENT / DISCUSSION:

John Kerr - 4410 Canterwood Dr. Mr. Kerr talked about the Department of Natural Resources choosing not to consider Council's recommendation in adjusting the harborline. He asked if someone from the Council or the Staff could attend the Intercoastal Commission Hearing on September 6th and once again give a recommendation.

Mark Hoppen explained that Councilmembers had just received a copy of the letter from DNR that afternoon, and had not had a chance to review the information. He added that later in the meeting during Staff Reports, more information could be given.

PUBLIC HEARING:

Planning Commission Recommendation - Revised Comprehensive Plan including the Transportation Plan.

Mayor Wilbert opened the Public Hearing on the Planning Commission Recommendation - Revised Comprehensive Plan including the Transportation Plan, Final Report at 7:14 p.m. Ray Gilmore gave an overview of the eleven optional and required elements of the Comp Plan. Ben Yazici added the Comprehensive Transportation Plan portion and introduced Joe Savage of KJS, who was hired to complete the Transportation Plan portion of the Comp Plan. Mr. Savage gave a brief overview of the highlights of the transportation plan and answered questions.

Wade Perrow - P.O. Box 245, Gig Harbor. Mr. Perrow spoke about the generalized land use categories. He specifically spoke about the area along Burnham Drive, the designated truck route into Gig Harbor where he owns two business parks, one completed and one in the process of being developed. He asked that employment centers should be allowed under the mixed use category of the comp plan.

Daryl Hedman - P.O. Box 467, Gig Harbor. Mr. Hedman spoke about the five acres on the westside of the freeway by the Cimarron Restaurant. He said he didn't feel these five acres should be designated single-family as it is currently listed under the comp plan.

John Holmaas. Mr. Holmaas agreed with Mr. Perrow that the designation along Burnham Drive should include employment centers. He also added that the 300' screening requirements along the freeway corridor would create too much of a hardship for land owners.

Paul Cyr - P.C. Councilmember. Mr. Cyr said he had received correspondence from people concerned that the properties along Bujacich Drive were being divided inappropriately. He said that acreage had been designated commercial since 1975, and even though the boundaries were

irregular, he encouraged that when the hearing on that particular boundary was held, to consider looking at those approximately seven properties being affected. His second concern was where the money would be coming from for the large capital expenditures that are listed in the comp plan, most of which the county is listed as the lead agency. His last comment was on the predicted population numbers for the peninsula. He said the majority of the increase is in unincorporated Pierce County which he feels should lead to joint hearings between the County and City in planning for these areas.

Mayor Wilbert agreed with the last statement and asked Mr. Cyr when the County Council would adopt the Urban Growth Area as defined, so property owners would no longer be confused as to which jurisdiction to respond.

Dr. Gerald Post - Peninsula School District. Dr. Post stated the District appreciates the thought and planning for the schools that went into the comp plan, particularly the allocation of land set aside for schools in planned unit developments. He asked that wording be added to the pedestrian access section of the plan to include neighborhood pedestrian access and walkways to schools to reduce vehicular traffic.

Walt Smith - P.O. Box 191, Gig Harbor. Mr. Smith agreed with Councilman Cyr regarding joint meetings. He added one way to build a healthy environment and community is to provide adequate area for commercial growth. He added the commercial provision would allow for an increased employment base, and tax base to help fund development of capital projects. He also urged Council to address the Westside Area again. He questioned the 300' buffer provision along SR-16.

Ray Gilmore responded to the 300' buffer issue and stated that the Planning Commission had changed the required 300' buffer standard to "Any development *within* 300' would be subject to extensive design review or total screening. He added that the Planning Commission had determined they would review the Urban Growth Boundary line every five years, and at that time the area along Bujacich Road would be reconsidered.

Ben Yazici addressed Councilman Paul Cyr's comments regarding the capital projects. The public hearing portion of this meeting was closed at 8:12 p.m. and additional worksessions were scheduled for September 21st and October 3rd.

CALL TO ORDER: 8:17 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the August 8, 1994 meeting as presented. Picinich/Platt - three voted in favor with Councilmember Stevens Taylor abstaining.

OLD BUSINESS: None.

NEW BUSINESS:

1. HEX Recommendation/Resolution - SPR 94-03 Maritime Mart. Mayor Wilbert introduced this item and asked if any councilmember had any ex parte, written or oral communication with the applicant. There was no response. She then asked if any councilmember had an appearance of fairness issue to consider. Councilmember Stevens Taylor answered yes. Mayor then asked if any member of the audience had an appearance of fairness issue with any councilmember. There was no response. At this point, Councilmember Stevens Taylor recused herself from this item and left the council chambers.

Steve Osguthorpe introduced this recommendation and resolution and answered questions. Councilman Ekberg questioned Chief Richards regarding any past difficulties with all-night businesses. Chief responded that he hadn't had any problems in the past and did not foresee any with this business.

MOTION: Move to adopt Resolution #425 upholding the Hearing Examiners Recommendation with all seventeen conditions for SPR 94-03 Maritime Mart.
Picinich/Platt - unanimously approved.

2. 1995 Insurance Presentation - Bradtrud Middleton. Mark Hoppen introduced Steve Feltus, who passed out a summary of the changes in the cost of insurance coverage and explained the differences. He added that he and Mark Hoppen had been researching AWC coverage to determine if there would be significant savings and he would have a full, comprehensive comparison of coverage and cost to present to council by November 1, as AWC runs from January to January in their coverage.
3. Liquor License Renewals - Bartell Drug Store, Olympic Village B.P., and Gig Harbor Yacht Club. No action taken.
4. Special Occassion Liquor License - PHS Class of '84 Reunion. No action taken.

STAFF REPORTS:

Carol Morris, Legal Counsel. Ms. Morris handed out documentation regarding the appearance of fairness issues for council items and explained why it was good practice to verbally ask council members and the audience for input so as to make it part of the public record.

Mark Hoppen, City Administrator. Mr. Hoppen gave a brief update on the local student/emergency radio station, KGHP and recommended the city support a fair share of the underwriting costs when the funding is clearly defined.

He then reviewed the letter from the Department of Natural Resources explaining their choice of harborline.

Dennis Richards, Chief of Police. Chief Richards gave a brief explanation of the monthly police activity report. He added that the kids were becoming restless now it was end of summer and getting

a little more problematic, and he would be glad when school began again.

Ben Yazici, Director of Public Works. Mr. Yazici said he had received a commitment of \$5,000 toward the traffic signal improvements in front of Gig Harbor High School. He added that the light would be fully activated by September 27th, and that the school district would provide a flagger during peak hours until that time. He also asked for council's approval to proceed with the state bid process and spend an additional \$5,000 over the \$18,000 budgeted for a Chipper as the actual cost of the equipment was \$23,000. He explained the additional \$5,000 did not require a budget amendment. He will bring back the results at the next council meeting.

MAYOR'S REPORT:

Mayor Wilbert gave a summary of the progress of certain projects including Growth Management, Narrows Bridge Congestion, and the new "pet litter disposal" equipment at Jerisich Park, and the Pilot Program sponsored by the Puget Sound Water Quality Authority for marina owners to participate in the development of a manual to be used statewide.

COUNCIL COMMENTS:

Councilmember Stevens Taylor announced that she had been asked to serve on the AWC Legislative Committee again this year. She encouraged the staff and other councilmembers to let her know of any concerns that she could take to the committee for consideration.

Councilman Platt questioned how much had been budgeted for the hanging baskets and planters. He asked Mark Hoppen to research how much money had been spent to date to verify the city had not overrun that budget item.

Councilmember Picinich asked what was going to be done regarding the DNR and the harborline recommendation. He also added that the City of Gig Harbor needs to research the marinas for moorage spots and police them for compliance.

MOTION: Move we instruct the Mayor to instruct staff members to research whatever means appropriate to us to reiterate our position and be at the hearing in person to support that decision.
Ekberg\Picinich - unanimously approved.

Bob Frisbie announced that is a procedure to allow for the staff and councilmembers to speak for up to five minutes at the Intercoastal Hearing regarding council's recommendation regarding Harborline Adjustment. He stated that to speak at the September 6th Hearing, be present prior to 9:00 a.m.

ANNOUNCEMENT OF OTHER MEETINGS:

- 1) Meeting with Peninsula Light re: Undergrounding Utilities - September 29, 1994, 7:00 p.m. at Peninsula Light.
- 2) City Council/Planning Commission Worksession - Comprehensive Plan - September 21, 1994, 7:00 p.m. at City Hall.
- 3) City Council/Planning Commission Worksession - Comprehensive Plan - October 3, 1994,

7:00 p.m. at City Hall.

APPROVAL OF BILLS:

MOTION: Move approval of Warrants #12732 through #12792, in the amount of \$56,535.21.
Platt/Ekberg - unanimously approved.

EXECUTIVE SESSION:


MOTION: Move to adjourn to Executive Session for the purpose of discussing a legal matter for approximately 20 minutes.
Picinich/Stevens Taylor - unanimously approved.

MOTION: Move to return to regular session.
Stevens Taylor/Platt - unanimously approved.


ADJOURN:

MOTION: Move to adjourn at 9:32 p.m.
Platt/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 360 Side A 411 - end.
Tape 360 Side B 000 - end.
Tape 361 Both Sides.
Tape 362 Side A 000 - 112.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF SEPTEMBER 12, 1994

PRESENT: Councilmembers Stevens Taylor, Picinich, Ekberg, Markovich and Mayor Wilbert. Councilmember Platt came in at 7:20.

PUBLIC COMMENT / DISCUSSION:

Richard Allen - 3603 Ross Avenue. Mr. Allen said he appreciated Council's deliberation and unanimous decision regarding the recent harborline issue. He said he was appalled that the Mayor had "carried two hats" to the hearing, one to forward Council's recommendation and one to present a personal opinion and present a petition from citizens that had yet to be circulated, that was in direct conflict with Council's recommendation. He said her decision to deliver both messages showed little respect for the council and the image of our community. He said the municipality of Gig Harbor once more appeared to be in a state of confusion and without direction.

Bob Frisbie - 9720 Woodworth Avenue. Mr. Frisbie stated his wish to give a brief report on the harborline meeting held Tuesday, September 6th. He said the Mayor read the letter stating Council's recommendation without emotion, then detailed her personal views with emotion. He said her views were diametrically opposed to the ones Council had sent her to represent. He questioned the ethics of this and advised that in future cases, if Council's opinion differed from the Mayor's, to send another representative to present their view.

Jack Bujacich - 3607 Ross Avenue. Mr. Bujacich stated that he felt that the Mayor had full right to do what she did and that she was entitled to her own opinion. He said he was appalled that Council had made a decision to send a letter that was not on the agenda and that every citizen was entitled to notice on something of this importance. He went on to give a history of how the Department of Natural Resources had chosen to allow construction to the outer harbor line, and of how past councils could have held to limiting it to the inner harbor line, but chose not to. He added that Council was here to represent and protect the citizens.

SPECIAL PRESENTATION:

K.G.H.P. Update - Keith Stiles, Max Bice. Mr. Stiles introduced Max Bice, responsible for the technical aspects of the station, and Ray Zimmerman, head of the local Emergency Preparedness group, then gave a brief overview of the local station located at Peninsula High School. He used an overhead to show the existing system and the proposed upgrades that would help to serve the two peninsulas in the event of a major emergency. He thanked Peninsula Light for their support for the radio station. He added that currently there is a fund drive to raise an additional \$9,000 for upgrades and to keep the station on the air to prevent the program from losing their FCC licensing.

CALL TO ORDER: 7:24 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the August 22, 1994 meeting as presented.
Picinich/Stevens Taylor - unanimously approved, with Councilman Markovich abstaining.

CORRESPONDENCE:

Mayor Wilbert announced that due to the volume of correspondence that she placed it all in the "To Read Basket" and urged Council to review it. She then read a letter from W.F.O.A. announcing that Tom Enlow, Finance Director, had been certified as a Professional Finance Officer for two years in a row. The second letter she introduced was from Jim French, Washington State Parks and Recreation Boating Programs Manager, to Chief Richards, regarding Gig Harbor's Boating Safety Program.

OLD BUSINESS: None.

NEW BUSINESS:

1. **Harbor Green Park - Professional Services Contract.** Ben Yazici gave a brief overview of the project to develop the Harbor Green Park, including a Senior Center, and asked Council to approve a contract with Lyn Horn & Associates to complete a park design. Bill Reed, the architect who has been awarded the project to design the senior center, and Lyn Horn, were present to answer questions.

Jake Bujacich - 3607 Ross Avenue. Mr. Bujacich offered some history regarding when the land was deeded to the city. He stated there were 10 acres given for the community and after the water tower was built, approximately 9 acres are left. He said before proceeding with a community center, the staff should check the deed to make sure it is an appropriate use because the property was deeded for a park.

Mark Hoppen said he had researched that information through Dean Mullen, the city attorney at the time, and found the deed states that the property could be used for educational, recreational, or civic purposes.

Maryann Ekberg - 7411 Stinson. Ms. Ekberg stated how much she loved the park and has been thankful for its natural state. She added that there are several people that would like to see it remain that way and asked that before any decisions are made regarding the park that more community input be obtained. She asked that local people be put on a committee to work with the architect in developing the landscape plan.

Elmer Tripple - AARP. Mr. Tripple, representing the AARP and the Rotary Club Seniors, talked about the surveys that have been done on senior/community centers, and their importance. He added this area is lacking a community center of this type and stressed the importance of including a facility of this type at Harbor Green Park.

MOTION: Move we authorize the Mayor to execute a Professional Services Contract with Lyn Horn & Associates to complete a park design at Harbor Green Park for an amount not to exceed \$15,000, with the understanding that they will undertake a public testimony process before any work is commenced.

AMENDMENT TO MOTION:

In addition, the Public Works Director shall form a committee to work with the architect and staff to develop some conceptual plans to present to council.
Ekberg/Picinich - unanimously approved.

2. Harborview Overlay Project - Professional Services Contract. Ben Yazici asked Council to authorize a professional services contract with Inca Engineers, Inc. to design the Harborview Overlay Project. He explained that because Inca currently has the contract to design the North Harborview Drive project, combining the two projects would be cost effective and allow greater project coordination, i.e. traffic control, writing of specifications, bonds, etc.

MOTION: Move we enter into a professional services contract with Inca Engineers, Inc. to complete the design of Harborview Drive Overlay project for \$16,934.18.
Picinich/Platt - unanimously approved.

3. Resolution - Purchase of Big Boat Toy. Ben Yazici explained that due to the difficulty in receiving a competitive bid for the specific boat toy wanted for the park, he asked Council to approve this resolution permitting the purchase of the boat toy from Pacific Playground as a "sole source".

MOTION: Move we approve Resolution No. 426 as presented.
Platt/Ekberg - unanimously approved.

4. Resolution - Tallman Annexation. Mark Hoppen explained that the Pierce County Boundary Review Board requires that an annexation proposal must be submitted within 180 days of passage of the city's Resolution accepting the annexation proposal. The resolution for the Tallman Annexation was passed by Council in December of 1993, and due to delays in preparing the concomitant agreement, the project was submitted to the Boundary Review Board within the last month. This delay placed the resolution outside the 180 day limitation. Therefore, the BRB asked that Council pass the same resolution accepting this annexation petition for resubmittal to their office. Council asked that the dates for the park plan be filled in. Carol Morris, legal counsel, also suggested inserting language into the Resolution confirming the agreement that the owner pay any costs associated with preparation and recording of this annexation. After these changes, the resolution will be brought back at the next meeting.

MOTION: Move we table the Resolution on the Tallman Annexation until the next meeting.
Platt/Stevens Taylor - unanimously approved.

5. SPR 94-03 - Request for Site Plan Approval - Tynes. Mayor Wilbert, at legal counsel's prompting, asked if Council had any ex-parte contact with the applicant, if there was any appearance of fairness issues, or if there were any challenges from the audience in an appearance of fairness issue. There were no responses to any of the questions.

Steve Osguthorpe presented the request for site plan approval for an office building located at 7626 Pioneer Way. Mr. Bud Tynes, and Dave Freeman, architect for the project, were present to answer Council's questions.

MOTION: Move approval of Resolution No. 428 which adopts the finding, conclusions and recommendations of the Hearings Examiner and approves site plan 94-03.
Markovich/Picinich -

AMENDMENT TO MOTION: That a copy of the environmental report be included in the report.

Carol Morris suggested language changes and the Mayor found several incorrect dates in the resolution. Discussion between the architect, staff and Council led to the deletion of the note regarding non-conforming materials in the fire flow lines on Pioneer Way.

AMENDED MOTION:

Move adoption of Resolution 428 which adopts the findings, conclusions and recommendations of the Hearings Examiner in his report dated August 26th, 1994, and that the resolution be modified in its form to delete the note under paragraph 4.i. and that furthermore, the date of the action be also modified to September 12th, 1994, and under the last page under paragraph vii, the 1994 UBC be changed to 1991 UBC as the 1994 has yet to be adopted, and to change the "shoulds" to "shalls", and that the applicant submit for the city's files a copy of the ecological assessment performed on the property.
Markovich/Picinich - unanimously approved.

6. SDP 94-01 - Hearing Examiner Recommendation - Gernon. Mayor Wilbert again asked if Council had any ex-parte contact with the applicant, if there was any appearance of fairness issues, or if there were any challenges from the audience in an appearance of fairness issue. Councilman Picinich stated he had known the applicant, Steve Gernon, for approximately seven years, worked with him at Kopachuck Junior High and considered him a friend. He added that he did not feel this would influence his decision in the matter. There was no challenge from the audience regarding the appearance of fairness.

Steve Osguthorpe gave a history of the variance request for the site located below the bluff adjacent to Craig Lane and on the beach south of the old ferry landing. The applicant, Steve Gernon, addressed Council and staff regarding his concerns about meeting all the conditions of the mechanical, electrical, and plumbing listed in the Hearings Examiners findings due to the fact that they had no electricity or water available to the site. Ben Yazici offered to meet with the Gernons, their neighbors, and Peninsula Light Company to address these

issues and formulate a plan to bring sewer, water and power to these sites. The applicant agreed to this meeting and said he will explore several avenues to move toward a solution to meeting these conditions.

MOTION: Move we adopt Resolution No. 429 adopting the findings, conclusions and recommendations of the Hearing Examiner approving SDP 94-01 Mr. & Mrs. Gernon.
Markovich/Ekberg - unanimously approved.

7. Special Occasion Liquor License - St. Nicholas Fall Harvest Festival. No action taken.

MAYOR'S REPORT:

Mayor Wilbert said that the permitting process for a 200' dock extension at Jerisich Park had begun. She voiced concerns that extending the dock might interfere with boats trying to maneuver to the Pleasurecraft Marina gas dock and suggested exploring a lease to the south of the city dock instead of extending to the outer harbor line. Councilmembers instructed Ben to continue with the permitting process to extend the dock to the outer harbor line per the approved 1994 Budget Objective.

COUNCIL COMMENTS:

Councilmember Stevens Taylor said she wanted to comment on the meeting that Mr. Frisbie and Mr. Allen had spoken about earlier in the meeting. She said this was the first she had been made aware of what occurred in that hearing and that she felt that when a motion is made to send a representative to present the Council's viewpoint, and when that person has a different agenda, it should be disclosed to council beforehand, so an additional representative can be sent. She added she had no problem with the Mayor speaking as an individual, but direction from Council was very clear that they wanted someone to go there to represent their position, as this was an appeal. She said she was disappointed and didn't appreciate the way it was handled. She added that she appreciated individuals for coming forward and asked that it be handled differently in the future.

Councilmember Markovich said that he seconded that, and that when he had heard what happened he was disappointed, insulted, and demeaned and could not believe the Mayor would not give the common or ethical courtesy to disclose to the council that she had an opposing viewpoint. He said the credibility of the Mayor diminished in his eyes, and had no idea that anything but the council's position was being presented at the hearing. He said he had heard this had happened once before with the Westside Annexation, and asked that next time the Mayor let Council know ahead of time if she has a opposing viewpoint other than the one she is being asked to present, so the Council can designate someone else to represent them.

Councilmember Picinich said that his decision to recommend extending the harbor line was strong and that he felt the Council's motion was strong when they made a recommendation to send the Mayor to represent their viewpoint. He said he was disappointed at what had happened because he pushed very hard to be fair in his decision and he felt we had lost the respect of the people of Gig Harbor, and not only the Council's viewpoint, but the people's viewpoint had been destroyed. He said he hoped that next time several people would attend. He later added that if a petition from

citizens had pressured her over Labor Day weekend, then he wished she would have contacted him to make him aware, so he could have done something different.

Steve Ekberg said he specifically made a motion to send the Mayor because she is in charge of carrying out policies made by the Council, on which a lot of time is spent in the public hearing process. He said there was no indication that the Mayor had a totally different opinion. He said that he agrees that she is entitled to speak her own opinion but added that as the Mayor carrying out the policies of Council she owes the common courtesy to alert council ahead of time when there is a difference of opinion.

Councilman Platt said he was just going to echo the comments made by the rest of the Council, and unfortunately, it was not the first time this had happened.

Mayor Wilbert said that a petition had been presented to her Labor Day Weekend and she was able to hold it off by telling the people she would present their view at the hearing. She said if Council would read the petition they would understand why she did what she did and still felt she was right.

She announced that she had before her another petition from citizens requesting that the walkway along Pioneer at Parker Station be restored to a sidewalk rather than parking, and that a crosswalk across Pioneer be placed at that site also.

MOTION: Move that if there's any consideration, forward this to the Public Works Director and have him report back at the next meeting.
Ekberg/Stevens Taylor - unanimously approved.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Meeting with Peninsula Light re: Undergrounding Utilities - September 29, 1994, 7:00 p.m. at Peninsula Light postponed.
2. Pierce County Social Services Roundtable - October 3 and October 11th. Councilmember Stevens Taylor will attend.

APPROVAL OF BILLS:

MOTION: Move approval of Warrants #12793 through #12887, in the amount of \$194,173.53.
Platt/Ekberg - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of Payroll Warrants #10157 through #10274, in the amount of \$165,263.90.
Platt/Ekberg - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 9:23 p.m. for the purpose of discussing legal matters and property acquisition for approximately 30 minutes.

Picinich/Stevens Taylor - unanimously approved.

MOTION: Move to return to regular session.

Stevens Taylor/Platt - unanimously approved.

ADJOURN:

MOTION: Move to adjourn at 9:37 p.m.

Platt/Picinich - unanimously approved.

Cassette recorder utilized.

Tape 362 Side A 113 - end.


Tape 362 Side B 000 - end.

Tape 363 Side A 000 - end.

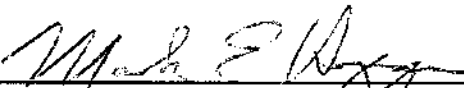
Tape 363 Side B 000 - end.

Tape 364 Side A 000 - end.

Tape 364 Side B 000 - 286.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF SEPTEMBER 26, 1994

PRESENT: Councilmembers Stevens Taylor, Picinich, Ekberg, Markovich and Mayor Wilbert. Councilmember Platt was absent.

PUBLIC COMMENT / DISCUSSION:

PUBLIC HEARING: Second Public Hearing for the Proposed Revised Comprehensive Plan.

Mayor Wilbert opened the Public Hearing at 7:05 p.m. Ray Gilmore passed out copies of a letter that he had received from the Department of Natural Resources requesting comments on the area around the Swede Hill Interchange. He gave a brief overview of the latest changes in the Comprehensive Plan regarding commercial/employment centers, schools, and the Harbor Green Park.

Dave Keihle - Dept. of Natural Resources. Mr. Keihle passed out a colored version of the letter Ray had previously distributed and explained that DNR had been working with Pierce County, PNA, Peninsula School District, and Fire Protection District #5 in developing a plan for the area surrounding the Women's Correction Center. He requested that the current designation of the 22 acres marked on the map be changed from Public/Institutional to Residential Low to reflect their "Master Plan".

Douglas Howe - 2025 1st Ave., Seattle. Mr. Howe passed out another colored map and explained that he and the other property owners were concerned in modifying the Urban Growth Area to include the full quarter section to square up the property line along Bujacich Road. He added that they also would like the zoning designation for that area to be changed to Employment Center in the final Comprehensive Plan.

Rose Borrowman - 11205 Crescent Valley Drive NW. Ms. Borrowman read a story about a slender young woman who through lack of control of intake lost her youthful figure. She then compared this story to the City of Gig Harbor "gobbling up" surrounding areas. She asked that the City not extend its current boundaries.

John English - 3918 Fuller Street. Mr. English talked about screening and signage. He said that over the years citizens have sent a clear meaning on what they wanted in the way of screening and not allowing signage meant to advertise to Highway 16. He asked that the past attitude regarding screening and signage be maintained in the final Comprehensive Plan.

Mr. Gilmore said he was awaiting the State's comments and another hearing would be held after 30 days. He said the comments taken this evening would be considered at the next worksession. He explained to Councilmembers why changing the Urban Growth Boundary Line was much more involved than just a map change. He said that all the city's capacity analyses had been based upon the Urban Growth Area boundary defined in 1982. This is the current boundary line that splits the property mentioned by Mr. Howe. He added that the consideration of a Urban Growth Area is not

the City's decision solely, and that it is up to Pierce County to make the decision whether or not that line could be extended to incorporate the additional 200 acres requested by Mr. Howe. Mr. Gilmore said all our capacity analysis for transportation, sewer, and water, would have to be redone if Pierce County were to make the decision to include the additional 200 acres.

Mayor Wilbert closed the public hearing portion of the council meeting at 7:29.

CALL TO ORDER: 7:29 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the September 12, 1994 meeting as presented.
Picinich/Stevens Taylor - unanimously approved.

CORRESPONDENCE:

Mayor Wilbert said she had received a letter from AWC asking for Council's support on Referendum 43. This item will be on the next council agenda.

The second letter of interest was from the City of Tacoma requesting comments in regards to Puget Sound Regional Council and the location of a satellite airport.

The last piece of correspondence was from Citizen's for a Healthy Bay announcing the Parade of Fishing Boats this coming Saturday to celebrate Commencement Bay Maritime Events.

OLD BUSINESS:

1. Resolution - Tallman Annexation (Gig Harbor Interchange). Mark Hoppen explained that the changes to the resolution requested at the last council meeting had been incorporated.

MOTION: Move we adopt Resolution No. 427 regarding the annexation petition of the area known as Gig Harbor Interchange.
Markovich/Picinich - four voted in favor. Councilmember Stevens Taylor abstained.

NEW BUSINESS:

1. Pioneer Intersection and Walkway Petition. Ben Yazici gave a brief background for the petition requesting a walkway and crosswalk at the intersection of Pioneer and Judson. He said he had discussed the crosswalk at Pioneer with Chief Richards, and that due to the uncontrolled intersection and the possible danger to pedestrians, he recommended that the crosswalk not be approved. He said he and Chief Richards felt people would be more cautious if they were "jaywalking" than just stepping into oncoming traffic in a painted crosswalk.

He added that he had spoken to Kent Holloway, owner of the Austin Chase Coffee drive-through, regarding the petition request to place benches at the kiosk, but due to the fire at

Olympic Village, he was not financially able to undertake this project. Mr. Yazici explained he had put in a request to the Public Works Crew to stripe the five foot pedestrian walkway and parking along Pioneer, not expecting it to be done so quickly, and apologized to Council for the appearance that he had gone ahead with the project before their approval.

MOTION: Move we authorize the Public Works Director to proceed with the work as recommended.
Ekberg/Picinich - unanimously approved.

2. Liquor License Application - Second Request - Maritime Mart. Mark Hoppen explained that the last time this request was before council, the applicant had not obtained an approved site plan, and therefore, the council denied the request. He added that there now was an approved site plan and the applicant had placed a second request for a license to sell beer and wine at this location. He added that, although the station was not within 500 feet of a school, allowing for denial on that criterion, there is one daycare center that might be located within that 500 foot proximity.

Councilman Markovich said he would have to recuse himself from this issue because of representing the applicant in a past matter. He added that he felt the Texaco Station should have been allowed to obtain a license.

Councilmember Stevens Taylor also recused herself from this agenda item, with the comment that she did not approve of liquor and gas being sold at the location because of the current problems with drinking and driving and that the application should be denied to be consistent with the decision that Council made which denied the liquor license request by the Texaco Station due to the close proximity of the Henderson Bay Alternative school.

Councilman Picinich mentioned that another service station in town had been allowed to obtain a license. He said he would like to wait before taking action until enough councilmembers were present to vote.

Mayor Wilbert asked if anyone in the audience had any comments on the issue.

Jim Clifford - 7506 Soundview Drive. Mr. Clifford stated he does not consider a day care center an education facility. Anyone could open a daycare in their home. He agreed that the Henderson Bay situation was valid, but said the issue of a daycare should not be considered.

Councilman Ekberg agreed with Councilmember Stevens Taylor's comments. He asked for clarification on voting capabilities with two members recusing. He stated he was concerned that if the issue was tabled until the next meeting, then it would go through the State without Council's recommendation.

Councilman Picinich said he would prefer to take no action.

MOTION: Move we table this item until the next council meeting.
Ekberg/

There was no second to the motion, and the motion died. No action was taken on this agenda item.

3. Liquor License Renewal - Hy-Iu-Hee-Hee. No action taken.

STAFF REPORTS:

Planning/Building Department. Ray Gilmore explained that the Comprehensive Plan Environmental Impact Statement comment period had expired. He added that the Department of Fisheries had sent 26 pages of comments and would like to see more detail regarding protection of fisheries. Ray said he is working with Tom Beckwith, consultant, towards finalizing the E.I.S. within the next few weeks.

COUNCIL COMMENTS: None.

ANNOUNCEMENT OF OTHER MEETINGS: None.

APPROVAL OF BILLS:


MOTION: Move approval of Warrants #12887 through #12947, less numbers 12891 and 12892, in the amount of \$46,960.44.
Picinich/Markovich - unanimously approved.

EXECUTIVE SESSION: None.

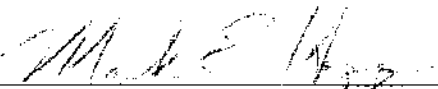
ADJOURN:

MOTION: Move to adjourn at 7:59 p.m.
Stevens Taylor/Ekberg - unanimously approved.

Cassette recorder utilized.
Tape 364 Side B 186 - end.
Tape 365 Side A 000 - end.
Tape 365 Side B 000 - 165.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF OCTOBER 10, 1994

PRESENT: Councilmembers Stevens Taylor, Platt, Picinich, Ekberg, Markovich and Mayor Wilbert.

PUBLIC COMMENT / DISCUSSION: None.

CALL TO ORDER: 7:02 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the September 26, 1994 meeting as presented.
Picinich/Stevens Taylor - unanimously approved. Councilman Platt abstained.

CORRESPONDENCE:

Mayor Wilbert briefly introduced a letter from the Chamber of Commerce announcing they would no longer sponsor the Trolley Project.

OLD BUSINESS: None.

NEW BUSINESS:

1. Point Fosdick Sewer Line Material Purchase Bid Rejection. Ben Yazici explained that the Public Works Department was going to replace the existing PVC sewer pipe on Pt. Fosdick utilizing the Public Works Crew. When the bid for materials came in it was apparent that the project cost for the project to be done in-house would be approximately \$37,000. Because this amount is \$2,000 over what the State statute limit allowed for in-house projects, Ben asked that the material bids be rejected because the whole project was put out for competitive bid.

Mr. Yazici explained that he and legal counsel had explored every avenue available to allow for the Public Works Department to complete the project, but were unable to find a way to overcome the statutes. He asked that Councilmember Stevens Taylor approach the AWC Board at their next conference to increase the state statute for in-house projects from \$35,000 to at least \$100,000 to allow for more flexibility.

Councilmember Stevens Taylor explained that she had brought this to the AWC Board previously, but due to other pressing issues such as health care, this particular item had not made it to consideration. She added that she would again approach the issue at the next conference.

MOTION: Move we reject the Point Fosdick Material Replacement bids.

Platt/Stevens Taylor - Unanimously approved.

2. Point Fosdick Sewer Line Replacement Contract. Ben presented the two bids received for replacing the sewer line of Point Fosdick. He explained that the project was designed in-house and answered questions regarding replacing the old line.

MOTION: Move we award the Point Fosdick Sewer Line Replacement project to Woodworth & Company Inc. for \$71,214.
Picinich/Stevens Taylor - unanimously approved.

3. Liquor License Transfer - Gourmet Essentials. No action taken.

STAFF REPORTS:

Public Works Department. Ben Yazici gave a detailed report of the North Harborview Project using enlargements and plans to illustrate the scope of the project. He went over the problem areas and explained the options available, and said he would discuss the sidewalk dimension issue for the road design between Peacock Hill and Vernhardson with the Public Works Committee.

Police Department. Chief Richards gave an overview of the monthly activity report. He added that his officers had been spending time at Gig Harbor High School directing traffic every morning and afternoon until the traffic signal is fully actuated.

MAYOR'S REPORT: Mayor Wilbert explained that she had attended several transportation meetings in the past three days. She attended the State Department of Transportation workshop on Transportation Investment, where she collected several articles and items that she distributed to Council. She added that additional information would be available to review in the Council's "To Read" basket. On Thursday she attended a Roundtable Forum put on by the Regional Transportation Authority where they discussed three options, which she briefly discussed. She also distributed information on this meeting.

COUNCIL COMMENTS: None.

ANNOUNCEMENT OF OTHER MEETINGS:

Elected Officials Health and Human Services Roundtable will be held from 5:30 to 9:30 p.m. on Tuesday, October 11th at Pierce County Community Services.

APPROVAL OF BILLS:

MOTION: Move approval of Warrants #12948 through #13014, in the amount of \$47,779.07.
Platt/Ekberg - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of Warrants #10276 through #10390, in the amount of \$173,865.87.
Platt/Ekberg - unanimously approved.

EXECUTIVE SESSION:

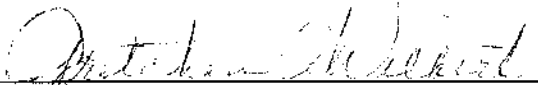
MOTION: Move we go into Executive Session for the purpose of discussing a litigation report, negotiation matters, and property acquisition for approximately 30 minutes.
Platt/Picinich - unanimously approved.

MOTION: Move we return to regular session.
Platt/Stevens Taylor - unanimously approved.

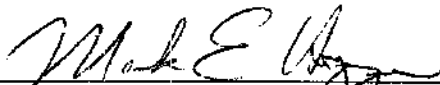
ADJOURN:

MOTION: Move to adjourn at 8:22 p.m.
Platt/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 365 Side B 167 - end.
Tape 366 Side A 000 - 385.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF OCTOBER 24, 1994

PRESENT: Councilmembers Stevens Taylor, Platt, Picinich, Ekberg, Markovich and Mayor Wilbert.

PUBLIC COMMENT / DISCUSSION: None.

CALL TO ORDER: 7:07 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the October 10, 1994 meeting as presented.
Picinich/Markovich - unanimously approved.

CORRESPONDENCE:

Letter from Wollochet Heights Community Club pledging support for the proposed construction of a Senior Center.

OLD BUSINESS: None.

NEW BUSINESS:

1. **Resolution - Commute Trip Reduction.** Mark Hoppen explained the purpose of this Resolution removing the City of Gig Harbor as an affected jurisdiction in connection to the Commute Trip Reduction program.

MOTION: Move to approve Resolution No. 430 with spelling correction.
Stevens Taylor - Ekberg - unanimously approved.

2. **Proposed Modifications to Personnel Manual.** Mark Hoppen presented the first reading of the Resolution adopting changes to the city's personnel manual. He explained he would like Councilmembers to take some time to review the document and make comments. This item will return at the next Council Meeting.
3. **HEX Recommendation - PUD 94-01 Nilsson/Clark.** Mayor Wilbert asked if any Councilmembers wished to reveal any ex parte oral or written communications on this matter, or to disclose any potential appearance of fairness issues, or if any member of the audience had any appearance of fairness challenges to any of the Councilmembers or Mayor. There was no response to this query.

Steve Osguthorpe presented this request for approval of a 14 unit planned unit development located at 7502 Pioneer Way. He explained the proposal included the dedication of a public road which would connect Pioneer Way with Edwards Street. He gave a brief overview of

the Hearing Examiner's decisions and recommendations and answered questions.

Carol Morris, legal counsel, commented on item 15 of the recommendations in the Hearing Examiners report. She said if the Hearing Examiner wanted to incorporate evidence presented at a Public Hearing indicating a left turn lane is necessary in this project, the Examiner should have put it in as a requirement, not as a future possible need, to minimize legal liability. She recommended that this condition be eliminated from the conditions. Ben Yazici stated that there was no documented need for a left turn lane at that location per the traffic study done by the applicant. Councilman Picinich stated there may be a need for this lane when Edwards and Pioneer are connected. Ms. Morris stated a requirement must be based upon an actual need created by a project, not a possibility.

Ken Clark - Clark Land Office. Mr. Clark said the applicant would be more than willing to work with the Staff to determine the need and feasibility of a left turn lane off Pioneer Way, even if it were not a requirement. Councilman Markovich said this was a very generous offer and it would be nice to have this convenience to help ease congestion on Pioneer.

Councilmember Stevens Taylor asked Mr. Clark about the parking and playground issues raised by the Methodist Church. Mr. Clark explained that they were working closely with the Church and staff on these issues. Mr. Yazici said he suggested adding an additional three feet to the roadway, allowing for an 8 foot parking lane on one side of the travel lanes. Mr. Clark stated the developer would be willing to include this in the project.

Mayor Wilbert asked about the Hearing Examiner's recommendation to eliminate the pedestrian path from the project because an adjacent property owner was concerned with privacy. Councilmembers commented that they felt the walking path was a desirable amenity and that screening should be up to the adjacent property owner. Mr. Clark said they would design the path to be as far away from this person's house as possible, and would be willing to provide some landscape screening along the path in that area.

Mayor Wilbert voiced her concerns that the project name, "Chapel Hill Condominiums" would cause confusion with the Chapel Hill Presbyterian Church located on Rosedale. Mr. Clark said the developer would propose other names for Council's review if necessary.

MOTION: Move we adopt Resolution No. 431 with the change in language suggested by legal counsel to Recommendation #14 regarding the left turn lane, and striking number #13 eliminating the pedestrian pathway, and replacing it with language pertaining to the addition of a parking lane on the new street. Picinich/Stevens Taylor - unanimously approved.

4. SDP 94-03 - Percival Construction (Duplex). Mayor Wilbert asked if any Councilmembers wished to reveal any ex parte oral or written communications on this matter, or to disclose any potential appearance of fairness issues, or if any member of the audience had any appearance of fairness challenges to any of the Councilmembers or Mayor. There was no response to this query.

Steve Osguthorpe presented this request for a shoreline substantial development permit to add a second floor addition to an existing single family residence, resulting in a duplex, located at 8715 No. Harborview Drive. He added this addition would cause no site disturbance or change in existing site conditions. There were no questions or comments.

MOTION: Move approval of the project as presented.
Platt/Stevens Taylor - unanimously approved.

MOTION: Move approval of Resolution No. 432 adopting the findings, conclusions and recommendations of the Hearing Examiner and approving the applicant's application for a shorelines substantial permit.
Markovich/Stevens Taylor - unanimously approved.

5. Budget Amendment Ordinance. Mark Hoppen presented the first reading of this budget amendment ordinance for adjusting the revenues and expenditures to account for changes. He gave a brief overview of these changes and answered questions. This ordinance will return for a second reading at the next council meeting.
6. First Reading - '95 Property Tax Ordinance. Mark Hoppen presented the first reading of the 1995 tax levy ordinance required by Pierce County. This ordinance will return at the next Council Meeting for its second reading.
7. Presentation of '95 Proposed Budget. Mark Hoppen presented the proposed budget and explained the changes from the last few years' process. He encouraged Councilmembers to examine the goals as they express a vision for the future.
8. Liquor License Renewal - Bayview Grocery & Deli. No action taken.

STAFF REPORTS:

Planning/Building Department - Ray Gilmore passed out copies of a memo he sent to Ben Yazici and one to the Planning Commission regarding comments on the Gig Harbor North Annexation Agreement. He asked for Council's direction for the Planning Commission on how involved they would like the commission to be with issues other than land use in connection with this annexation. Councilmembers discussed that land use issues cannot be separated from transportation impacts, financial impacts, or any other facets of future development of this annexation. They asked Mr. Gilmore to direct the Commission to address all land use issues involved with this annexation project, including transportation impact and financial analysis.

Mr. Gilmore then passed out copies of a letter from the Department of Community Development on the city's Comp Plan. He said that staff would be working on these comments and that he would have the document ready for Council's review by the November 14th meeting. He said he would like to see the Comp Plan finalized by that date, but because the EIS process had been delayed, it might be closer to the 28th before becoming finalized.

Finance Department. Tom Enlow gave a brief overview of the quarterly report and answered questions. He added that since the addition of a half-time person to his staff, the Finance Clerk was able to prepare the report for the first time.

Public Works Department. Ben Yazici read several comments from citizens regarding the effort to enforce the right-of-way ordinance. He asked if Council would consider revisiting the ordinance to make it work better. He explained that in its current format, if the ordinance wasn't accomplishing what it was intended to do. Councilmembers agreed that the Public Works Committee would examine the ordinance for possible changes.

Mr. Yazici gave a progress report on the Wastewater Treatment Plant Expansion Project. He explained that due to incorrect as-built plans, there had been delays and he asked Council if he could bring a resolution to Council giving him the authority to approve change orders up to a certain amount to prevent any further delays in construction. This resolution will be back at a future meeting.

MAYOR'S REPORT: Mayor Wilbert gave a brief report on some of the community activities occurring in the city, and asked councilmembers to consider participating in some of the activities.

COUNCIL COMMENTS: None.

ANNOUNCEMENT OF OTHER MEETINGS:

Mayor Wilbert announced that she, along with Mark Hoppen and staff, had scheduled a meeting with Doug Sutherland, County Executive.

EXECUTIVE SESSION:

MOTION: Move we go into Executive Session for the purpose of discussing Property Acquisition and Negotiations at 8:30.
Picinich/Stevens Taylor - unanimously approved.

MOTION: Move we return to regular session at 9:00.
Platt/Stevens Taylor - unanimously approved.

APPROVAL OF BILLS:

MOTION: Move approval of Warrants #13015 through #13104, in the amount of \$175,237.04.
Platt/Ekberg - unanimously approved.


ADJOURN:

MOTION: Move to adjourn at 9:05 p.m.
Platt/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 366 Side A 386 - end.
Tape 366 Side B 000 - end.
Tape 367 Side A 000 - end.
Tape 367 Side B 000 - 321.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF NOVEMBER 14, 1994

PRESENT: Councilmembers Stevens Taylor, Platt, Picinich, Ekberg, Markovich and Mayor Wilbert.

PUBLIC COMMENT / DISCUSSION: None.

PUBLIC HEARING:

Revised Comprehensive Plan. Ray Gilmore summarized the changes in the Comprehensive Plan due to comments received from the Dept. of Community, Trade and Economic Development, Puget Sound Water Quality Authority, and the Washington Dept. of Transportation. Mayor Wilbert opened the hearing to the public at 7:05.

Clark Davis - 300 Pt. Fosdick Place. Mr. Davis spoke on behalf of himself and PNA. He stated the efforts put forth on the Comprehensive Plan by the Staff were commendable and said he supports the staff's recommendation to reduce the Urban Growth Area. He said his main concern was the lack of concurrency in the school system. He also urged adequate review of architectural design, screening requirements, and preservation of the integrity of the Gig Harbor area.

Tom Morfee - 3803 Harborview Drive. Mr. Morfee also represented PNA. He passed out a copy of a report prepared by PNA and summarized the points made in the report.

Gary Lodholm - 10221 Crescent Valley. Mr. Lodholm said he applauds the City's efforts and complimented the staff on the streets, planning, and law enforcement. He added that Crescent Valley was a pleasant rural area with many gentlemen farms, and asked that the City please consider keeping it rural. He gave a short slide presentation.

Diane Marcus-Jones - Crescent Valley Drive. Ms. Marcus-Jones said she wanted to reiterate what had previously stated and asked that the Crescent Valley area be deleted from the Urban Growth Area.

Larry Oathout - 10710 Crescent Valley Drive. Mr. Oathout has lived in the area for over 25 years and runs a salmon hatchery. He passed out information regarding the hatchery and gave a report on the project. He stated the Crescent Valley area had many unstable slopes and wetlands and because of the many problems didn't feel this area should be developed. He gave councilmembers a petition he had circulated among the residents opposing the UGA map boundaries that would include Crescent Valley and the East/West corridor destination within the UGA.

Rose Borrowman - 11205 Crescent Valley Drive. Ms. Borrowman said she was just outside the target area. She presented a descriptive reading about how development was destroying our natural habitat. She ended by urging that the Crescent Valley area be left as is.

Sally Lodholm - 10221 Crescent Valley. Ms. Lodholm said her family had restored a historic home in the Crescent Valley and stated there had been little change in the area over the past 20 years. She added it is a special place, and presented Council with petitions signed by the area residents asking Crescent Valley be removed from the UGA.

Doug Peterson - 2118 Lybecker Drive. Mr. Peterson was interested in the difference in sewer hook-up charges for people outside the UGA in East Gig Harbor. He asked for more consideration in regards to Crescent Valley and East Gig Harbor before finalizing the plan.

David Cunningham - PO Box 1780 Poulsbo. Mr. Cunningham spoke representing Pope Resources, who owns property in the Gig Harbor North area. He pointed out several concerns in the Comprehensive Plan pertaining to impact fees, affordable housing, and the legality of some of the language in the Comp Plan.

Gwen Ash - 8417 24th Ave. NW. Ms. Ash passed out a letter and map showing the 27 acres she and her husband own in East Gig Harbor. She says she feel that this area should be reincluded in the UGA because the surrounding proposed developments and existing development are currently urban in density.

Lee Golston - 3509 A St. NW. Ms. Golston stated she felt concurrency must be met before further development occurs.

Dename Wessels - 7112 106th St. NW. Ms. Wessels was representing the Tacoma Bikers Club. She asked Council to please take into account PNA's request to keep Crescent Valley Drive rural.

John Morrison - 10037 50th Ct. Mr. Morrison is the Development Manager for Canterwood and said he was flabbergasted when he found out that Canterwood had been excluded from the Urban Growth Area. He asked that it made sense to be included in the UGA as it was already developed.

Julie Skorniakoff - 3803 Harborview Drive. Ms. Skorniakoff said she was pleased with the language of the Comp Plan in regards to design review. She said she was concerned with Gig Harbor becoming just another "Any City Anywhere" and said she would like to see the city reduce even further the UGA. She also stated her concerns with concurrency.

Kirk Kirkland - 3114 No. Alder, Tacoma. Mr. Kirkland was representing the Tacoma Audubon Society and stated the members were interested in the Urban Growth Plan. He applauded the efforts to downsize the UGA and added their concerns with the existing aquifer and its ability to support further development. He asked for preservation of open space and the small town character.

Frank Mullen - 152 Raft Island. Mr. Mullen gave a description of development where he had moved from. He added he was impressed with the goals of the Comp Plan. He supported a compact UGA, and exclusion of Crescent Valley, and was in favor of concurrency and controlling urban sprawl.

Jim Edgar - 1309 Aqua Vista Drive. Mr. Edgar encouraged the Council to practice restraint in the UGA. He added the existing infrastructure was already strained. He asked that the concept of concurrency be adopted.

Jim Clifford - 7506 Soundview Drive. Mr. Clifford stated the concurrency issue was central. He stated concern over the population targets and that historical preservation had been swept into design review. He added he felt there were too many political undertones in the boundary changes.

Lois Hartwig - 3423 47th St. Ct. NW. Ms. Hartwig spoke representing Citizens Against Litter. She said CAL wants to protect the scenic beauty of the SR16 corridor and urged strong buffering and architectural review standards.

Wade Perrow - 9119 N. Harborview Drive. Mr. Perrow said he agreed with Tom Morfee and the gentleman from the Audubon Society on two issues, preservation of the area creeks, and the backup on the Narrows Bridge. He added that Gig Harbor was a bedroom community with no employment base and asked that the mixed use classification be changed to Employment Center. Ray Gilmore said that change had been included in the latest revision.

Mayor Wilbert closed the public hearing portion of this item at 8:45 p.m.

After discussion, Council directed Ray Gilmore to make the preliminary changes to the UGA map to exclude the Crescent Valley area and include Canterwood and East Gig Harbor. He was directed to contact Pierce County and let them know of the pending changes before their finalization on the 28th of November. Council and Staff agreed to finalize the changes at the Budget Workshop meeting scheduled on the 21st of November.

Ben Yazici addressed some of the concerns voiced by the public regarding transportation, sewer hookup fees, pedestrian and bicycle paths, and water.

Ray Gilmore said they needed to identify and add more capital facilities data as there were inadequacies pointed out by legal counsel.

1995 Proposed Budget. Mayor Wilbert opened the public hearing on this item at 9:04. Tom Enlow introduced the Proposed Budget. There were no comments from the audience so the public hearing portion of this item was closed at 9:05.

CALL TO ORDER: 9:06 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the October 24, 1994 meeting as presented.
Picinich/Markovich - unanimously approved.

PROCLAMATIONS:

Mayor Wilbert briefly presented two proclamations. The first was proclaiming American Education Week, which commended the education system in Gig Harbor. The second was requested by D.E.C.A. and announced Free Enterprise Week.

OLD BUSINESS:

1. Second Reading - Budget Amendment Ordinance. Tom Enlow presented the second reading of this ordinance responding to changes in last year's budget.

MOTION: Move approval of Ordinance No. 682 amending the 1994 budget.
Markovich/Ekberg - unanimously approved.

2. Second Reading - '95 Property Tax Ordinance. Tom Enlow explained that Pierce County recommended requesting well over the amount expected to be received and how he derived at the final figure.

MOTION: Move approval of Ordinance No. 683 adopting the 1995 tax levy.
Markovich/Picinich - unanimously approved.

NEW BUSINESS:

1. Insurance Report from Bratrud Middleton - Steve Feltus. Mark Hoppen introduced Steve Feltus and Jim McDonald from AWC. Mr. Feltus explained he had worked with Mr. McDonald in coverage comparisons and both gentlemen answered questions regarding the coverages.

MOTION: Move we authorize Bratrud Middleton to utilize the Prizm Plan as proposed.
Ekberg/Stevens Taylor - three voted in favor. Markovich and Picinich voting against.

2. Hearing Examiner's Recommendation - Rezone, Site Plan, Shoreline Permit - Coulter. Mayor Wilbert asked if any Councilmembers wished to reveal any ex parte oral or written communications on this matter, or to disclose any potential appearance of fairness issues, or if any member of the audience had any appearance of fairness challenges to any of the Councilmembers or Mayor. Councilman Platt stated he had spoken to Steven Luengen, owner of Peninsula Yacht Basin, regarding parking issues several years ago. There was no response from the audience to this query. Steve Osguthorpe briefly explained the request for a rezone, site plan, and shoreline permit for a parcel located at 9005 Franklin Avenue.

MOTION: Move approval of Resolution No. 433 for approval of a condominium site plan contingent upon a rezone.
Picinich/Markovich - unanimously approved.

MOTION: Move approval of Resolution No. 434 for approval of a shoreline substantial development permit for a parcel located at 9009 Franklin Avenue.
Markovich/Picinich - unanimously approved.

3. Harbormaster Lane Utility Easement Width Reduction. Ben Yazici presented this request to reduce the easement width in return for overlaying the road with asphalt.

MOTION: Move to authorize the Public Works Director to sign the necessary easement

documents for reducing the City owned, 60 ft. wide utility easement width to 30 ft. on Harbormaster Lane.

Platt/Stevens Taylor - unanimously approved.

4. Hearing Examiner's Recommendation - City of Gig Harbor Public Works (SDP94-02). Mayor Wilbert asked if any Councilmembers wished to reveal any ex parte oral or written communications on this matter, or to disclose any potential appearance of fairness issues, or if any member of the audience had any appearance of fairness challenges to any of the Councilmembers or Mayor. There was no response to this query. Ray Gilmore presented this resolution approving the Hearing Examiner's recommendation for the conditional approval of a shoreline permit application for the City Department of Public Works to expand the transient moorage dock at Jerisich Park.

MOTION: Move approval of Resolution No. 435 adopting the findings and conclusions of the Hearing Examiner, and subject to the three conditions stated.
Markovich/Picinich - unanimously approved.

5. Sewer Extension Request - Hific Center, James Pasin. Mark Hoppen introduced this request from the owner of the Hific Center, for six ERUs of sewer capacity for property located within ULID #2.

MOTION: Move approval of a contract with Mr. Pasin for six ERUs.
Markovich/Stevens Taylor - unanimously approved.

6. First Reading - 1995 Proposed Budget Ordinance. Tom Enlow presented the first reading of this Ordinance. A worksession for Council and Staff is scheduled for November 21st to work on the budget before it comes back for its second reading.

7. Superior Court Juror Pre-screening Contract. Mark Hoppen explained the need for a Juror Provision Contract due to the change taking place January 1, 1995 when Superior Court Jury Administration will be requiring reimbursement.

MOTION: Move we authorize the Mayor to sign the agreement as presented.
Ekberg/Markovich - unanimously approved.

8. Allied Credit Company Contract. Mark Hoppen presented this contract for collection of court fines and answered questions.

MOTION: Move we authorize the Mayor to sign the agreement with Allied Credit Company.
Ekberg/Platt - unanimously approved.

9. Amendment to Public Works Standards. Ben Yazici presented this resolution amending the Public Works Standards to exclude certain city streets from the curb, gutter, and sidewalk requirements due to their location.

MOTION: Move we adopt Resolution No. 436 exempting the thirteen listed streets from the curb, gutter, and sidewalk requirements of the Public Works Standards. Ekberg/Stevens Taylor - unanimously approved.

10. Resolution Authorizing the P.W. Director to Approve Construction Change Orders. Ben Yazici presented this request to modify the job description for the Public Works Director to prevent delays in construction due to change orders.

MOTION: Move to approve Resolution No. 437 amending the job description for the Public Works Director to authorize approval of construction change orders up to 0.15% of the total construction contract amount. Picinich/Platt - unanimously approved.

11. Transportation Improvement Board Grant. Ben Yazici announced that the request for the Harborview Drive project grant had been approved in the amount of \$2,699.

MOTION: Move to authorize the Mayor to sign the TIA Project Agreement for the City to receive \$2,699 in grant money. Stevens Taylor/Platt - unanimously approved.

12. Modifications to the Right-of-Way Ordinance. Ben Yazici presented the first reading of this ordinance modifying the existing Right-of-Way Ordinance to limit the permit requirements to fences, scaffolding or objects for commercial uses.

Dick Allen - 3603 N. Harborview Drive. Mr. Allen said he had received a copy of the ordinance revision and that it answered some of his concerns. He questioned the fairness of assessing people with existing fences in the right-of-way for fifty dollars. Councilmembers and Staff spoke to his concerns.

This ordinance will return at the next council meeting for a second reading.

13. Special Occasion Liquor Licenses - Para Transit, Active Construction, Peninsula Light, and Gig Harbor Fishermen. No action taken.

COUNCIL COMMENTS: None.

ANNOUNCEMENT OF OTHER MEETINGS:

Budget Worksession - November 21, 1994 - 7:00 p.m.

APPROVAL OF BILLS:

MOTION: Move approval of warrants #13105 through #13243 in the amount of \$134,966.16.
Platt/Ekberg - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of payroll warrants #10392 through #10502 in the amount of \$161,226.63.
Platt/Ekberg - unanimously approved.

EXECUTIVE SESSION: Negotiation Matters and Property Acquisition.

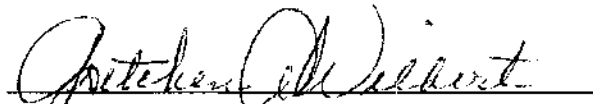
MOTION: Move we go into Executive Session to discuss Negotiation Matters and Property Acquisition at 10:45 p.m.
Platt/Markovich - unanimously approved.

MOTION: Move we return to regular session at 11:45.
Markovich/Picinich - unanimously approved.


ADJOURN:

MOTION: Move to adjourn at 11:45 p.m.
Platt/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 367 Side B 322 - end.
Tape 368 - Both Sides.
Tape 369 - Both Sides.
Tape 370 - Both Sides.
Tape 371 Side A 000 - 337.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF NOVEMBER 28, 1994

PRESENT: Councilmembers Stevens Taylor, Platt, Picinich, Ekberg, and Mayor Wilbert. Councilmember Markovich was absent.

PUBLIC COMMENT / DISCUSSION: None. Mayor Wilbert welcomed the visiting Boy Scout Troop #245.

PUBLIC HEARING:

1995 Proposed Budget. Mayor Wilbert opened the second public hearing on this item at 7:05.

Joe Crites - 9514 Goodman Avenue. Mr. Crites stated he had heard that the paving of the 300' of gravel road on Goodman Avenue had been taken out of the 1995 Budget. He explained the condition of the unpaved portion and asked that this item be placed back in the budget.

Ben Yazici explained that this item was never a budget item, and that it was briefly discussed along with other road repairs in pre-budget preparations. Ben illustrated the portion of the undeveloped right-of-way and said the approximate cost of the improvement would be \$25,000. He asked that if Council wished to include this project in the 1995 Budget, it be contingent upon the bids for the North Harborview Drive Project being close to or under the Engineer's Estimate. He felt that if the bids were higher, the additional funds should be made available to complete the North Harborview project.

Councilmember John Picinich recommended that Council take this under consideration.

Robin Bailey - 9424 Goodman Avenue. Ms. Goodman also spoke to the conditions on this undeveloped portion of the street.

Mattie Van Ommen - 9325 Goodman Avenue. Ms. Van Ommen asked Ben what the time frame was for receiving the bids on the North Harborview Drive project, so they would know when to expect an answer regarding the road improvements on Goodman. Mr. Yazici said the bids should be received within the next few months.

The Mayor closed the public hearing for this item at 7:19 p.m.

CALL TO ORDER: 7:19 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the November 14, 1994 meeting as presented.
Picinich/Platt - unanimously approved.

OLD BUSINESS:

1. Second Reading - 1995 Proposed Budget Ordinance. Tom Enlow explained the modifications made to the budget from comments at the budget workshop.

Councilmember Platt stated he would approve the budget but with notations that certain software items be researched for less expensive options before the funds were spent. He added that he would like to form an Ad Hoc committee to study alternatives to the Eden Systems software currently being utilized. He and Councilman Picinich volunteered to serve on this committee.

MOTION: Move adoption of Ordinance 684 adopting the 1995 Budget, with addition of the Goodman Avenue improvements contingent upon receipt of successful bids for the North Harborview Project, and further research on software options being done before purchase of any software.
Platt/Ekberg - unanimously approved.

2. Modifications to the Right-of-Way Ordinance - Second Reading. Ben Yazici presented the second reading of this ordinance modifying the existing Right-of-Way Ordinance to limit the permit requirements to fences, scaffolding or objects for commercial uses. Legal Counsel, Carol Morris, presented suggested changes to the ordinance to cover zoning concerns. Discussion by Councilmembers and Staff led to the following motion:

MOTION: Move approval of Ordinance No. 685 deleting the word "residential" in Section 12.02.010, and incorporating the changes to the ordinance per legal counsel.
Stevens/Taylor -

AMENDED MOTION: Move to amend the motion to read that any funds collected to date from residential use of public right-of-way be refunded.
Ekberg/Picinich - unanimously approved.

NEW BUSINESS:

1. First Reading - Modification to the Harbor Ordinance. Mark Hoppen explained the proposed change in the City's Harbor Code regarding Seaplanes. Changes in language were discussed, and legal counsel was directed to "tighten up" the language for the next reading.
2. Ordinance - Adoption of the Comprehensive Plan. Ray Gilmore presented the final draft of the Comprehensive Plan and explained the final changes in the boundary map to be presented to Pierce County Council. Because Pierce County was meeting Tuesday, November 29th, Ray suggested Council exercise their option to pass this ordinance at its first reading.

Carol Holmaas - 7524 Goodman Drive. Ms. Holmaas spoke about the boundary line affecting the East Side of the Harbor. She explained that if a portion of Goodman Drive NW was left out of the Urban Growth Area, their Improvement Association would run into difficulty in forming a ULID

because certain property owners would be forced to pay 150%. She asked Council to encourage the inclusion of both sides of Goodman Avenue in the Urban Growth Area.

Walt Smith - 11302 Burnham Drive. Mr. Smith thanked the City and Staff for their time and effort spent in developing this Comprehensive Plan. He said the City should be proud of the process and the integrity of the Plan.

Mayor Wilbert closed the public testimony portion of this item.

MOTION: Move we use the high speed adoption process for this ordinance.
Platt/Picinich - unanimously approved.

MOTION: Move we approve Ordinance No. 686 adopting a revised and updated city of Gig Harbor Comprehensive Plan in compliance with the State of Washington Growth Management Act.
Picinich/Ekberg - unanimously approved.

MAYOR'S REPORT: Employment Security Public Hearing. Mayor Wilbert invited any comments from Councilmembers in regards to a meeting regarding the upcoming changes to the Employment Security Public Services in the area.

COUNCIL COMMENTS: Councilman Platt asked if any progress had been made in exploring the option of offering a prepaid childcare as a benefit for city employees. He explained the program allows for childcare payments to be deducted from their payroll before income tax deduction. Mark Hoppen will explore the options and report back.

STAFF REPORT:

Police Department. Chief Richards was absent so a verbal report was not presented.

ANNOUNCEMENT OF OTHER MEETINGS:

Employment Security Public Hearing - November 30, 1994 at Fire Station #5 on Kimball Drive at 7:00 p.m.

There will be no second City Council Meeting during the month of December. Councilmembers Stevens Taylor, Platt, and Picinich will come into City Hall on the 23rd of December for the purpose of signing warrants.

APPROVAL OF BILLS:

MOTION: Move approval of warrants #13244 through #13298 in the amount of \$37,084.14.
Platt/Picinich - unanimously approved.

EXECUTIVE SESSION: Negotiation Matters and Property Acquisition.


MOTION: Move we go into Executive Session to discuss Negotiation Matters and Property Acquisition at 8:20 p.m.
Platt/Picinich - unanimously approved.

MOTION: Move we return to regular session at 8:29.
Picinich/Stevens Taylor - unanimously approved.

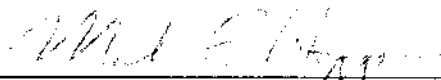
ADJOURN:

MOTION: Move to adjourn at 8:29 p.m.
Platt/Ekberg - unanimously approved.

Cassette recorder utilized.
Tape 371 Side A 338 - 000.
Tape 371 Side B 000 - end.
Tape 372 Side A 000 - end.
Tape 372 Side B 000 - 216.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF DECEMBER 12, 1994

PRESENT: Councilmembers Platt, Picinich, Ekberg, Markovich and Mayor Wilbert.
Councilmember Stevens Taylor was absent.

PUBLIC COMMENT / DISCUSSION: None.

CALL TO ORDER: 7:01 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes, with changes, of the November 28, 1994 meeting as presented.
Picinich/Platt - unanimously approved. Councilmember Markovich abstained.

OLD BUSINESS:

1. Second Reading - Modification to the Harbor Ordinance. Mark Hoppen introduced the second reading of this Ordinance and introduced Mike Lunenscholss, President of the Washington Seaplane Pilots Association, and Bob Hamilton, Vice-President of the International Seaplane Pilots Association, both present to answer questions. Carol Morris explained the changes in language she made to the ordinance at Council's direction.

MOTION: Move adoption of Ordinance #687 amending Gig Harbor Municipal Code relating to seaplanes.
Markovich/Ekberg - unanimously approved.

NEW BUSINESS:

1. Request to Revise Smoke Detector Ordinance - Northview Terrace. Steve Bowman gave a history behind this request by several owners of the Northview Terrace Condominiums to modify the existing smoke detector ordinance.

Pete Landry - 7400 Stinson Avenue #315. Mr. Landry stated that he and the other owners had not been notified of the requirements to install smoke detectors until September of this year. He explained the uniqueness of the building construction due to the vaulted ceilings in the top units, that are two feet higher than the rest of the ceilings. The vaulted ceilings, fire walls around the perimeter, and the radiant heat in the ceilings, are factors making it more difficult for the owners to install hard-wired smoke detectors in the living room area. He requested the requirements on penetrating a firewall. He asked if battery operated smoke detectors could be used in the vaulted ceiling area in lieu of hard-wiring it to the other required detectors.

Marjorie Newman - 7400 Stinson Avenue #312. Ms. Newman mentioned three items making the requirements difficult to comply with: 1) the three level confirmation of the condos; 2) the wiring in the ceiling; and 3) the first thing to go in a fire is the electricity, rendering the hard-wired detectors useless without battery back-up.

Rudy Nicholas - 7400 Stinson Avenue. Mr. Nicholas also described the structural design of the dwellings on the top floor. He said installing a junction box in the firewall would defeat the integrity of the firewall, violating the fire code.

Ken Oller - 7400 Stinson Avenue #104. Mr. Oller explained that the condominiums were not apartments, that they are an existing residence, not new construction, and that there are no common hallways or exits. He asked why these condos were being compared with apartments.

Councilman Markovich explained that Council had put a great deal of thought into the ordinance and were proud of the fact that the City's regulations were more restrictive than state code, therefore raising the level of safety in multi-family dwellings.

Councilman Platt suggested allowing usage of battery-operated smoke detectors in the vaulted ceiling areas, and added that the City of Gig Harbor could provide new batteries and an inspection once a year to make sure the detectors were in working order.

Pat Nicholas - 7400 Stinson Avenue #309. Ms. Nicholas said her husband and she had spent \$1,000 to lower their ceilings so they wouldn't have to install a smoke detector. She added the one in her hallway works so well, that it goes off every time she uses her oven. She said she believed the condominiums should be grandfathered.

Glen Stenbak - Assistant Fire Chief. Chief Stenbak stated that the fire district supported the ordinance. He added that nation-wide statistics support the fact that smoke detectors save lives. He said he believed the City had the foresight to bring the minimum level of standards up to a higher level to protect lives. He said he recognized the problems with installation in these particular dwellings, but he felt they were not insurmountable.

Councilman Ekberg asked Chief Stenbak what the impact would be in battery powered detectors were allowed in the raised areas, with the hard-wired detectors in the remainder of the condo. Chief Stenbak stated that if it were laid out correctly, it might be OK. The problem he felt was with battery maintenance. He added that these ceilings are a main area of concern.

Councilman Markovich stated he was not willing to amend the ordinance just for Northview Terrace, but he would support a waiver for their unique circumstances. Carol Morris explained to the Councilmembers that although there was a provision for alternative methods to be utilized, an administrative waiver was not an option.

MOTION: Move to authorize the Staff to come back with a plausible, economical solution to the unique construction areas in the top 19 units, while still protecting the safety of the residents.
Ekberg/Picinich - unanimously approved.

2. Sewer Extension Request - Sabsowitz/Turner. Ben Yazici introduced this emergency request for sewer hook-up due to a twice-failed septic system. Mr. Sabsowitz explained the problems with the property, and answered council's questions. Mr. Turner asked if it would be permissible to install sewer stubs for the other properties up from them, allowing these

properties to hook up in case of future failures. Mr. Yazici recommended Mr. Turner to work out those details with the other property owners, but advised Council not to enter into a Latecomers Agreement at this time.

MOTION: Move we approve the sewer extension to this site.
Markovich/Picinich - unanimously approved.

3. First Amendment / Peninsula School District Interlocal Agreement. Mark Hoppen introduced this amendment to the School District's sewer extension contract allowing for completion of the last 2100 linear feet of the line and allowing for pro-rated use of the District capacity commitment payment.

MOTION: Move we authorize the execution of this Interlocal Agreement.
Markovich/Picinich - unanimously approved.

4. Liquor License Renewals - Marco's Restaurant & Mimi's Pantry. No action taken.

5. Special Occasion Liquor License - Gig Harbor Lions. No action taken.

MAYOR'S REPORT: There were no comments on the Mayor's Report included in the packet.

COUNCIL COMMENTS: Councilman Platt asked that a copy of the salary surveys currently being considered in Guild Negotiations be supplied to all Councilmembers.

STAFF REPORT:

Public Works. Ben Yazici gave an update on the scaled down Harborview Drive Overlook Project.

Police Department. Chief Richards gave a report on the current stats. He reported on the Marine Service program and how the State allocates funds.

ANNOUNCEMENT OF OTHER MEETINGS:

Pierce County Council - Tuesday, December 13th, 7:00 p.m. at City Hall. They will be discussing parks proposals.

APPROVAL OF BILLS:

MOTION: Move approval of warrants #13299 through #13395 in the amount of \$208,999.89.
Platt/Ekberg - unanimously approved.


APPROVAL OF PAYROLL:

MOTION: Move approval of warrants #10503 through #10615 in the amount of \$166,909.60.
Platt/Ekberg - unanimously approved.

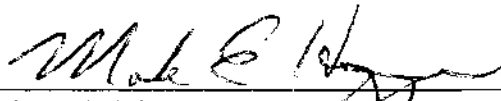
ADJOURN:

MOTION: Move to adjourn at 9:37 p.m.
Picinich/Platt - unanimously approved.

Cassette recorder utilized.
Tape 372 Side B 218 - end.
Tape 373 Side A 000 - end.
Tape 373 Side B 000 - end.
Tape 374 Side A 000 - end.
Tape 374 Side B 000 - end.
Tape 375 Side A 000 - 234.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JANUARY 9, 1995

PRESENT: Councilmembers Picinich, Ekberg, Stevens Taylor, Markovich and Mayor Wilbert. Councilmember Platt was absent.

PUBLIC COMMENT / DISCUSSION:

Tom Morfee - representing PNA. Mr. Morfee strongly voiced his disappointment of the Lube & Car Wash sign recently erected along SR-16 at the off-ramp to Pioneer. He asked for a revision of the sign code that allowed that signage to occur and offered to serve on an Ad Hoc committee to help facilitate the changes.

Michael Perrow - 9119 North Harborview Drive. Mr. Perrow passed out a map illustrating the crosswalk area in front of the Shoreline Restaurant on No. Harborview. He said that this area was dangerous because of poor lighting and lack of visibility of pedestrians because of the close proximity of parked cars to the crosswalk. He added that several times he has had to slam on his brakes to avoid striking someone who has stepped out in front of him. He suggested that extra lighting be installed, and that the two parking stalls on either side of the crosswalk be restricted to parking to allow better visibility.

Mayor Wilbert explained that this is a problem area that will be addressed with the North Harborview Drive Project due to begin this year.

CALL TO ORDER: 7:13 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the December 12, 1994 meeting as presented.
Picinich/Ekberg - unanimously approved. Councilmember Stevens Taylor abstained.

CORRESPONDENCE:

1. Cruizin the Gig. Mayor Wilbert briefly mentioned this letter from Tom Taylor announcing the eighth annual "Cruizin the Gig" car show. Mark Hoppen assured Councilman Picinich that there were no foreseeable problems with them obtaining the necessary permits.
2. Senior Center at Gig Harbor Green Park. This letter from Karen Drum speaks in opposition to locating a Senior Center across the street from her home on Grandview.
3. AWC - Stan Finkeltstein, Director. Mayor Wilbert introduced this letter calling membership for their six policy and steering committees.
4. AWC - Sharon Boekelman, Dist. #6 Representative. Mayor Wilbert asked if Councilmember Stevens Taylor would be interested in serving on a small cities legislative committee this year. Councilmember Stevens Taylor declined, but encouraged other Councilmembers to participate in this worthwhile endeavor. Mayor Wilbert spoke of the

Visioning Committee's upcoming meeting in March to discuss local government service agreements.

5. Peninsula School Board - Dr. Mark Mitrovitch. Mayor Wilbert introduced this agenda of the upcoming school board meeting and pointed out one action item, the review and approval of a project to construct a pedestrian sidewalk between Discovery Elementary and GHHS. She encouraged Councilmembers to attend to support this item.

OLD BUSINESS:

1. Northview Terrace Smoke Detector Ordinance. Steve Bowman gave an overview of his response to Council's request for further information regarding alternative methods of installation of smoke detectors in the upper units at Northview Terrace.

Pete Landry - Northview Terrace. Mr. Landry explained that he had been out of town for three weeks and wasn't sure of what had transpired in his absence. He said he doesn't know of anyone who has obtained a quote for installing the detectors at this time. He mentioned a few electricians have been contacted, but they have not received a response to the requests.

Councilmember Stevens Taylor apologized that she was not present at the last council meeting when this was discussed, and said that she appreciated the staff's efforts to obtain information to be more economically feasible. She added that she is a resident of Northview Terrace, and felt that the requirement for five hard-wired detectors in the upper units is excessive. She asked if a battery unit with a six-year lifespan would be a feasible option if battery upkeep was the issue.

Rudy Nicholas - Northview Terrace. Mr. Nicholas said he hadn't heard any further information since the last council meeting. He stated he felt the detector required to be placed in the raised ceiling area presented the greatest problem.

Councilmember Ekberg said that staff had come back with acceptable alternatives for installation of hard-wired detectors for these upper units and therefore he saw no need to amend the ordinance.

Councilmember Markovich said he felt the hard-wired detectors were better than battery. Because these units were not stand alone houses, and that if a fire were to break out in one unit it would affect someone else's home, he felt the requirements were justified.

Mark Hoppen mentioned that he had knowledge of a tenant receiving a quote of \$40 per detector for installation. He asked Steve Bowman if it was necessary to locate the detector in the raised ceiling area in the ceiling. Steve answered that they could be located in the upper wall, as his drawing illustrated.

Councilmember Picinich asked if the other multi-family dwellings in Gig Harbor were complying with the ordinance. Steve replied that they are. Steve answered questions regarding notification and said an extension would not be necessary. Councilmember Stevens Taylor requested that another letter be sent informing the owners that the ordinance

is still in place and they are required to comply.

NEW BUSINESS:

1. Amendment to Agreement - Tacoma-Pierce County Health Department. Mark Hoppen presented this amendment agreement that would increase Gig Harbor's shared cost by 10% over the 1994 cost. He added that this increase had been budgeted for and recommended approval of the agreement.

MOTION: Move we approve the amendment agreement for public health services in the amount of \$31,857.
Picinich/Stevens Taylor - unanimously approved.

2. First Reading - DOE Loan Ordinance. Tom Enlow gave a brief overview and answered questions on this ordinance authorizing issuance of a water and sewer revenue bond to evidence the DOE State Revolving Fund loan. He explained that our bond counsel, Cynthia Weed, will make suggested changes to the contract before the second reading of the ordinance.
3. Proposal to form a Design Guidelines Technical Committee. Ray Gilmore presented this proposed resolution to form a technical committee to develop a design guidelines manual. He explained that seven was a workable number for a committee, so councilmembers asked that the two lay citizens be from within city limits rather than one being from the unincorporated area. Mayor Wilbert asked that a sunset clause be added to the resolution and stated she would leave the resumes of interested persons in the "to read" basket for council's review and approval before the members are appointed.

MOTION: Move approval of Resolution #438 with the changes as discussed.
Ekberg/Markovich - unanimously approved.

MAYOR'S REPORT:

Urban Forest Management. Mayor Wilbert gave a brief overview of her report on trees. She added that Dr. Pierce was a retired University of Montana professor of forestry, and would be available in the future to share his technical expertise.

COUNCIL COMMENTS:

Councilmember Stevens Taylor commented on the car wash sign. She said she was shocked when she saw it and knew that a rendering or drawing that may have been presented to council never truly represented what the signage was to look like. She asked that in the future, would it be possible for a rendering showing truer colors and proportions to be presented for consideration.

Councilman Markovich asked if anything could be done about the large green and blue state highway signs advertising restaurants and campgrounds. He said they were ugly. Mayor Wilbert said these signs were a revenue source for the State and replace the old billboard method of advertising. Councilman Picinich stated he thought the advertiser was charged close to \$750 a year to have their name on these signs.

STAFF REPORT:

Police Department. Chief Richards gave a report on the current stats and commented that we were up by 44% over last year for DUIs. He then talked about the deceased man found on a boat at Lucca's Landing. He explained the cause of death would not be determined for three weeks, after the autopsy report comes back.

ANNOUNCEMENT OF OTHER MEETINGS: None.

APPROVAL OF PAYROLL:

MOTION: Move approval of warrants #10616 through #10730 in the amount of \$169,076.26.
Picinich/Markovich - unanimously approved.

APPROVAL OF BILLS:

MOTION: Move approval of warrants #13401 through #13546 in the amount of \$124,825.81.
Picinich/Markovich - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to go into Executive Session for the purpose of litigation, negotiation, and property acquisition.
Markovich/Picinich - unanimously approved.

MOTION: Move to return to regular session.
Stevens Taylor/Ekberg - unanimously approved

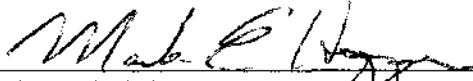
ADJOURN:

MOTION: Move to adjourn at 8:35.
Stevens Taylor/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 375 Side A 235 - end.
Tape 375 Side B 000 - end.
Tape 376 Side A 000 - end.
Tape 376 Side B 000 - 018.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JANUARY 23, 1995

PRESENT: Councilmembers Picinich, Ekberg, Stevens Taylor, and Platt. Councilmember Markovich acted as Mayor Pro Tem in Mayor Wilbert's absence.

PUBLIC COMMENT / DISCUSSION: None.

CALL TO ORDER: 7:02 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the January 9, 1995 meeting as presented. Picinich/Stevens Taylor - unanimously approved. Councilmember Platt abstained.

COUNCIL COMMITTEE APPOINTMENTS:

Mayor Pro Tem Markovich introduced the memo from Mayor Wilbert asking Councilmembers to serve on the Finance Committee, Public Works Committee and the Public Safety Committee for 1995. The Councilmembers who served on the 1994 Committees agreed to serve on the same committees in 1995. Councilman Platt agreed to serve as Mayor Pro Tem for 1995.

MOTION: Move to adopt the committee assignments as presented, and approve Councilman Platt to serve as Mayor Pro Tem for 1995. Picinich/Stevens Taylor - unanimously approved.

CORRESPONDENCE:

1. Office of Financial Management - Population Determinations. Mayor Pro Tem Markovich encouraged Councilmembers to review this letter in their packet.

OLD BUSINESS:

1. Second Reading - DOE Loan Ordinance. Tom Enlow presented the second reading of this ordinance to allow the city to comply with certain conditions before issuing additional parity debt.

MOTION: Move we adopt Ordinance #688. Picinich/Stevens Taylor - unanimously approved.

NEW BUSINESS:

1. Contract for Professional Services - Hearing Examiner. Mark Hoppen presented this contract from McConnell Burke for continuing service as Hearing Examiners. He explained that the only change in the contract was an hourly increase of \$5, bringing the total to \$90 an hour. Carol Morris suggested language changes to the contract.

MOTION: Move to approved the contract as presented with changes suggested by legal

counsel to the Termination Section to insert a 't' at the end of the word even to make it read 'event' and by adding "satisfactorily" before the word performance in the termination section.

Stevens Taylor/Ekberg - unanimously approved.

2. Street Lighting Services - Peninsula Light Company. Mark Hoppen presented this request by Peninsula Light to buy the city owned street lights located on their utility poles. Carol Morris stated the RCW and WAC that was quoted by Peninsula Light as the reason for needing to own all equipment located on their poles, didn't clearly explain the reasoning. Ben Yazici said that the statutes would require Peninsula Light to have a licensed electrician to service equipment not owned by the utility, and to avoid this requirement, Peninsula Light wanted to purchase the lights from the city.

Councilmembers asked that legal counsel review the RCWs and WACs and bring back this information to council before they make a decision to enter into an agreement with Peninsula Light Company to purchase the lights. This item will be brought back to council at the next meeting for review.

3. Short Plat Request - Al Stenger. Ben Yazici presented this request to deviate from the Public Standards for paving the street for a short plat on Woodworth Avenue. He explained that the design proposed by Mr. Stenger would protect the natural drainage swale and would be superior to the requirements of the Standards. Ben recommended a Council motion to waive the Public Works Standards for this project.

MOTION: Move we authorize the Public Works Director to waive the Public Works Standards for this project.

Platt/Picinich - unanimously approved.

4. Request to Install a Telecommunications Antennae on Water Tank. Ben Yazici introduced this request by the McKenzie Group to install telecommunications antennas on top of the water tank in Green Park. Ben added that the Group had agreed to pay \$750 a month to place the antennas. Mr. Frank Mandt, Site Acquisition Specialist for the McKenzie Group, answered council's questions regarding the equipment, and its compatibility with other companies that may wish to place equipment in the future.

Council instructed Ben to continue to investigate the options for a contract with the McKenzie Telecommunications Group to install the antennas on the water tank.

5. Replacement - Rushmore Well Pump. Ben asked for Council to authorize his department to replace the pump motor at the Rushmore Well. He stated that the approximate cost to replace the motor would be \$3,000, but if it were just a wiring problem, the cost would be much less.

MOTION: Move we authorize the Public Works Director to spend up to \$3,000 to complete the necessary repairs at the Rushmore Well.

Ekberg/Stevens Taylor - unanimously approved.

6. T.I.A. Grant for No. Harborview and Harborview Drive Projects. Ben Yazici explained that the request to receive matching funds for the North Harborview Drive and Harborview Drive projects had been approved, and asked for authorization for the Mayor to sign the grant documents.

MOTION: Move to authorize the Mayor to sign the TIB grant documents to receive \$194,468 in grant funds for the North Harborview Drive and Harborview Drive projects.
Picinich/Stevens Taylor - unanimously approved.

7. Alastra Lane PUD Proposal - David Fisher / Rush Construction. Steve Osguthorpe presented the Hearing Examiner's recommendations for this Planned Unit Development request to place 29 residential units on Alastra Court. Councilmembers voiced concerns about the density of the project and lack of parking.

MOTION: Move we refer this PUD back to the Hearing Examiner for further findings and reconsideration on the issues of density and parking.
Ekberg/Platt - unanimously approved.

8. First Reading - Ordinance Amendment to Building Code and Fee Schedule Resolution - Planning/Building. Ray Gilmore introduced this ordinance and resolution to amend the fee schedule for the Planning/Building Department. He explained the need for the adjustments and answered questions regarding the fees. This ordinance and corresponding resolution will return at the next council meeting with suggested changes in text.

9. Liquor License Renewals - Harbor Inn and Neville's Shoreline. No action taken.

STAFF REPORT:

Planning Department. Ray Gilmore passed out a draft of proposed changes to the sign code. He explained that the Planning Commission was holding a public hearing on Thursday and said he would present the Council with their recommendations after this hearing.

ANNOUNCEMENT OF OTHER MEETINGS: None.

APPROVAL OF BILLS:

MOTION: Move approval of warrants #13547 through #13598 in the amount of \$156,609.50.
Platt/Ekberg- unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to go into Executive Session at 8:13 p.m. for the purpose of litigation, negotiation, and property acquisition for approximately 30 minutes.
Picinich/Ekberg - unanimously approved.


MOTION: Move to return to regular session.
Picinich/Stevens Taylor - unanimously approved

MOTION: Move to authorize up to \$200,000 for a Grant Application for submission to the County for TIB funding for the East/West Road.
Ekberg/Picinich - unanimously approved.

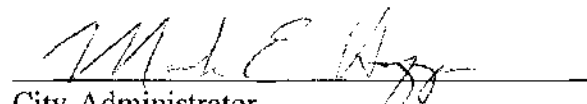
ADJOURN:

MOTION: Move to adjourn at 8:45 p.m.
Stevens Taylor/Platt - unanimously approved.

Cassette recorder utilized.
Tape 376 Side B 019 - end.
Tape 377 Side A 000 - end.
Tape 377 Side B 000 - 191.



Mayor
Picinich



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF FEBRUARY 13, 1995

PRESENT: Councilmembers Picinich, Ekberg, Markovich, Platt and Mayor Wilbert.
Councilmember Stevens Taylor was absent.

PUBLIC COMMENT / DISCUSSION: None.

SPECIAL PRESENTATION:

1. Captain Adams Third Grade Class. Several third graders from Discovery Elementary addressed the Mayor and City Councilmembers about a project to adopt a Sister City. Jeremy Meneha, Elizabeth Smythe, Cathy Brauer, Heidi Alverson, and Barrett Schultz gave oral reports and asked Council for their consideration. Mayor Wilbert told the class that Council would make a decision within a week and she would let them know.
2. Puget Sound Regional Council - Update on Vision 2020. Mr. King Cushman, Transportation Planning Director, gave a video presentation on the latest updates on the Vision 2020 project.

CALL TO ORDER: 7:42 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the January 23, 1995 meeting as presented.
Picinich/Ekberg - unanimously approved.

CORRESPONDENCE:

Mayor Wilbert explained she had several pieces of correspondence, but rather than give a report, she would place them in the "To Read" basket for Councilmembers to review later. She did speak of a letter from Pierce County requesting a new name for the "East/West" road project as this name existed on another major road in Pierce County. Councilmembers suggested choosing a name from the historical list for them to consider at the next meeting.

1. Rainier Cable Commission. Mark Hoppen briefly presented this letter from Rainier Cable Commission encouraging participation in their program prompted by the recent sale of Viacom Cable.

OLD BUSINESS:

1. Street Lighting Services - Peninsula Light Company. Mark Hoppen gave additional information regarding the offer by Peninsula Light to purchase the city's street lights, and the increase in fees.

MOTION: Move we enter into a contract with Peninsula Light which allows the light company to buy all city owned street lights and provide the street lighting

service to the City at a monthly rate of \$6.80 per light.
Markovich/Picinich - unanimously approved.

2. Second Reading - Ordinance Amendment to Building Code and Fee Schedule Resolution - Planning/Building. Ray Gilmore introduced the second reading of this ordinance and resolution to amend the fee schedule for the Planning/Building Department. He pointed out the change in language suggested by legal counsel.

MOTION: Move adoption of Ordinance No. 689 amending Section 15.06.035 of the Gig Harbor Municipal Code.
Markovich/Platt - unanimously approved.

MOTION: Move adoption of Resolution No. 439 which establishes the Planning/Building fee schedule.
Markovich/Platt - unanimously approved.

NEW BUSINESS:

1. Award of Contract for the North Harborview Drive / Harborview Drive Project. Ben Yazici presented the bid results from this project. He explained that the lowest three bids were very competitive even though the low bid was \$225,000 over the Engineer's Estimate and the budgeted amount for the project. He explained the options available, but recommended Council to award the Contract to the low bidder and to move the additional funds from capital reserve to the project fund. Councilmembers Markovich, Picinich, and Ekberg spoke in favor of moving the funds and proceeding with the project. Councilman Platt stated he opposed the award as it was 15% over the original budgeted amount at the onset of the project.

MOTION: Move we award the North Harborview Drive and Harborview Drive project contracts to Northwest Cascade Inc for \$1,454,365.26 and authorize the staff to make the necessary transfers of \$225,000 from the reserve accounts to pay for the difference of the budget figures and the award amount.
Picinich/Ekberg - three voting in favor. Councilman Platt voting against.

2. Award Bid for Official Newspaper - Peninsula Gateway. Mark Hoppen explained that yearly we are required to call for bids to establish the city's official newspaper.

MOTION: Move to approve the Peninsula Gateway as the official newspaper for the City of Gig Harbor.
Platt/Picinich - unanimously approved.

3. Request to Use City Park - Gig Harbor Little League. Mark Hoppen presented a request to continue using the City Park until the Gig Harbor Little League's facility on Burnham Drive is completed.

MOTION: Move we approve the continued use of the City Park ballfield on the same terms and conditions as previously approved.

Markovich/Platt - unanimously approved.

4. Renewal of Legal Services - Ogden, Murphy & Wallace. Mark Hoppen explained that this contract was identical to last year's, except for increases in hourly fees averaging approximately 3.0%.

MOTION: Move adoption of the legal services one-year contract for 1995.
Platt/Markovich - unanimously approved.

5. Amendment to Interlocal Agreement with Peninsula School District. Mark Hoppen presented this revision to the Agreement to correct the milepost designations.

MOTION: Move approval of the revision to the First Amendment of the Interlocal Agreement with Peninsula School District as presented.
Markovich/Platt - unanimously approved.

6. First Reading - Ordinance for Annexation 91-07 Wollochet Interchange. Ray Gilmore presented the first reading of this ordinance to bring this annexation to culmination. There were no comments from Council or the public. It will return at the next Council Meeting for a second reading.

7. Hearing Examiner Recommendation SDP 94-05 - Harborview Condo Marinas. *Mayor Wilbert recused herself from this item and Councilmember Platt acted as Mayor Pro Tem.*

Mayor Pro Tem Platt asked if any other Councilmembers wished to reveal any ex parte oral or written communications on this matter, or to disclose any potential appearance of fairness issues, or if any member of the audience had any appearance of fairness challenges to any of the Councilmembers or Mayor. There was no response to this query.

Steve Osguthorpe presented this application for a permit allowing expansion of three new slips. He gave a brief overview of the application and the Hearing Examiner's recommendations. Councilman Markovich voiced concerns regarding the Hearing Examiner's inattention to the non-conformance issues of the existing structure and recommended that this item be postponed until another public hearing could be scheduled to hear and consider all the concerns surrounding the application.

MOTION: Move we hold a public hearing on this matter on March 13th.
Markovich/Ekberg - two voting in favor. Councilman Picinich voting against.

Bob Frisbie - 9720 Woodworth Avenue - Mr. Frisbie said that he didn't feel that the Hearing Examiner had read the Shoreline Management Plan. He said there are some philosophy, policy and interpretation questions that need to be resolved by the Council.

John Paglia. Mr. Paglia said Staff stated that the setbacks had been met, but he felt this was not correct.

Mayor Wilbert returned to the Council Chambers at this time.

8. Liquor License Transfer - Gabe's Restaurant. No action taken.
9. Liquor License Renewal - The Keeping Room. No action taken.

MAYOR'S REPORT: Emergency Preparedness.

Mayor Wilbert announced that the Staff had begun taking steps to prepare for an emergency, and that there is a reference library located in the conference room.

COUNCIL COMMENTS:

Councilman Platt said he thought the information received from Sally Walker, Pierce County Council, looked to him like an olive branch being extended to work together towards joint planning. Mark Hoppen explained that Ms. Walker was referring to a State Act that all jurisdictions within the County work together in relation as regional services such as health services. Although this sounds like the joint planning effort, it was not the same issue as was being pursued by the City with Pierce County at this time.

STAFF REPORT:

Gig Harbor Police Department. Chief Denny Richards gave an update report on the police activities to date. He stated that 1995 had started out busy and that they had had several unusual cases. He gave a brief report on the boat fire at Murphy's Landing this afternoon and how the patrol boat had assisted in saving two boats close to the burning vessel.

ANNOUNCEMENT OF OTHER MEETINGS: None.

APPROVAL OF BILLS:

MOTION: Move approval of warrants #13599 through #13702 in the amount of \$86,624.93.
Platt/Markovich - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of warrants #10731 through #10848 in the amount of \$170,910.34.
Platt/Markovich - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to go into Executive Session at 8:52 p.m. for the purpose of litigation, negotiation, and property acquisition for approximately 30 minutes.
Picinich/Platt - unanimously approved.

MOTION: Move to return to regular session.
Picinich/Markovich - unanimously approved

MOTION: Move to purchase the Light Company property and make sure that there is
no contaminated soils.
Ekberg/Picinich - unanimously approved.

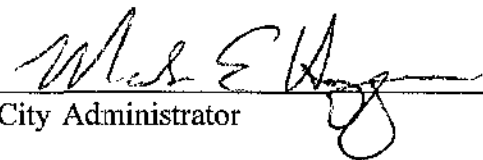
ADJOURN:

MOTION: Move to adjourn at 9:20 p.m.
Ekberg/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 377 Side B 192 - end.
Tape 378 Side A 000 - end.
Tape 378 Side B 000 - end.
Tape 379 Side A 000 - 368.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF FEBRUARY 27, 1995

PRESENT: Councilmembers Picinich, Ekberg, Stevens Taylor, Platt and Mayor Wilbert.
Councilmember Markovich was absent.

PUBLIC COMMENT / DISCUSSION: None.

CALL TO ORDER: 7:05 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the February 13, 1995 meeting as presented.

Picinich/Ekberg - Three voting in favor. Councilmember Stevens Taylor abstained.

CORRESPONDENCE:

1. Letter Regarding Fire at Murphy's Landing. Mayor Wilbert spoke briefly about this letter from William Owel, President of the Murphy's Landing Board of Directors, thanking Chief Richards and Officer Busey for their rapid response and assistance during the recent boat fire at the marina.
2. AWC Wellness Program. Mayor Wilbert thanked staff for their efforts and participation in a wellness incentive program which resulted in a \$780 grant to be used toward future wellness programs.

OLD BUSINESS:

1. Second Reading - Ordinance for Annexation 91-07 Wollochet Interchange. *Councilmember Stevens Taylor recused herself from this agenda item.* Ray Gilmore presented the second reading of this ordinance approving the annexation.

MOTION: Move to adopt Ordinance #690 for the Gig Harbor Annexation 91-07, also known as the Tailman Annexation.

Picinich/Ekberg - unanimously approved.

2. Design Guidelines Technical Committee Appointments. Mayor Wilbert stated that Councilmembers had met in a worksession at 6:30 and had agreed upon a selection of participants. She added that it was suggested to add another position to the committee.

MOTION: Move we add another position for a lay citizen living outside city limits but having a business interest within the City of Gig Harbor, bringing the committee total to 8 members.

Picinich/Stevens Taylor - unanimously approved.

The suggested names for the committee are as follows:

Wade Perrow
Rick Gagliano
Charles Hunter
Jim Franich
Peter Norman

MOTION: Move we adopt these persons for members of the Design Technical Committee and give citizens two weeks for the submittal of letters of interest for the eighth position approved this evening.
Picinich/Stevens Taylor - unanimously approved.

3. Proclamation and Agreement Draft for a Sister City. Mayor Wilbert presented the third grade students from Discovery Elementary School with two Proclamation/Agreements to adopt Ancud, Chile and a Village on Sakhalin Island, Russia, as Sister Cities to the City of Gig Harbor contingent upon Council's approval.

MOTION: Move to authorize the Discovery Elementary Students to establish the two Sister Cities.
Picinich/Stevens Taylor - unanimously approved.

Patricia Hale - Sister City Organization. Ms. Hale, State Coordinator for the Sister City Organization, spoke briefly about how impressed her organization was with this group of students. She added that they are the youngest group to apply for a Sister City, and that this was the first application to include Chile in a Sister City effort. She said the students would be mentioned in the organization's international letter.

Mayor Wilbert introduced local citizen Marie Jurlin. Her husband Nick, was instrumental in teaching fishermen in Chile how to fish on seiners.

NEW BUSINESS:

1. North Harborview Drive Professional Services Contract. Ben Yazici presented this support services contract with Inca Engineering, Inc. to provide construction surveying, and structural engineering reviews for this project.

MOTION: Move we authorize the Mayor to sign a professional services contract with Inca Engineers, Inc. to do the construction surveying and construction support engineering services for \$34,939.45.
Ekberg/Picinich - unanimously approved.

2. Employee and Supervisory Guild Contracts - 1995. Mark Hoppen presented these contracts and thanked Councilmembers Platt and Markovich for their time and effort in reaching the terms of the contracts.

MOTION: Move to approve these contracts as presented.
Stevens Taylor/Platt - unanimously approved.

3. De Novo Appeals Contract. Mark Hoppen presented an updated agreement with Gerald Johnson to represent the city with de novo appeals. He added that due to the increase in rate from \$45 an hour to \$85 an hour, he asked that Ogden Murphy and Wallace present a contract for similar services for comparison, which was included in the packet.

Councilman Platt said that he would prefer to go with Ogden Murphy & Wallace for consistency in legal representation. Councilmember Stevens Taylor mirrored his comments.

MOTION: Move we sign the agreement with Mann & Johnson for de novo appeals for \$85 an hour for partners and \$50 an hour for associates.
Picinich/Ekberg - Councilmembers Picinich and Ekberg voted in favor, Councilmembers Stevens Taylor and Platt voted against. Mayor Wilbert broke the tie with a vote in favor of retaining Mann & Johnson.

4. Utility Extension Capacity Agreement Request - Burnham Drive Commercial Park. Mark Hoppen presented this request by Beth and Wade Perrow to extend a water line from the Women's Correction Center on Bujacich Drive to their facility on Burnham Drive. Mr. Perrow gave a brief history of the city-owned well on his property and answered questions from Council and the Mayor regarding the proximity of the line.

MOTION: Move to approve the water system extension to the Burnham Drive Commercial Park as proposed.
Stevens Taylor/Picinich - Three voted in favor. Councilman Ekberg voted against.

5. Approval of TAXTOOLS License Agreement. Tom Enlow presented this agreement to purchase this software to assist in the monitoring of sales tax receipts.

MOTION: Move to direct the Mayor to sign the TAXTOOLS Purchase Agreement.
Ekberg/Stevens Taylor - Three voted in favor. Councilman Platt voted against.

6. Name for the East/West Road. Mayor Wilbert presented this request from Pierce County to choose a new name for the road to run between Swede Hill and Peacock Hill Avenue because that name already exists on another road in the county. She suggested due to the fact that George Borgen, a local citizen, had given so much to the community, that the road be named "George Borgen Boulevard". Councilmember Stevens Taylor suggested that because this was a major road it be named with something other than a person's name.

MOTION: Move we submit the name George Borgen Boulevard to the County Council.
Ekberg/Picinich - Three voted in favor. Councilmember Stevens Taylor voted against.

MAYOR'S REPORT:

Clean Marina + Clean Boating + Clean Water Partnership. Mayor Wilbert gave a brief report on this manual made possible by the efforts of local marina owners and the Puget Soundkeeper Alliance. She added that a brochure also will be produced to give to transient boaters who come into the harbor.

STAFF REPORT:

Public Works Department. Ben Yazici gave an update on upcoming projects. He explained that construction on the Department of Correction waterline was underway and the Wastewater Treatment Plant expansion project was progressing. He added that the sewer line to Woodhill Pump Station was going to be completed this week and the Harborview Drive / North Harborview Drive project was to begin this week. He also added that the Olympic Interchange project would be starting in approximately six weeks.

Ben then showed Councilmembers and Staff the piece of broken water pipe where the fallen electrical line on Pioneer Street the other evening caused the pipe to melt.

Administration. Mark Hoppen asked Council to take a look at the comments from the Department of Community Trade and Economic Development relating to the City's Comprehensive Plan. He highlighted several items on which the Department requested clarification pertaining to water systems, sewer, population and density, and the capital facilities plan.

COUNCIL COMMENTS:

Councilmember Stevens Taylor asked about the lane closures during construction of the major interchanges slated to begin this spring. Ben explained that one lane would be kept open for travel during the peak hours. Councilmember Stevens Taylor asked about open house presentations to the local people by United Infrastructure regarding the bridge proposals. Mark Hoppen explained that they will be scheduling several community meetings in the future.

ANNOUNCEMENT OF OTHER MEETINGS: None.

APPROVAL OF BILLS:

MOTION: Move approval of warrants #13703 through #13763 in the amount of \$36,942.07.
Platt/Stevens Taylor - unanimously approved.

EXECUTIVE SESSION:

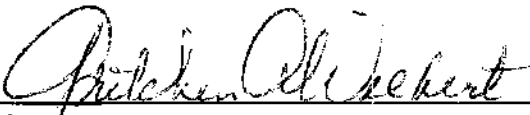
MOTION: Move to go into Executive Session at 8:15 p.m. for the purpose of litigation, negotiation, and property acquisition for approximately 30 minutes.
Picinich/Platt - unanimously approved.

MOTION: Move to return to regular session.
Picinich/Stevens Taylor - unanimously approved.


ADJOURN:

MOTION: Move to adjourn at 8:55 p.m.
Platt/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 379 Side A 369 - end.
Tape 379 Side B 000 - end.
Tape 380 Side A 000 - end.
Tape 380 Side B 000 - 126.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF MARCH 13, 1995

PRESENT: Councilmembers Picinich, Ekberg, Stevens Taylor, Platt, Markovich, and Mayor Wilbert.

PUBLIC COMMENT / DISCUSSION:

Bruce Rogers - 2804 Harborview Drive. Mr. Rogers introduced himself as the Manager at Murphy's Landing. He said he wanted to publicly thank Chief Richards and Officer Busey for their timely response to the boat fire at Murphy's Landing. He also thanked Council for their insight for authorizing the purchase of the Marine Patrol boat.

PUBLIC HEARING: Shoreline Permit 95-05, Harborview Condo Marina.

Mayor Gretchen Wilbert turned over the Public Hearing to Mayor Pro Tem Councilman Platt, and recused herself from this hearing. Mayor Pro Tem Platt announced to the audience that due to the amount of people who has signed up to testify, there would be a five minute limit to each person's testimony. He then asked if anyone present challenged his presiding over the hearing, or over any other Councilmembers presence on the panel. There was no response to his query. He then asked if any Councilmember had any exparte communication on this item. There was no response. He opened the Public Hearing on this item at 7:06.

Steve Osguthorpe, Associate Planner, gave a history of the marina extension and answered questions.

Tom Semon - 13029 Pt. Richmond Beach Road. Mr. Semon introduced himself as a member of the Board of Directors at Harborview Condo Marina. He stated he felt the Hearing Examiner's recommendation that no vessels be tied to the end of the dock unless it could be shown that there would be at least 18 feet between the outer harbor line and the dock, was unfair. He said the condo owners had paid to be able to use that area, and they had already agreed to give up moorage on the northwest side as a courtesy to the neighbors. He added that they did not want to give up the end moorage space. He stated the condo owners agreed with all the other Hearing Examiner's recommendations.

Bob Frisbie - 9720 Woodworth. Mr. Frisbie passed out a sheet listing his concerns, then stated he was in favor of what was proposed. He itemized the concerns and said he wanted Council to be aware of these concerns before making any decisions concerning this extension. He said that written agreements between the neighboring marinas should be required before any approvals were made.

Richard "Skip" Williams. Mr. Williams introduced himself as the owner of the neighboring Pleasurecraft Marina. He stated he was in favor of the project and doesn't see any problem with the ingress/egress. He added he didn't see the need for any agreements.

John Paglia - 12924 Purdy Drive NW. Mr. Paglia stated he was representing the neighboring marina owners, Adam and Maxine Ross. He said there was no clear for or against this project. He listed

the non-conforming issues on the existing structure, set-backs, visual access, and covered moorage. He said the Shoreline Master Plan required a commercial structure to conform to the zoning code unless there was a recorded, written agreement. He said that the existing moorage must be brought into conformance.

Carol Morris, legal counsel, read a passage from the Shoreline Master Program that states that marinas are not considered commercial. She added that the Shoreline Master Program is a state document that prevails over local codes.

Paul Gustafson - 8215 Dorotich. Mr. Gustafson said he knew the history of the marina and said that it had been built closer than the 12 foot set-backs. He added that the way it was built also diminished from the value of the Ross property by not allowing sufficient turning area. He asked Council to be careful in their consideration because this extension could further affect the surrounding property owners.

Councilmembers asked several questions and decided to close the public hearing, review the information and bring this item back at the next council meeting.

MOTION: Move to continue the Hearing to the March 27th Council Meeting.
Stevens Taylor / Ekberg - Stevens Taylor and Ekberg voted in favor.
Councilmembers Picinich and Markovich voting against continuing. Mayor Pro Tem Platt voted in favor of continuing the hearing, breaking the tie.

The Public Hearing on this item was closed at 7:47 p.m.

Mayor Wilbert returned to the Council Chambers at this time.

CALL TO ORDER: 7:48 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the February 27, 1995 meeting as presented.
Platt/Picinich - Four voted in favor. Councilmember Markovich abstained.

CORRESPONDENCE:

1. Request for Nomination for Board of Commissioners for Pierce Transit. Mayor Wilbert presented this request from Pierce Transit to nominate someone to serve on the Board of Commissioners. Mary K. Joyce, who was elected to the position eighteen months ago, submitted a letter of interest to continue in the position.

MOTION: Move we submit the name of Mary K. Joyce as our representative to the Board of Commissioners for Pierce Transit.
Picinich/Markovich - unanimously approved.

OLD BUSINESS:

1. Selection of Additional Member to the Design Guidelines Technical Committee. Mayor Wilbert submitted her recommendation for the eighth member of the committee.

MOTION: Move we appoint Lita Dawn Stanton to the Design Guidelines Technical Committee.
Picinich/Ekberg - unanimously approved. Councilmember Markovich abstained.

NEW BUSINESS:

1. Hearing Examiner Recommendation - Alastra Lane Planned Unit Development. Steve Osguthorpe explained the changes in the PUD after it came before Council several weeks ago per Council's concerns regarding parking and density. The applicant, David Fisher, was available to answer questions. Ray Gilmore itemized several changes in the resolution that were suggested by legal counsel.

MOTION: Move to approve Resolution No. 440, as written except that at the top of page two we add the words "and the hearing Examiners's report dated March 2, 1994" after the date of January 5, 1995; on page 3, under Section 13, forth line, after shall apply for, delete "and receive"; on page 4, Section 17, the preliminary plat deleted to read PUD; and last sentence of that section, we delete 12% and add 15% in slope; in the Section 20 , after Condition 8, add "of the January 5, 1995 Hearing Examiner's decision"; and change the word form to from in Section 23.
Markovich/Stevens Taylor - unanimously approved.

2. Police Guild Contract. Mark Hoppen presented this contract for approval. Councilmember Stevens Taylor thanked all the parties who participated in working on this contract.

MOTION: Move approval of this contract as presented.
Stevens Taylor/Picinich - unanimously approved.

3. Personnel Regulations. Mark Hoppen presented the updated personnel regulations and gave a brief overview of the changes. Councilman Markovich said there were several substantive issues he wasn't pleased with and suggested a worksession to rework the policy.

MOTION: Move to adopt Resolution No. 441 adopting the updated version of the personnel regulations and revisit them within six months.
Markovich/Stevens Taylor - unanimously approved.

4. 1995 Job Descriptions. Mark Hoppen recommended that changes in city job descriptions due to the addition of the Public Works Assistant, the changes in job descriptions for the Municipal Court Clerk, Court Clerk, Assistant Court Clerk, and Police Services Specialist be adopted by motion.

MOTION: Move we approved the additions and changes to the City of Gig Harbor job descriptions.
Picinich/Stevens Taylor - unanimously approved.

5. Liquor License Renewals - Eagles, Rib Ticklers, and Tides Tavern. No action taken.

MAYOR'S REPORT:

Duties, Responsibilities, and Obligations of a Mayor. Mayor Wilbert gave a brief overview of the activities she is involved in, the new Vision 2020 update, and domestic violence issues.

COUNCIL COMMENTS:

Councilman Platt mentioned that the bill to make the Growth Management Act optional had passed the House of Representatives, and was now in the Senate.

Councilman Picinich gave a report on the meeting he and Mayor Wilbert attended regarding the 22 acres on Bujacich Drive by the Women's Correction Center. He announced that a letter of interest must be submitted within 60 days to be part of the project to purchase the property to keep as open area. He added there were several interest groups involved willing to write the grants to obtain funding. He said there was another meeting with Karen Biskey, the Land Trust Heritage Group, and Save Open Space.

Council directed Mark Hoppen to get procedural information and parcel maps to bring this issue back to council at the next meeting.

STAFF REPORT:

1. Public Works Department. Ben Yazici gave an update on the Harborview Drive / North Harborview Drive. He said the contractors had run into concrete from the old highway, slowing the project down some. He said the material being excavated was good and would be able to be used again rather than having to haul in new dirt, and the conflict between the contractor and Washington Natural Gas had been resolved.
2. Police Department. Chief Richards announced that Charlene Hoch, who started as an Explorer here in Gig Harbor, worked her way into the Reserve Program, and graduated from Western Washington University, was currently was number six in line for the officer's position in Auburn. He added how proud the staff was of her efforts.

Mayor Wilbert and Mark Hoppen announced that Chief Richards, along with the Spadoni Family, had recently been awarded the prestigious Paul Harris Foundation Award from the Rotary Club.

3. Finance Department. Tom Enlow reported that the City had finally received the Annual Report from the State Auditor's Office for the year ending 1993. He added that for the second year in a row the city received no findings.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Harbor Green Park Meeting - Tuesday, March 14, 1995 - 7:00 p.m.

2. Traffic Controls Concerns Meeting for the Harbor/North Harborview Drive Project - Tuesday, March 21st, at 6:00 p.m. - Shoreline Restaurant.

APPROVAL OF BILLS:

MOTION: Move approval of warrants #13762 through #13869 in the amount of \$168,156.05.
Platt/Stevens Taylor - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of warrants #10849 through #10961 in the amount of \$175,183.32.
Platt/Stevens Taylor - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to go into Executive Session at 8:54 p.m. for the purpose of litigation, and property acquisition for approximately 30 minutes.
Picinich/Markovich- unanimously approved.

MOTION: Move to return to regular session.
Picinich/Stevens Taylor - unanimously approved.


ADJOURN:

MOTION: Move to adjourn at 10:02 p.m.
Platt/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 380 Side B 127 - end.
Tape 381 Side A 000 - end.
Tape 381 Side B 000 - end.
Tape 382 Side A 000 - 385.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF MARCH 27, 1995

PRESENT: Councilmembers Picinich, Ekberg, Stevens Taylor, Platt, Markovich, and Mayor Wilbert.

PUBLIC COMMENT / DISCUSSION: None.

CALL TO ORDER: 7:02 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the March 13, 1995 meeting as presented. Platt/Stevens Taylor - unanimously approved.

CORRESPONDENCE: None.

OLD BUSINESS:

1. Shoreline Permit 94-05 - Harborview Condo Marina. Mayor Gretchen Wilbert turned over the Public Hearing to Mayor Pro Tem Councilman Platt, and recused herself from this hearing. He asked if any Councilmember had any exparte communication on this item. There was no response. He then asked if anyone present challenged any Councilmembers presence on the panel. There was no response to his query. He opened the Public Hearing on this item at 7:06.

Ray Gilmore explained the addition of conditions 10 and 11 to the resolution as suggested by legal counsel. He asked that these conditions also be reflected in the shoreline permit if it were approved by Council.

Mayor Pro Tem Platt offered information that he had taken his 35' boat into the proposed project marina and had no difficulty in executing a turn around. He said he didn't see any reason not to approve the project with the addition of conditions 10 and 11.

MOTION: Move adoption of Resolution 442 with the addition of conditions 10 and 11. Platt/Picinich -

Mayor Pro Tem Platt read all the conditions aloud upon request from the audience.

Councilman Markovich pointed out that the number of parking stalls under 'B' of the Findings of Fact should be changed to the number 3 instead of 4.

Bob Frisbie - 9720 Woodworth. Mr. Frisbie asked a question about section 4.14.(A) allowing nonconforming development to continue. Staff explained that the parking was in fact, not being added to, and that the parking requirements were already in place.

Mayor Pro Tem Platt questioned legal counsel, Carol Morris, about the outside moorage spot. He suggested that the language in the resolution be changed to allow moorage at the end of the dock if the finalized outer harborline leaves less than the 18' space recommended by the Hearing Examiner.

Tom Semon - 13029 Pt. Richmond Beach Road. Mr. Semon said that the 12 foot setbacks only apply to sideline setbacks, not harborlines.

Carol Morris agreed that this should be addressed at this time, not at a later date. This information led to an amended motion.

John Paglia - 12924 Purdy Drive NW. Mr. Paglia said that the amendment should state that no vessel shall be moored fully or partially outside the outer harborline. He added that it was a tight turnaround if you have a wind or a larger vessel. He said he felt that the council was making a terrible mistake. He said that Mr. Ross was present at this meeting and should be heard from.

AMENDED MOTION: Move adoption of Resolution 442 with the addition of conditions 10 and 11 and a change in wording under Decisions, number 1 to read, "...no vessels shall be tied to the side of the dock in the required side yard setback and no vessels shall be tied to the end of the dock where any portion of the vessel exists outside the outer harborline.
Platt/Ekberg -

Councilman Markovich questioned Mr. Ross about the information received that he was not opposed to the project as long as no boats were moored on his side of the dock. Mr. Ross said that was not the case, and that the 60' extension would wedge him out. He added that he could hardly get out now on a windy day. Since there was no further discussion, Mayor Pro Tem Platt called for the question.

CALL FOR THE QUESTION: The amended motion was passed by unanimous vote.

MOTION: Move to approve the Shoreline Development Permit with the addition of conditions 10 and 11 and change to language regarding end moorage to reflect the changes in the Resolution.
Picinich/Ekberg - unanimously approved.

Mayor Wilbert returned to the Council Chambers at this time.

NEW BUSINESS:

1. Utility Request - Hific Center. Mark Hoppen presented this request by Jim Pasin and Terry Wambaugh to add an additional 9.62 ERUs to their recent utility extension to serve an additional four buildings. Dave Freeman, the project architect, gave a brief presentation of the proposed project and answered questions.

MOTION: Move we approve the Utility Extension Capacity Agreement, with waiver of right to protest LID, as presented.
Markovich/Stevens Taylor - four voting in favor. Councilman Ekberg voting against.

2. Liquor License - Change of Corporate Officers, Hunan Gardens. No action taken.
3. Liquor License - Request to Add Class, Captain's Terrace. No action taken.

MAYOR'S REPORT:

Annexation Information Opportunity. Mayor Wilbert explained that due to the interest in annexations by citizens owning property within the UGA, two general information meetings had been scheduled during April and May.

COUNCIL COMMENTS:

Councilman Markovich stated he was sorry to see Councilperson Jeanne Stevens Taylor resign. He added that he appreciated her reasoning on issues and that it would be hard to find a replacement. Mayor Wilbert agreed and said that Jeanne has added an important dimension to Council meetings.

STAFF REPORT:

Ray Gilmore - Planning Department. Mr. Gilmore passed out copies of the sixth draft of the sign code revisions. He said that the Planning Commission will be adopting a resolution of findings and conclusions at a worksession Thursday night for recommendation to the Council. He said the schedule was to have the first reading and public hearing for the ordinance to adopt the changes at the last Council meeting in April, and the second reading would be left open in case a worksession was needed.

Councilmember Stevens Taylor asked legal counsel for a point of clarification. She asked if it was appropriate to speak to Planning Commission members outside a worksession regarding this item. Carol Morris stated that it was appropriate because a proposed ordinance was legislative in nature and Councilmembers could speak to anyone.

ANNOUNCEMENT OF OTHER MEETINGS:

Annexation Information Opportunity - Pierce County Public Library on Point Fosdick on Wednesday, April 19th, 7:30, and Wednesday, May 31st, at 7:30.

APPROVAL OF BILLS:

MOTION: Move approval of warrants # 13861 through #13922 in the amount of \$39,387.59.
Platt/Ekberg - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to go into Executive Session at 7:46 p.m. for the purpose of litigation, and property acquisition for approximately 10 minutes.
Picinich/Markovich- unanimously approved.

MOTION: Move to return to regular session.
Ekberg/Stevens Taylor - unanimously approved.

Councilman Ekberg asked legal counsel for clarification on how to obtain public input at a public hearing with the ability to close the public hearing, take the information for consideration at a later meeting without opening a second public hearing. Carol Morris told him that Council should open the public hearing portion of the meeting and allow people to give testimony, then should close the public hearing portion of the meeting, and do deliberations, asking questions of staff or other people as needed.

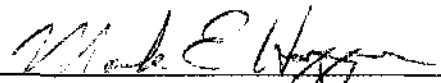
ADJOURN:

MOTION: Move to adjourn at 8:12 p.m.
Markovich/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 382 Side A 390 - end.
Tape 382 Side B 000 - end.
Tape 383 Side A 000 - 235.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF APRIL 10, 1995

PRESENT: Councilmembers Picinich, Stevens Taylor, Platt, Markovich, and Mayor Wilbert. Councilman Ekberg was absent.

PUBLIC COMMENT / DISCUSSION:

Alene Moris - 9301 North Harborview Drive. Ms. Moris said she was very distressed that the design of the road project didn't allow for parking close to where they live, and therefore, didn't consider the social need of parking for birthday parties or other gatherings. She proposed a wider driveway at her site, or any option that would allow temporary parking along the new road.

Walter Moris - 9301 North Harborview Drive. Mr. Moris said if the driveway were widened at his property, it would be 1/4 on city right of way and the rest on his private property. Mr. Yazici explained to him that the right of way extended further than he had been told, and any extension would be entirely on city right of way.

Mayor Wilbert asked that the Public Works Committee meet to examine the problem of parking along that portion of the project, and to make recommendations to the Public Works Director.

Wade Perrow - 9119 North Harborview Drive. Mr. Perrow stated he was impressed at the speed the project was being built. He added that the Moris's had a valid point, as his property was in the same area. He suggested that the project be modified to use rolled curbs on the uphill side to allow for temporary parking. He also said it would be nice to add relieved asphalt in front of the storefronts by Mayor Wilbert's building. He said the noise and visual effect would slow drivers down in this high pedestrian stretch of road. He then passed out a photo of a concrete circular planter used in several areas in Tacoma, and asked if these could be used in the project to slow vehicular traffic.

Mayor Wilbert thanked Mr. Perrow and requested the Public Works Committee to take these suggestions into consideration in their recommendation to the Public Works Director.

CALL TO ORDER: 7:45 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the March 27, 1995 meeting as presented. Platt/Stevens Taylor - unanimously approved.

CORRESPONDENCE:

1. Pierce Transit - Request to Select a Representative for the Board of Commissioners. Mayor Wilbert said that there were currently three candidates for the position.

2. Request for Support - Mary K. Joyce.

MOTION: Move to cast a vote for Mary K. Joyce to the position of Representative for the Board of Commissioners for Pierce Transit.
Picinich/Platt - unanimously approved.

OLD BUSINESS: None.

NEW BUSINESS:

1. Utility Extension Request - William Miller. Mark Hoppen presented this request for one ERU to property on Crescent Valley Drive. He explained it was in the city's Urban Growth Area, and that the property owner was currently being served by city water to two adjacent pieces of property.

MOTION: Move to approve one ERU of city sanitary sewer and water service per the utility extension capacity agreement.
Stevens Taylor/Markovich - two voting in favor. Councilmembers Platt and Picinich voting against. Mayor Wilbert broke the tie with a vote in favor.

Later in the meeting, Dr. John Green voiced an interest in purchasing this property to place four duplexes on, and asked the probability of a request for additional ERUs being approved. Mark Hoppen advised Mr. Green that he would have to bring the request for additional ERUs back before council at a later time, and that the approval was completely discretionary by Council.

2. Utility Extension Request - Purdy Shopping Center. Mark Hoppen gave a brief history of this request from Dave Morris, which included problems with the drainfield that have been occurring since 1983. He explained that the original extension request to this shopping center focused on the ecology of Burley Lagoon, but was not executed during the other contracts for ULID #3, because the city could not guarantee the timely completion of the school district's portion of the line. Because the property lies outside the city's UGA, Council directed staff to assist Mr. Morris in an effort to bring the site into the current UGA before approving the extension. Councilman Picinich voiced concern about the condition of Burley Lagoon and said he thought the city should support any effort to save the Lagoon.

MOTION: Move to direct staff to establish criteria for emergency utility extension which would be suitable for inclusion in Section 13.34 GHMC. Upon the adoption of satisfactory criteria through ordinance, extension to the Shopping Center could be reconsidered.
Picinich/Stevens Taylor -

AMENDED MOTION: That the City would join with Mr. Morris to approach Pierce County to include the Purdy Shopping Center and adjacent properties in the current Urban Growth Area.
Picinich/Stevens Taylor - three voting in favor. Councilman Platt voted against.

3. Professional Services Contract Amendment - INCA Engineers. Ben Yazici explained that INCA had incurred an additional cost because Washington Natural Gas could not locate their utility service. The bill from INCA had been forwarded to WNG, who repaid the city. To make payment to INCA Engineers, the professional services agreement needs to be amended.

MOTION: Move we authorize the Mayor to sign an amended professional services agreement and to reimburse INCA Engineers Inc. in the amount of \$15,817.96.

Picinich/Stevens Taylor - unanimously approved.

4. Liquor License Renewals - Uddenberg Thriftway, Stockmarket Foods. No action taken.

MAYOR'S REPORT:

Public Art and Design. Mayor Wilbert gave a brief overview of her report on art and design projects around Gig Harbor. She displayed the tapestry donated to the City by Floyd and Margreth Brewer. Councilmembers suggested that if the tapestry was not displayed, it should be given back to the family or to a local church. Mayor Wilbert added that she had been contacted by the American Legion, who wished to help with the purchase of new flags for the City. Mayor Wilbert said Lita Dawn Stanton would be coordinating the effort by the American Legion and the flower basket project to create street-scaping in the city. She asked Council to consider budgeting funds to purchase artwork to hang over the stairs at City Hall next year.

COUNCIL COMMENTS:

Councilmember Jeanne Stevens Taylor. Councilmember Stevens Taylor announced that she would not be able to attend the last meeting in April, which was to be her last meeting before resigning her position, and said she wished to say her goodbyes.

STAFF REPORT:

Public Works Department. Ben Yazici gave a brief update on the projects currently under construction. The Point Fosdick sewer line is in and they are doing the final hookups, the Women's Correction Center water line extension is complete and the water is going to be turned on Wednesday or Thursday, the Wastewater Treatment Plant Expansion is a week behind schedule, but overall he is happy with the progress, and the North Harborview Drive project is slightly ahead of schedule. He added Phase I of this project will be complete by June 1.

ANNOUNCEMENT OF OTHER MEETINGS: None.

APPROVAL OF BILLS:

MOTION: Move approval of warrants #13923 through #14007 in the amount of \$396,272.09.

Platt/Picinich - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of warrants #10962 through #11076 in the amount of \$181,695.69.
Platt/Stevens Taylor - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to go into Executive Session at 8:33 p.m. for the purpose of litigation, and property acquisition, for approximately 20 minutes.
Platt/Stevens Taylor - unanimously approved.

MOTION: Move to return to regular session.
Picinich/Markovich - unanimously approved.


MOTION: Move to approve the claim of Norma Decker at 9805 Wheeler in Gig Harbor, for damages in the sum of \$115.35.
Markovich/Picinich - unanimously approved.

MOTION: Move we approve execution of the Interlocal Settlement Agreement between Pierce County and the City of Gig Harbor as presented this evening.
Markovich/Picinich - unanimously approved.


ADJOURN:

MOTION: Move to adjourn at 9:12 p.m.
Markovich/Stevens Taylor - unanimously approved.

Cassette recorder utilized.
Tape 383 Side A 237 - end.
Tape 383 Side B 000 - end.
Tape 384 Side A 000 - end.
Tape 384 Side B 000 - 233.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF APRIL 24, 1995

PRESENT: Councilmembers Picinich, Ekberg, Platt, Markovich, and Mayor Wilbert.

PUBLIC COMMENT / DISCUSSION: None.

PUBLIC HEARING:

First Reading - Planning Commission Recommendation to City Council - Sign Code Revisions. Mayor Wilbert opened the Public Portion of this agenda item at 7:05 p.m. She asked that each person signed up to speak to limit their testimony to five minutes. She read the names of the persons who had submitted written testimony, and explained that these letters were included in the Council Packet. She requested that in order to save time, persons who had not yet submitted any testimony have first opportunity to address council during this public hearing.

Don Huber - 8308 Warren Drive. Mr. Huber thanked Council for the opportunity to express his opinions regarding the new sign code ordinance proposal. He added that he was disappointed that the Planning Commission didn't seem to want to listen. He voiced his concerns regarding wall plane and area allocation, and added that he thought the two freeway exchange areas should be regulated uniformly and cited examples. He said the shopping centers had been developed under city regulations and it would be a major imposition to ask them to change their signage.

Ron Bentley - 7316 82nd St. Ct NW. Mr. Bentley spoke representing the area realtors. He passed out a summary of proposals regarding the Real Estate concerns. He gave a brief summary of the proposal, and asked for consideration in the code that would eliminate the use of "Directional Arrow" signs in lieu of allowing two additional temporary "Open House" signs. He illustrated why they felt the proposed two signs would not adequately direct potential buyers to the location of an open house. He added that he had conducted an impromptu survey of 100 people outside the Gig Harbor post office that afternoon regarding signage, and summarized the results of this survey.

Lois Powell - 4511 69th St. Ct. NW. Ms. Powell explained she was a new citizen of the City due to the latest annexation of Cedarcrest, and presented a petition with 97 signatures in support of the proposed sign code ordinance. She stated the reasons for supporting a stronger sign code which included protecting the scenic and aesthetic character of Gig Harbor from urban blight and the feeling that a strong sign code enhances the vitality of the business community.

Vilaskin Nguyen - Gig Harbor High School. Mr. Nguyen explained he was the upcoming Student Body President for Gig Harbor High School and said that he was concerned that the proposed changes in the sign code ordinance would affect the directional / advertising signs for the yearly "Tidefest" event, which is a major fundraiser for the extracurricular activities at the school. Staff explained that the portion of the code that regulates civic events was not being changed and the Tidefest signage would not be affected.

Doug Karman - 6707 Rainier Avenue. Mr. Karman, as a tax-paying citizen, voiced his concerns how the proposed changes would affect the economics of the city. He stated that 50% of the City's budget is derived from business activity, 40.6% of that represented by sales tax. He added that the signs oriented towards the freeway bring in outside revenue which pay for his police, his city government, his roads, and his services and that was very important to him. He said that property values would go down for the businesses which also have impact on the tax revenue. He talked about House Bill 164 and said he can't afford to pay for devaluing property due to government regulations. He is concerned that the economic impact has not been taken into consideration because of the financial liability that will occur due to this ordinance. He suggested the Council consider the proposal being submitted by the Chamber of Commerce.

Helen Nupp - 9229 66th Ave. NW. Ms. Nupp stated she supports a strong sign code to help preserve the beauty of the area for future generations. She added that visitors will be drawn to shop here because of the scenic beauty and would be far less apt to come into the city if this beauty were to be obscured by signs. If commercial establishments find they are not doing the volume of business they would like, the problem is not because of the brightness of their signs. She urged Council to adopt the amendments.

Matt Cyr - 4102 55th St. Ct. NW. Mr. Cyr, also representing Gig Harbor High School as their future student body treasurer, stated the same concerns as Mr. Nguyen. Mayor Wilbert asked if he had heard staff's assurance that the portion of the sign code affecting civic events was not being changed. Councilman Platt gave Mr. Cyr a copy of the proposed changes for his review.

James White - Hogan Enterprises, 3803 Bridgeport Way West, Tacoma. Mr. White stated that many points in the proposed code serve the downtown businesses well and that they should be retained without subjecting the freeway oriented businesses to unreasonable and discriminatory amendments. He added that the implementation of a master sign code plan would be an excellent addition, however, the major issues, such as sign orientation, letter size, logos, illumination, and non-conformance are ill conceived by the Planning Commission. He stressed that location and visibility is the life-blood of most businesses, and that for a few exceptions, the existing sign code has done a good job. He said that if passed as proposed, the proposed sign code would result in court challenges subject to its validity, and added that with minor changes, the existing sign code could work for everyone.

Ron Abersold - 3004 Islandview Court. Mr. Abersold said he was here in support of the real estate agents. He said that 40% of real estate sales that come into his office come from signs and that signs are the backbone of the real estate industry. He added the city signs are bland and need color, and he doesn't want to see a bland sign code. The second issue he spoke about was to ask council to think about the economic impact pointed out earlier. He said we need to generate income from outside to support services and that the signs do bring in people to the city, especially the ones oriented to the freeway. His last comment was to request that Lois Eyrse, representing the Chamber of Commerce, be allowed to speak.

Jim Clifford - 7506 Soundyview Drive. Mr. Clifford commented that council was quick to question the realtor who performed the survey outside the post office, but not the lady who circulated a petition. He stated there should be more consistency in the surveys. He presented

a notebook of photos of local businesses, many outside city limits, showing a large representative of non-conforming signage, prepared by Lois Eyrse.

John Godulas - 3708 130th Peacock Hill Avenue. Mr. Godulas stated he is a local contractor/developer and also had been involved in retail for twelve years, and knows both sides of signage. In this area a lot of merchants put the blame on signs when their business fails and that is wrong. What brings customers to Gig Harbor is the location, quality of the merchandise, the exterior/interior of the buildings, and the friendliness of the merchants. He added that this is not Hollywood or Reno and if customers are not satisfied with the quality, they will not return. If any merchant believes they need bigger signs to be successful, will not be successful. If they offer quality services, the word will spread and people will seek them out.

Diane Skaar - 9320 74th Ave. NW. Ms. Skaar spoke in opposition to a Master Sign Plan for the reason it would be extremely difficult to administrate for the tenant, building owner and/or manager, and the city staff. She said she felt the city was looking for a certain "look" or "uniformity", but which would create a terrible burden for property owners. She said applying for a sign permit is already very frustrating and she can't even imagine what it will be like with the new proposal.

Jim Boge - 6606 Soundview Drive. Mr. Boge said there were a couple of areas that hadn't been discussed, such as construction signs. He said the proposal was too lenient with these type signs. He said he didn't see anything in the new revision regarding posting signs on utility and traffic poles. Councilman Ekberg pointed out that the utility pole issue was part of the code that was not being revised and that it is clearly spelled out. Mr. Boge said he disagreed with the right to extend the time period allowed for temporary signs from thirty to sixty days. He added that thirty days was sufficient.

Lois Eyrse - 3316 65th Ave. Ct. Ms. Eyrse, who is president-elect of the Chamber of Commerce, also owns a business on Stinson Avenue. She said that this sign code process is one of the most interesting phenomenons she had ever encountered. She added that the business community is concerned about the economic impact from this sign code revision and the only reason all the people were there tonight was because of the last paragraph, Section 1780070 - Nonconforming Signs. She said that having to bring signs into conformance upon tenancy or ownership change will not accomplish what is expected, and cited examples of potential problems. She said she understood the purpose of the revision was to keep the city clean and uncluttered, and that the business owners wanted that also, but wanted to be allowed to keep their existing signs.

Phil Arenson - 103 Raft Island. Mr. Arenson, owner of The Great Car Wash on Kimball Drive, said that a number of facts had been distorted. He said he has a computer survey that he could supply the results showing that 33% of his business at the car wash is from outside of the Gig Harbor area and the only reason for this is the signage and location. He added that the car wash produces quite a bit of revenue for the city and hope we produce more in the future, as well as property, sales tax, and use of services which is significant. He said his signage was not done with malice, he asked for no exemptions, maximized the property, and the signage was done to the letter of the law. He added that if he did not have visibility from the freeway, the property would not be worth what it is. He said that there would be many people economically disabled

if this code goes into effect, and the city taxpayers would be economically affected because there would be litigation and class action suits for the devaluation of property.

Monique Wallace - 5903 Lagoon Lane. Ms. Wallace read a prepared statement in support of the sign code changes to preserve the visual quality of our unique area. She cited Federal Way and Spanaway as negative examples, and Scottsdale, Arizona, and Poulsbo as positive examples of how restrictive signage can work.

Alma Boge - 6606 Soundview Drive. Ms. Boge said that Mr. Hogan alluded to the fact that the downtown area could support stronger codes than the businesses on or near Highway 16 that lead into the downtown area. She added that no one would want to turn into our town if they have to go through the maze of garish, unsightly, and oversize signs that will appear if strong codes are not adopted.

The public hearing portion of this meeting was closed at 8:20 p.m. Councilmembers scheduled a continuation of the Public Hearing at the May 8th meeting, a worksession with the Planning Commission on May 15th at 6:00 p.m., and the final reading will be held at the last Council Meeting on May 22nd. A short recess was taken.

CALL TO ORDER: 8:37 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the April 10, 1995 meeting as presented. Markovich/Platt - unanimously approved. Councilman Ekberg abstained.

CORRESPONDENCE: None.

OLD BUSINESS: None.

NEW BUSINESS:

1. Bicycle Friendly Community Resolution - Tom Enlow. Mr. Enlow introduced this resolution to certify the City of Gig Harbor in the League of American Bicycles "Bicycle Friendly Community" program, and gave a brief overview of the criteria and benefits in becoming certified. He introduced three members of the Tacoma Wheelman's Club who were present in the audience. A Bicycle Advisory Committee will be formed.

MOTION: Move to approve Resolution #443 to facilitate the certification of the City of Gig Harbor as a Bicycle Friendly Community. Ekberg/Picinich - unanimously approved.

2. Proclamation - May as National Bicycling Month. Mayor Wilbert introduced a proclamation declaring May as National Bicycling Month and May 17th as "Bike to Work Day".

MOTION: Move to approve the Mayor's proclamation. Platt/Picinich - unanimously approved.

3. Request by Pierce County for a Quit Claim Deed on City Shop Short Plat. Mark Hoppen explained this request from Pierce County for a Quit Claim Deed on an easement that exists on the short plat where the City Shop is located to obtain clear title to construct the Bujacich Road project.

MOTION: Move to authorize the Mayor to sign the Quit Claim Deed.
Picinich/Markovich - unanimously approved.

MAYOR'S REPORT:

1. Domestic Violence. Mayor Wilbert explained her involvement with the Commission Against Domestic Violence, and her efforts to bring this situation to the attention of the appropriate people in the Peninsula School District.
2. Annexation Orientation. Mayor Wilbert announced that the first informational meeting to educate the public on annexations had gone well. She added that there seems to be interest and that Ben Yazici had been asked to supply information to several neighborhoods regarding general cost figures.

COUNCIL COMMENTS: None.

STAFF REPORT:

Tom Enlow, Finance Department. Quarterly Report. Mr. Enlow gave a brief report on the first quarter of the 1995 financial report.

Ben Yazici, Public Works Department - Update on North Harborview Drive Project. Mr. Yazici gave a report on the estimated costs of the items requested by Council at the last meeting for the North Harborview Drive Project. The rolled edge curb along one side of a certain portion of the project would cost an additional \$4,700, both sides would be \$9,415. The 200 linear feet of textured asphalt in front of the shopping area by the Shoreline Restaurant would cost an additional \$28,500. To add additional 5-7 parking spots in the centralized area of Milton/North Harborview Drive would be an approximately \$2,500 extra. Mr. Yazici recommended *not* doing the rolled-edge curb, but instead, making larger driveway cuts for the affected owners, for a cost of \$400 - \$500. He explained that although attractive when new, the textured asphalt was not as durable as would be required in that area, and suggested that at a later date, his Public Works crew could install brick or aggregate strips in that area. Council directed Ben to spend the additional \$400 - \$500 to enlarge the driveways of the affected property owners, and to forget the rolled edge curbs, textured asphalt, and the additional 5-7 parking spaces at this time.

ANNOUNCEMENT OF OTHER MEETINGS:

Worksession with the Planning Commission to discuss the Proposed Changes to the Sign Code - May 15th at 6:00 p.m. - City Hall.

Annexation Orientation Meetings:

Tuesday, May 30th	7 p.m. Shoreacres	City Hall
Tuesday, May 30th	8 p.m. East Gig Harbor	City Hall
Wednesday, May 31st	7 p.m. Westside/Pt. Fosdick	Pt. Fosdick Library
Wednesday, May 31st	8 p.m. Other Interests	Pt. Fosdick Library

APPROVAL OF BILLS:

MOTION: Move approval of warrants #14008 through #14097 in the amount of \$88,099.88.
Platt/Ekberg - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session for the purpose of discussing litigation and property acquisition for approximately 20 minutes.
Platt/Picinich - unanimously approved.


MOTION: Move to return to regular session.
Picinich/Ekberg - unanimously approved.

MOTION: Move we authorize the Mayor to sign the interlocal settlement agreement with Pierce County as presented, and furthermore we authorize the City Attorney to enter into a stipulation dismissing all litigation with the County at this time.
Markovich/Platt - unanimously approved.


ADJOURN:

MOTION: Move to adjourn at 9:37 p.m.
Ekberg/Markovich - unanimously approved.

Cassette recorder utilized.
Tape 384 Side B 235 - end.
Tape 385 Side A 000 - end.
Tape 385 Side B 000 - end.
Tape 386 Side A 000 - end.
Tape 386 Side B 000 - 051.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF MAY 8, 1995

PRESENT: Councilmembers Picinich, Ekberg, Platt, and Mayor Wilbert. Councilman Markovich was absent.

SPECIAL PRESENTATION: Mayor Wilbert gave a brief history of the Sister City Project started by the third grade class at Discovery Elementary, and led by teacher, Captain Nick Adams. Mayor Wilbert introduced Ted Condiff, who is the head of the American Division of the IoCa Trading Company, and Alexander Korovin, General Director of the IoCa Division on Sakhalin Island, Russia. Mr. Korovin presented a copy of the signed proclamation invoking the Sister City Project between the City of Gig Harbor and the City of Poronysk, Sakhalin Island, Russia. Igor Kunitsa, who works at Apex Tool Company within the Port of Tacoma, acted as translator and read a letter from Mayor Sharanov from the City of Poronysk, thanking the third grade students and the City of Gig Harbor for the opportunity to participate in the Sister City Program. Mayor Wilbert dated the signed proclamation finalizing the official transaction.

CORRESPONDENCE:

1. Sister City Project - Ted Condiff. This item was covered with the previous presentation.
2. Vote-By-Mail Primary Election. Mayor Wilbert gave a brief overview of this letter from Cathy Pearsall-Stipek announcing the vote-by-mail primary election this September, which should show a 30 - 40% savings in election costs.

PUBLIC COMMENT / DISCUSSION: None.

PUBLIC HEARING:

Planning Commission Recommendation to City Council - Sign Code Revisions - Continuation of the Public Hearing. Mayor Wilbert opened the Public Portion of this agenda item at 7:44 p.m. She asked that each person signed up to speak to limit their testimony to five minutes.

Jim Boge - 6606 Soundview Drive. Mr. Boge said that his concern is enforcement. He said that in the past there had never been any fines or enforcement even though recently he knew of at least 25 violations. He said he would like a way to make it easy for the Planning Department to enforce the amended sign code. He added that this is one time that our elected officials have a chance to maintain the beauty of our town and asked the Council keep this in mind.

Tom Morfee - 3803 Harborview Drive. Mr. Morfee, representing the Peninsula Neighborhood Association, said he was sorry he could not attend the first public hearing. He said that for the 25 years he had been the area, the community had been concerned in maintaining SR-16 as a scenic corridor as opposed to an advertising corridor. He added that he didn't feel the average citizen wanted to see the corridor go to strip development and garish advertising, and that amendments to the sign code were necessary to protect this corridor. He said Pierce County and his organization has worked had together to protect the corridor and that the city needed to "step

up to the plate" to deal with this issue also. He stated his concern with the new annexation on Wollochet and what would become of that area. He added that the character of the community was paramount and businesses would continue to flourish as long as the quality is maintained. He said that the County deals with non-conforming signs by tying them to site plan changes, not necessarily a change of ownership, and that this had worked well. He urged keeping a mechanism in place to facilitate signage being brought into compliance. He added he was pleased to learn that the city attorney had advised that in respect to the I-164 issue, the city not be overly concerned that it would limit the regulation of signage. He concluded by saying PNA firmly support the recommendations by the Planning Commission and Planning Department, complimented the work they have done and urged the Council to support their effort.

Lois Eyrse - 3316 65th Ave. Ct. Ms. Eyrse briefly outlined the information in the packets that were delivered to Councilmembers containing information about other cities that had changed their sign codes, both positive and negative, along with information regarding amortization and other issues. She added that the Chamber's Board of Directors agree with the City's goal to meet the need as outlined in the Comprehensive Plan and does not condone flamboyant and garish signs in the community. She said that they are concerned about the economic welfare of the city and future business community with the proposed amendments, especially the non-conforming issue. Their two main recommendations are that the Council carefully consider and study the economic ramifications of this proposed sign code and that a consortium of interested parties come together to study and produce a sign code that is beneficial to all.

Ron Bentley - 7316 82nd St. Ct NW. Mr. Bentley said he was pleased to see the Sister City relationship and that it was appropriate to sign the proclamation on the 50th anniversary of the Victory in Europe. He said he had the answers regarding economic impact on property values that were asked for at the last public hearing. He said that the car wash property on Kimball Drive was bought for \$8.25 a square foot, the land across from that location was purchased for \$4.65 a square foot, and the parcel across the street from the new TCC location, which is away from a high traffic area, was bought for \$1.44 a square foot. He said a reduction in visibility could indeed have an impact on the value of the property. He then spoke about real estate advertising and added that advertising for the Heights development on Rosedale street had cost \$38,000 for print advertising, \$6,000 for signage. He said that his records show that one-half of the sales in the development were as a result of signs. He said if the ability to have these signs were taken away, he would have to double printed advertising to get the same results, which would add approximately \$2,000 to the price of the home to cover these fees. He said that if the city is interested in wanting to provide affordable housing, that this needs to be taken into consideration. He said he agreed with Mr. Morfee that no one wants to turn SR-16 into a commercial strip, but the business community is looking for a fair and equitable sign code that addresses everyone's needs.

The public hearing portion of this meeting was closed at 8:04 p.m.

CALL TO ORDER: 8:05 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the April 22, 1995 meeting as presented. Picinich/Ekberg - unanimously approved.

OLD BUSINESS: None.

NEW BUSINESS:

1. West Brook Glen - 92-01 - Request for a Six Month Extension for Final Plat Approval. Ray Gilmore explained that at the request of Mr. Ed Dorland, this request for an extension was only for six months as opposed to the traditional one year extension, to allow the completion of the required improvements. He added that he had been informed by Carol Morris, legal counsel, that a new state law had been passed that would render a preliminary plat valid for five years instead of the existing three year limit, but she advised that Council should proceed with the extension until the effective date of this new law could be determined.

MOTION: Move we grant Mr. Dorland a six month extension. Picinich/Ekberg - unanimously approved.

2. First Reading - Revision to Ordinance Governing the Election of Councilmembers. Mark Hoppen introduced the first reading of this ordinance revising the existing code to comply to the statutory provisions currently in effect. The ordinance will return at the next council meeting for a second reading.

MAYOR'S REPORT: None.

COUNCIL COMMENTS:

Councilman Picinich said he was impressed with the ceremony held at City Hall today welcoming the participants in the Sister City Program.

Councilman Ekberg said the program speaks well for the third grade students, and that this project had taught them that worthwhile things take effort and time.

STAFF REPORT:

Chief Richards - Gig Harbor Police Department. Chief Richards gave a brief report on the success of the portable speed detector that had been placed in different areas of the city. He explained that he had received several positive comments on the project. He then answered questions about last month's activities report.

ANNOUNCEMENT OF OTHER MEETINGS:

Worksession with the Planning Commission to discuss the Proposed Changes to the Sign Code - May 15th at 6:00 p.m. - City Hall.

Pierce County Parks and Recreation Public Forum, Thursday, May 18th, 7:00 p.m. at the Peninsula School District Administration Building.

APPROVAL OF BILLS:

MOTION: Move approval of warrants #14098 through #14146 in the amount of \$524,940.34.
Platt/Ekberg - unanimously approved.

APPROVAL OF PAYROLL:

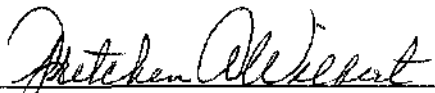
MOTION: Move approval of payroll warrants #11077 through #11189 in the amount of \$169,187.72.
Platt/Ekberg - unanimously approved.

EXECUTIVE SESSION: None.


ADJOURN:

MOTION: Move to adjourn at 8:22 p.m.
Platt/Ekberg - unanimously approved.

Cassette recorder utilized.
Tape 386 Side B 052 - end.
Tape 387 Side A 000 - 317.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF MAY 22, 1995

PRESENT: Councilmembers Picinich, Ekberg, Platt, Markovich and Mayor Wilbert.

PUBLIC COMMENT / DISCUSSION:

Tom Morfee, PNA - 3803 Harborview Drive. Mr. Morfee stated that the City has a responsibility whether to approve sewer to the proposed Wal-Mart. He said the building would be four times the size of the existing Fisherman's Village, making it the largest in the area. He added that there is substantial opposition to this development due to concerns about the impact on traffic, small businesses, and the small town character of the area. He said a Wal-Mart had been approved for Pt. Orchard and South Hill in Puyallup, and that should be enough.

CALL TO ORDER: 7:09 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the May 8, 1995 meeting as presented. Picinich/Ekberg - unanimously approved. Councilman Markovich abstained.

SPECIAL PRESENTATION:

Proclamation - Sale of Buddy Poppies by the V.F.W. Mayor Wilbert introduced Mr. Alan Mathias, Post Commander from the V.F.W. Post #1854. Mr. Mathias thanked the City for allowing the Veteran's to sell their poppies to support needy and disabled veterans and their families. Mayor Wilbert then read the proclamation regarding the sale of Buddy Poppies program. Mr. Mathias announced the annual Memorial Services at Artondale Cemetery on the 29th of May.

CORRESPONDENCE:

1. Pierce Transit Rate Changes. Mayor Wilbert stated she had not received any calls regarding the proposed increase in rates.
2. Re-election of Mary K. Joyce to the Pierce Transit Board. Mayor Wilbert read this letter from Sandy Byers announcing the re-election of Mary K. Joyce to the Pierce Transit Board.
3. Washington Natural Gas - Earthquake Preparedness. Mayor Wilbert summarized the information from Washington Natural Gas regarding their participation in Emergency Preparedness, and added that the wrench used to shut off the gas lines to homes would be available at City Hall for anyone who wished to learn to use it.
4. Croatian - Dalmatian Celebration. Mayor Wilbert announced this celebration and encouraged everyone to attend the slide presentation currently at the Peninsula Library.
5. Sister City International Certificate. Mayor Wilbert said that she had received the signed certificate signifying the city's membership in Sister Cities International and that this certificate, along with the pertinent pictures and letters, would be placed in a framed collage at City Hall.
6. Washington State Liquor Control Board - Rib Ticklers Restaurant. No report was given on this correspondence item.

OLD BUSINESS:

1. Second Reading - Proposed Changes to the Sign Code Ordinance. Ray Gilmore introduced the second reading of this ordinance and gave an overview of the changes based upon the

discussions during the worksession held by the Planning Commission and Councilmembers. He explained that many changes were clarifications and response to expressed concerns by Council. He added that the three areas left open for Council consideration are sign orientation towards the freeway, illumination and color, and non-conforming signs. He said that at legal counsel's advice, any references to change in tenancy or ownership that would trigger the non-conforming threshold in a sign were removed. He said that the ordinance was a hybrid between what the Planning Commission recommended and what staff felt would be appropriate from the discussion at the Worksession.

MOTION: Move we approve Ordinance #691 as currently stated.
Ekberg/Platt -

Councilman Picinich presented a written proposal amending the ordinance and read the content.

MOTION: Move we amend Ordinance #691 to read as follows:

ORDINANCE NO. 691

WHEREAS, the City Council finds and declares that outdoor advertising is a legitimate, commercial use of private property adjacent to City street, roads and highways; and

WHEREAS, outdoor advertising is an integral part of the business and marketing function, and an established segment of the City's economy which serves to promote and protect private investments in commerce and industry; and

WHEREAS, the City has adopted sign regulations in order to safeguard the general welfare of the property owner, to preserve the beauty of the community and to balance this with growth, development and commercial pursuits; and

WHEREAS, emerging trends in signage and business advertisement such as (but not limited to) the use of letter sizes far in excess of normal legibility requirements, the outlining of a building's architectural features with neon tubing, the use of large corporate or business colored panels (often illuminated) and the continuing trend of using large backlit awnings for signage are considered forms of "attention getting" signage which the City's current sign code does not adequately regulate; and

WHEREAS, ~~business owners in the City have the City has witnessed an increased use of recently constructed~~ large "attention getting" signs which have been permitted under the existing sign code regulations; and

WHEREAS, signage has become an increasingly visual component in the commercial areas of the City and also along State Route 16, thereby adversely affecting Gig Harbor's traditional visual character; and

WHEREAS, as a result of the proliferation of these new signs and the City's mandate to adopt new development regulations under the Growth Management Act, the City Council determined that a review of the City's existing sign regulations was necessary; and

WHEREAS, the Planning Commission held two public hearings on the ~~proposed~~ sign code ~~amendments~~ on February 2, 1995 and March 16, 1995 to accept public testimony on ~~the~~ proposed amendments, and four worksessions during February and March of 1995 to consider ~~the~~ public testimony and make adjustments to the sign code as deemed necessary and appropriate; and

WHEREAS, the Planning Commission also ~~in its deliberation~~ reviewed research pertaining to sign legibility which indicated that it takes one inch of letter height for every 50 feet of distance it is read from and that speeds of up to 55 mph on a six lane highway requires a letter height of 16 inches (visible from a distance of 800 feet) to allow a motorist adequate time to respond to the sign; and,

WHEREAS, the Planning Commission recognized that the Growth Management Act requires that any amendments to the City's sign code must be consistent with the Comprehensive Plan; and

WHEREAS, the Planning Commission therefore reviewed the following provisions of the Gig Harbor Comprehensive Plan:

On page 30, the Plan ~~includes the~~ stated the City's intent to allow for effective signage to for the identification of businesses, while also providing a positive contribution to the City's visual quality and that "attention getter" signs are neither necessary nor desirable in Gig Harbor's small town setting.

On pages 31 - 33, the Comprehensive Plan states several goals and policies relating to maintaining signage as a subordinate element in building design including, but not limited to (a) minimizing sign area in facade design, (b) avoidance of signage as a dominant architectural feature, including corporate or logo panels into signage area calculations, (b) avoidance of covering architectural details, and (c) encouragement of sign designs which reflect the building style or period by encouraging sandblasted-type signs.

On page 32-33, the Comprehensive Plan has the stated goal to avoid flamboyancy in signage by keeping internally illuminated signs subdued through restrictions on sign face illumination.

On page 33, the Comprehensive Plan has the stated goal to coordinate sign designs on multi-tenant buildings through the use of master sign plans designed to allocate signage among tenants and to unify the site design.

On page 34, the Comprehensive Plan has the stated goal to restrict use of off-premise signage and to avoid signage design for distant viewing.

On page 21 and 22, the Comprehensive Plan identifies SR-16 as an enhancement corridor which should require an extensive level of design review.

WHEREAS, the Planning Commission integrated the above Comprehensive Plan policies into its review process, and developed amendments to the sign code, which was forwarded to the City Council; and

WHEREAS, the City Council held a public hearing on the draft sign ordinance, and accepted public testimony on April 24, 1995, and May 8, 1995, but continued its deliberations until May 22, 1995; and

WHEREAS, the City Council conducted a worksession with the City Planning Commission on May 15, 1995; and,

WHEREAS, on May 22, the City Council considered the draft sign ordinance during its regularly scheduled public meeting; and

WHEREAS, at that meeting, the City Council made the following findings with regard to the proposed sign code amendments:

1. A multiplicity of signs is distracting to motorists and a hazard to vehicular and pedestrian traffic.
2. A proliferation of "attention getter" signs is not only distracting and unattractive, but also obscures the legitimate effort of local business establishments to reasonably identify the location and nature of their business.
3. Limitations on signs must be established by the City in order to address these objectives, or to limit distraction to motorists, reduce the danger to pedestrians and motorists, control and abate the unsightly use of buildings and land, enhance the appearance of the landscape, and to preserve the beauty of the landscape and residential and commercial architecture.
4. Restricting letter heights to up to eighteen and twenty-four inches for upper and lower case letters is reasonable in that it would allow for signs that would be more than adequate in size to be read from all of Gig Harbor's streets without unduly limiting creativity in sign design.
5. Signs in excess of 18 and 24 inches are larger than necessary for reasonable legibility and creativity and therefore constitute "attention getting" signs; and,
6. The proposed amendments will (a) further the goals and policies outlined in the City's Comprehensive Plan (b) protect the public health/safety/welfare by avoiding excessive light and glare of illuminated signage, and (c) and preserve the visual quality which has attracted tourists and new residents to the Gig Harbor area thereby preserving property values and promoting economic development in the Gig Harbor area.

WHEREAS, as a result of the above, the City Council hereby declares all existing signs not in conformance with this ordinance on the date of its adoption to be public nuisances, subject to

abatement within the time periods and under the procedures set forth herein;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ORDAINS AS FOLLOWS:

* * *

~~C. Nonconforming Signs. Nonconforming signs which are permanently installed and were legally installed prior to the adoption of this chapter shall be allowed to continue in use as long as such signs are continuously maintained, are not relocated, are not structurally altered or made more nonconforming in any way. A nonconforming~~

1. Nonconforming sign(s) shall be required to be brought into compliance with this chapter upon the earlier occurrence of any of the following events:

- a) abandonment of the sign or premises,
- b) destruction of the sign beyond 50 percent of its value,
- c) a change in the use of the property where the sign(s) is located requiring additional permits or approvals from the City; or
- d) on June 1, 2002; provided that such time limitation may be extended for periods not to exceed two (2) years at a time by the Administrator upon the granting of a hardship variance as set forth in subsection (2) below.

2. Hardship variances may be granted by the Administrator to extend the time period for compliance with subsection (1)(d) above, if the Administrator finds that all of the following are true:

- a) strict compliance with the provisions of subsection (1)(d) above may impose an undue hardship upon the sign owner. This showing of "undue hardship" may be met, for example, by the sign owner's demonstration that the sign has not fully depreciated for federal income tax purposes. A sign owner's expenditures toward improvement or repair of any nonconforming sign shall not be considered by the Administrator in the showing of hardship.
- b) granting of the variance from the provisions of this chapter will not:
 - i) depreciate or damage neighboring property;
 - ii) create a safety hazard; or
 - iii) be contrary to the purposes of this chapter.
- c) the nonconforming sign has been and will be properly maintained.

Picinich/Platt -

Councilman Ekberg added that he would like to add another amendment.

MOTION: Under Section 17.80.035 Illumination, I would like the recommendation that came from staff substituted so that the words "except that illuminated text must be ivory colored.." be replaced with "except that the illuminated text must be light colored contrasted against the dark background..".

Ekberg/Markovich -

Councilman Markovich mentioned that three main items had been identified, but there was a fourth issue that has been skimmed over related to real estate signs and the proposals made by the Tacoma Board of Realtors.

Councilman Markovich said that the non-conforming use provisions we currently have in effect should remain due to difficulty in enforcement. He said that non-conforming signage and non-conforming usage have been a classical concept in the theory of law and zoning code application and that the reason we have non-conforming use provisions is so that when something does not conform with a change in law, people who previously were in compliance should not be punished, and could continue with that use. He added that if a substantial or structural change of use occurs, then the sign should be brought into compliance with the new codes. He said that never has change in letter content, text, tenancy, occupancy, design style or color been used as a trigger to abate the non-conforming sign. He also said he didn't agree that something that was done legally could now be considered a "public nuisance" and added he knew of no existing sign that was so heinous that he could not live with it for another 10 years. He said he thought that future signs could be controlled by the new ordinance, but non-conforming signs should be left alone.

Councilman Markovich said he read through the proposals submitted by the Tacoma Board of Realtors and felt they are reasonable. He said he would adopt them in entirety. He then spoke about the third issue of signage facing the freeway. He said he wanted to preserve the corridor and retain as many trees as possible, but visibility is a legitimate business concern. He asked for clarification from staff about the size of the interchange areas affected, and said he could support prospectively prohibiting signage toward the freeway. Regarding, illumination, Councilman Markovich said that he seconded Councilman Ekberg's motion and supports this motion.

Councilman Platt asked for clarification from legal counsel regarding shopping center signage, and whether the change of one sign by the owner of the mall would require all the other tenants to replace their signs. Carol Morris advised him the code was intended to affect only the sign associated with a particular property.

Councilman Picinich said we should allow no grandfather clause, and that seven years is plenty of time to bring any non-conforming signs into conformity. He added he felt it would improve and enhance the economy.

Mayor Wilbert asked if Councilman Markovich had any suggestions or wording to address. Councilman Markovich said he would maintain the non-conforming provisions currently in existence under the sign code. Councilman Picinich said his amendment is the best way to go, it is the most legal, and will avoid time spent in court.

Councilman Ekberg thanked the Planning Commission and the public for their input. He said it was a long hard process and that this was a compromise. He said he felt that the real estate sign handling is adequate in the proposal and that he, too, has a problem with non-conforming issues, but that Councilman Picinich's wording is adequate, and along with the other amendments, will make a better ordinance, which will be easier for staff to administer.

Councilman Ekberg restated his last motion for the record.

MOTION: Under Section 17.80.035 Illumination, I would like the recommendation that came from staff substituted so that the words "except that illuminated text must be ivory colored.." be replaced with "except that the illuminated text must be light colored contrasted against the dark background..".
Ekberg/Markovich - unanimously approved.

MOTION: *The amendment to the ordinance submitted by Councilman Picinich stated previously in this document.*
Picinich/Platt - three voted in favor. Councilman Markovich voting against.

MOTION: Move approval of Ordinance #691 as amended.
Ekberg/Platt - three voting in favor. Councilman Markovich voting against.

2. Second Reading - Revision to Ordinance Governing the Election of Councilmembers. Mark Hoppen briefly described this ordinance revising the existing code to comply to the statutory provisions currently in effect. Councilman Picinich suggested taking out the reference to filing with the city clerk, under section 2.12.070 Declaration of Candidacy, to avoid confusion.

MOTION: Move to adopt Ordinance No. 692.
Picinich/Ekberg - unanimously approved.

3. Approval of Contracts - Phipps Property. Mark Hoppen introduced the contract to purchase property adjacent to the Wastewater Treatment Plant, two lease agreements to allow the property owner and his parents to remain living in the existing houses, and a contract with Kleinfelder, Inc. to conduct the Phase I environmental assessment of the property. Carol Morris proposed to change the escrow closing date to August 15 to allow for more time for the closing. Councilman Ekberg voiced concerns about adequate insurance coverage and Carol Morris suggested that language be included under section 13, Insurance, to allow the amount of coverage to be approved by the City Administrator.

MOTION: Move to approve the Mayor to sign contract to purchase the Phipps property and lease agreements with the change of closing date to August 15, 1995 and the addition of language in the insurance section.
Picinich/Markovich - unanimously approved.

MOTION: Move to approve Kleinfelder, Inc. as the Phase I environmental assessment firm for a contract cost not to exceed \$2,800.
Picinich/Markovich - unanimously approved.

NEW BUSINESS:

1. Interview of Prospective Council Candidates / Executive Session to Review Candidates. Mayor Wilbert announced that there were nine candidates for the position vacated by Jeanne Stevens Taylor. She mentioned a letter from Linda Clifford to the Pierce County Landmarks Association, resigning from her position. The remaining candidates were chosen randomly to come forward and give a brief overview of their qualifications and interest in becoming a City Councilmember. Mark Robinson, Carol Davis, Walter Moris, Frank Kinney, Kathy

Peterson, Harry Hyde, and Marilyn Owel, each gave a short presentation. A letter from Linda Clifford stating she could not attend this evening's meeting and outlining her qualifications was introduced. Adam Ross Jr., another candidate, was not present. After hearing the candidates speak, Council adjourned to Executive Session to review the information and make a decision.

MOTION: Move to adjourn to Executive Session for the purpose of choosing someone to fill the vacant council position at 8:34 p.m. for approximately fifteen minutes.

Picinich/Ekberg - unanimously approved.

MOTION: Move to return to regular session at 8:47 p.m.

Markovich/Ekberg - unanimously approved.

Mayor Wilbert explained that the person chosen would be required to run for reelection in the September and November elections. She then polled each councilmember for their vote.

Councilman Ekberg: Marilyn Owel

Councilman Picinich: Marilyn Owel

Councilman Platt: Marilyn Owel

Councilman Markovich: Marilyn Owel

The decision was unanimous to appoint Marilyn Owel to the vacant position. Mayor Wilbert congratulated Ms. Owel and thanked the other candidates for their participation in the process. The swearing in ceremony will be on June 12th at the next council meeting.

2. Newpark Terrace Sewer and Water Request. Mark Hoppen presented this request for sewer and water extension to a planned residential development located on Reid Road. He explained that our services were currently extended to two developments, Rushmore on the north side of the property, and LongAcres on the south side. He introduced Mr. Terry Ferguson, agent for John Bugay, the owner of the project. Mr. Ferguson stated the project was currently before Pierce County awaiting SEPA review and PAC approval and hoping to get a public hearing by September.

MOTION: Move approval of the extension agreement with Newpark Terrace as applied for.

Markovich / no second to the motion.

Councilman Markovich asked if there was an intention to no longer extend utilities outside city limits or if there was something specific with this project. Councilman Picinich voiced his concerns that no effort to annex into the city had been made. Mark Hoppen clarified that Longacres, an adjacent development, was again showing interest in annexation and that this development would be included in that effort.

Councilman Platt said as a point of order because there was no second, why was it being discussed. Mayor Wilbert said that if there were questions, they deserve to be answered.

Mr. Ferguson stated that the owner, John Bugay, had been trying to annex since 1992 and would be happy to give a history on his attempts. He added that this project was designed

to city standards anticipating annexation into the city. He said they are ready to annex but the proper signatures are not yet in place.

Councilman Ekberg responded to Councilman Markovich's question by saying he had consistently voted against extending services outside city limits because he felt that the process was backwards, and annexation should take place first. Mayor Wilbert advised the applicant to attend the meeting on May 30th regarding annexing that area. Councilman Markovich then restated his motion.

Tom Morfee asked if this property was within the Urban Growth Area and whether the applicant should go through the PAC process before requesting the service extension. Mark Hoppen explained that yes, it is in the UGA area, and that it is reasonable to ask for approval for utilities before the PAC process, thereby committing to a lesser number of lots than would be standard in Pierce County.

MOTION: Move approval of the extension agreement with Newpark Terrace. Markovich/Picinich - two voting in favor, Councilmembers Platt and Ekberg voting against. Mayor Wilbert broke the tie by voting in favor of the extension.

3. Horizon West Sewer Request. Mark Hoppen presented this request for an additional 15 ERUs of sewer service and gave a brief history of the project, which is partially within the city's UGA area, and partially outside. Councilman Platt asked questions about the project fitting into the Comprehensive Water Plan, as it was being served by an outside water company. Ben Yazici stated it was not consistent, and in fact, was in conflict.

Geoff Moore, Pac Tech Engineering. Mr. Moore, representing Walt Smith, stated he had been involved with this project since 1990, prior to the UGA. He gave a brief history of the project. He said that it didn't make sense to extend city water miles from an existing line, when Harbor Water had existing mains on site.

Ben Yazici advised council that approving the additional 15 ERUs would result in the need to amend the Comp Plan to reflect an extension of sewer without water. He added that an existing city line at Women's Correction Center was within one mile of the site and said he needed time to do a cost analysis on extending the line to the project.

Walt Smith - 11302 Burnham Drive. Mr. Smith stated he was in favor of annexation and had already signed two agreements to provide sewer to the property and is a willing applicant. He added that he had not requested water from the city because it is not available, but it is available through Harbor Water. He said that he made his commitments in good faith and was a willing participant during in the extension to the Peninsula School District and has paid his fair share along the way. He said it didn't make sense for the city to extend water to that area to serve such a small area.

Richard Buys - 11223 67th Ave. NW. Mr. Buys is a representative of the Henderson Bay Heights Homeowners Association. This development is adjacent to the proposed Horizon West project. He stated that during the dry period last summer the upper portion of their

development was without water for several days. He said that they doubted that water would be available for fire trucks, and they question whether there is adequate water there now, or if the water table would support further development, and that it needs to be looked at very carefully.

Tom Morfee - PNA. Mr. Morfee said PNA had been involved in this project since the beginning and was very familiar with it. He said that PNA is concerned with the escalating density of the development and that there is no reason the owner could not allocate the existing 60 ERUs throughout the project. He said there is enormous controversy with this project and asked Council to draw the line at what was currently allocated. He added that the water service in that area is very poor. He asked council to table the issue until more information could be obtained, and that they support our Public Works Director.

At this point, Councilman Platt made a motion to deny the extension. Ben Yazici asked for the opportunity to review the water issue and bring back the information and bring it back to Council before action is taken. Councilman Markovich supported this action, and said he didn't want to see fifteen lots within the project placed on septic systems.

MOTION: Move denial of the sewer capacity extension agreement for an additional 15 ERUs.
Platt/Ekberg - three voting in favor. Councilman Markovich voting against.

4. Westside Business Park Sewer Request. Mark Hoppen presented this request to extend 6.45 ERUs sewer capacity for a proposed professional park on the west side. He explained that this had been assessed as part of ULID #2.

MOTION: Move approval of extension of 6.45 of sewer to Mr. Kirk and Mr. Matthai.
Markovich/Ekberg -

Councilman Markovich noted that the expectation in this area has been that sewer was available, and that these property owners had granted the city an easement to run the sewer line across their property. Sewer is being served all around this property and it would be ridiculous not to grant the extension. Ben Yazici added that these people had been paying their ULID assessment for ten years.

The motion was restated:

MOTION: Move approval of extension of 6.45 of sewer to Mr. Kirk and Mr. Matthai.
Markovich/Ekberg - Councilman Markovich voting in favor.
Councilmembers Platt, Ekberg and Picinich voting against.

5. Request for a Change Order - North Harborview/Harborview Drive Project. Ben Yazici presented eight change orders for a \$116,111.44 net reduction in the contract amount with Northwest Cascade.

MOTION: Move to authorize the Public Works Director and Mayor to approve the Construction Change Orders 1 thru 8 for North Harborview

Drive/Harborview Drive projects in the amount of \$116,111.44.
Picinich/Platt - unanimously approved.

6. Comprehensive Water Plan Addendum. Ben Yazici presented this addendum to amend the water plan by changing the alignment of the water line. He added that Gray & Osborne, the consultant who did the original Comprehensive Water Plan, would complete the addendum for \$2,500. Mr. Wade Perrow would reimburse the City the amount required to perform the addendum per his agreement requesting water service extension along Burnham Drive.

MOTION: Move approval of the professional services contract with Gray & Osborne for \$2,500.

Platt/Picinich - three voting in favor. Councilman Ekberg abstained.

7. Selection of Association of Washington Cities Voting Delegates. Mayor Wilbert asked for three names of elected officials interested in attending the AWC Convention business meeting on June 30. She added that a delegate could be appointed from the staff.

MOTION: Move that Marilyn Owel, John Picinich, and Mayor Wilbert attend the AWC Convention Business Meeting as voting delegates.

Markovich/Platt - unanimously approved.

8. Liquor License Renewals - Gourmet Essentials, WB Scott's. No action taken.

9. Request to Add Class I to Liquor License - Neville's Shoreline. No action taken.

MAYOR'S REPORT: Urban Forestry.

Mayor Wilbert asked that Council read the report as it is the beginning of a process that will be underway for at least a year. She added that students, under the leadership of JoAnn Moore in the Field Ecology Class at Gig Harbor High School, have already begun the work.

COUNCIL COMMENTS: None.

STAFF REPORT: None.

ANNOUNCEMENT OF OTHER MEETINGS: Annexation Orientation Meetings:

Tuesday, May 30th	7 p.m. Shoreacres	City Hall
Tuesday, May 30th	8 p.m. East Gig Harbor	City Hall
Wednesday, May 31st	7 p.m. Westside/Pt. Fosdick	Pt. Fosdick Library
Wednesday, May 31st	8 p.m. Other Interests	Pt. Fosdick Library

APPROVAL OF BILLS:

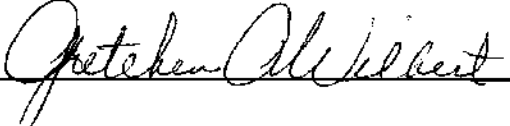
MOTION: Move approval of warrants #14147 through #14235 in the amount of \$838,114.92.

Platt/Ekberg - unanimously approved.


ADJOURN:

MOTION: Move to adjourn at 10:05 p.m.
Platt/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 387 Side A 318 - end.
Tape 387 Side B 000 - end.
Tape 388 Both Sides.
Tape 389 Side A 000 - end.
Tape 389 Side B 000 -403.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JUNE 12, 1995

PRESENT: Councilmembers Picinich, Platt, Markovich and Mayor Wilbert. Councilman Ekberg was absent.

PUBLIC COMMENT / DISCUSSION:

Ross Bischoff - 16815 Hoff Road, Lakebay. Mr. Bischoff, General Manager for the Gig Harbor Farmer's Market, gave a presentation about the Market's growth, purpose, and how they operate. He answered Councilman Picinich's concerns about the affect on the downtown merchants and promised to work with the business owners to minimize problems.

Jim Pasin - 2910 39th Street. Mr. Pasin requested that the Fairway Estates development be included in the proposed annexation of the Westside. He passed out a map of the area and added that a copy of the letter he presented had been sent to the neighborhood's homeowners association, and was being circulated at this time. He said he would continue working with Mr. Hoppen on this issue.

Bob Frisbie - 9720 Woodworth Ave. Mr. Frisbie suggested that Council consider having people sworn in before presenting testimony before the Council, that it might tend to get people to consider telling all the truth. His second concern was an article in the paper regarding to extending utilities outside the city. He added that he was aware the decisions are up to the Council. He stated that he is proud that the eight years he was on the Council, they were able to keep the utility rates low due in part to the one and a half times surcharge for outside extensions, and asked that Council keep looking at the numbers and consider the future.

Wade Perrow - 9119 No. Harborview Drive. Mr. Perrow asked to be brought up to date on the North Gig Harbor Annexation and how the recent Council decisions regarding utility extensions may affect the waterline he was installing, extending the city water service from the Women's Correction Center to his property on Burnham Drive. He said he was concerned that he is being required to install a 16" line to serve future service in the area, and asked for direction on whether he would be able to recoup some of his costs with latecomers fees if others were allowed an outside extension, or whether he should downsize the line to an 8" line if no extensions were going to be allowed. Councilman Picinich said he wouldn't want to say anything until he had a chance to talk to Ben Yazici and that someone would be contacting Wade.

Jack Bujacich - 3607 Ross Ave. Mr. Bujacich asked for clarification regarding the newspaper article stating that \$100,000 was being spent to upgrade the Harbor Green Park. He wanted to know what had happened to the committee process, where the money was coming from, and why so much was being spent on so few people, since the Community Center would not be built there. Brian Miller, Gateway reporter who wrote the article, said that upon follow-up on the article, he learned that \$100,000 had been budgeted for the project, but not necessarily all of it was going to be spent. Mr. Hoppen gave an update on the City's efforts to obtain the Peninsula School District property, which then could be utilized to build the Community Center adjacent to Harbor Green Park.

Mr. Bujacich then voiced concerns about the striping on the new road construction. He said that with the parking stalls and bike lanes, the traffic lanes were so narrow that trucks and buses were

crossing over the white line, making it very dangerous. Ben Yazici said he realized it was tight, but all the options were considered and given the circumstances, this configuration was the best choice.

Mr. Bujacich's stated he was very involved when the City received the grants to install the sewers and that the grants were not issued just for the City, but for a basin service area. He voiced concerns that the Council's decision not to extend services unless an area was annexed, when there are lines extended elsewhere outside city limits, opened up the city for a liability that would cost the taxpayers a lot of money. Mayor Wilbert assured Mr. Bujacich that the Council was indeed doing their homework on this issue.

SWEARING IN CEREMONY:

Judge Tom Farrow presided over the swearing in of Marilyn Owel to Council Position Number Three, recently vacated by Jeanne Stevens Taylor. After the ceremony, the newly appointed Councilmember Owel took her seat on the Council.

CALL TO ORDER: 7:35 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the May 22, 1995 meeting with changes. Picinich/Platt - unanimously approved.

CORRESPONDENCE:

1. Bruce and Linda Dishman - Cruizin' the Gig. Mayor Wilbert introduced this letter thanking the City for their continued support of the yearly car show. A \$200 check was included with the letter to be donated to the City Park Fund.
2. Kent Wienker, President, Tacoma Wheelmen's Bicycle Club. This letter was to thank the Mayor and Ben Yazici for their support in helping make the Olympic Interchange safer for bicyclists in encouraging the WSDOT to modify their design to better accommodate bicyclists.
3. Pierce County 4-H Guide Puppy Raisers. This letter was to thank the City for the use of City Hall for the State 4-H Leaders meeting and Fun Day for the Guide Dog Puppy Raisers.
4. Pierce County Resolution R95-110 - Organizing the Tacoma/Pierce County Health Department as the Pierce County Health Department. Mayor Wilbert spoke briefly on this resolution to facilitate the reorganization of the Health Department.
5. Resolution of the Pierce County Council - Mayor Wilbert gave a report on this resolution opposing the adoption of a policy being proposed jointly by the U.S. Department of Energy and the U.S. Dept. of State to accept and manage spent nuclear fuel from foreign research reactors by shipment through the Port of Tacoma.

OLD BUSINESS: None.

NEW BUSINESS:

1. Summer Tennis Program Proposal. Mark Hoppen introduced Doug Clark. Mr. Clark, who is a long time resident of Gig Harbor and owner of a health club in Fircrest, said that in the absence of summer programs and the recent failure of the school levy, he was proposing a program to provide summer activities for the youth in the area and their families. Mr. Clark assured Council that no one would be excluded from the program, and that scholarships would be made available to those unable to pay the minimal fees. He answered questions regarding liability insurance and signage. Carol Morris, legal counsel, said that the City should be indemnified in case of injury.

MOTION: Move we allow this program to occur as a public service, and the City Park should be made available to provide this service.
Markovich/Platt - unanimously approved.

2. Appointment to the Planning Commission. Mayor Wilbert announced that she had appointed Carol Davis to fill the vacant position on the Planning Commission left by Marilyn Owel. Ray Gilmore informed Ms. Davis that her first meeting was Thursday night.

MOTION: Move approval of the Mayor's appointment of Carol Davis to the vacant Planning Commission position.
Platt/Picinich - unanimously approved.

3. Repeal of Seceded Resolutions No. 164 and No. 173. Mark Hoppen introduced this housekeeping resolution to repeal these resolutions that had been superseded by Ordinance #660, which was adopted February of 1994.

MOTION: Move adoption of Resolution No. 444.
Markovich/Picinich - unanimously approved.

4. Resolution - Hearing Examiner Recommendation - Lita Dawn Stanton, Coffee House. Steve Osguthorpe introduced this resolution requesting site plan approval for a Coffee House located at 3615 Harborview Drive, and gave a brief overview of the project. Councilman Markovich recused himself from this agenda item, as the applicant is a relative. Mayor Wilbert asked if any other Councilmembers had received any exparte oral or written communications on this matter or if there were any potential appearance of fairness issues. She added that if any member of the audience had any appearance of fairness challenge for any Councilmember or the Mayor, that they should make their concerns known at this time. Councilman Platt, Councilmember Picinich, and Councilmember Owel all stated that they had received written communication from Bob Frisbie regarding this item, and had read the information. Mayor Wilbert said she also had received this packet, and ruled that the information was not a part of the record and should be disregarded in any decisions being made. No one from the audience responded to the appearance of fairness issue. After discussion between Councilmembers and staff, the following motions were made.

MOTION: Move to add a section 2. D. to the resolution to read as follows: The parking agreement shall state that should the use approved subject to Conditional Use Permit 95-02 cease, the parking agreement between the parties shall

terminate, and the applicant or its successor in interest shall not have use of the off-site parking for any other, subsequent application, unless specifically approved by the City.

Owel/Picinich - unanimously approved.

MOTION: Move approval of Resolution No. 445 as amended.
Platt/Owel -

Councilmember Owel asked to amend the motion to include labeling for the off-site parking stalls.

AMENDED MOTION: Move to amend the resolution to add a section 2-E to read:
The parking agreement shall state that off-site parking spaces will be identified as exclusive to the coffee shop pursuant to Conditional Use Permit 95-02.
Owel/Platt - unanimously approved.

5. First Reading - Revised Building Code. Steve Bowman presented the first reading of this ordinance adopting the Washington State Building Codes with State and City revisions. He gave a brief overview of some of the revisions. This ordinance will return at the next council meeting for its second reading.

6. Resolution - Amending Fee Schedules. Ray Gilmore introduced this resolution to amend the fee schedule due to the deletion of radon test kits being issued by the city.

MOTION: Move to amend the fee schedule by adoption of Resolution No. 446.
Markovich/Picinich - unanimously approved.

7. Resolution - Corrected Legal Description (ANX91-07 - Gig Harbor Interchange Annex.) Ray Gilmore presented this resolution making two minor corrections to the legal description recorded with Pierce County in the Tallman Annexation.

MOTION: Move we adopt Resolution No. 447 amending the legal description to ANX91-07.
Picinich/Markovich - unanimously approved.

8. Liquor License Application - Good Spirit Market & Deli. Discussion regarding the close proximity of this location to the Henderson Bay Alternative School led to the following motion.

MOTION: Move we recommend denial of this application.
Picinich/Owel - Councilmembers Picinich and Owel voting in favor.
Councilmembers Platt and Markovich voting against. Mayor Wilbert broke the tie by voting in favor of denying the application.

9. Transfer Application - Kinza Teriyaki. No action taken.

10. Liquor License Renewals - Harvester, Puerto Vallarta, and Round Table Pizza. No action taken.

MAYOR'S REPORT:

Best Management Practice for Hazardous Waste. Mayor Wilbert showed Councilmembers the BMP Manual, poster, and pamphlets developed to educate marina owners and their tenants throughout the Puget Sound Area in the handling of waste and hazardous waste. She added that the marina owners in Gig Harbor had helped in developing the manual, and these materials had been distributed back to them. She said these educational tools had been funded by a grant awarded to Puget Soundkeepers Alliance by the Puget Sound Water Quality Authority.

In a Major Earthquake, what do I do about Natural Gas? Mayor Wilbert illustrated how to turn off a gas meter utilizing the model gas meter provided by Washington Natural Gas, in cooperation with GHKP Emergency Preparedness Committee, Ace Hardware, and Borgens. The display, available for citizens to practice shutting off their own gas, will be at City Hall through July.

Earthquake on Sakhalin Island, Russia. Mayor Wilbert said there was no damage in our Sister City, but the people there have asked for assistance in developing a children's hospital. She added that the third graders Discovery Elementary students had initiated a penny drive, and Key Bank had donated one thousand penny rollers toward their effort to raise money to share with the children in Russia.

COUNCIL COMMENTS: None.

STAFF REPORT:

Ben Yazici gave an update on the grant applications. He said that the Judson Street and Harborview Street End projects had not been accepted, but the Rosedale Street project had cleared the first cut. He complimented Maureen Whitaker, Public Works Assistant, for her assistance in authoring the grant applications. He added that the grant was for \$500,000, plus an additional \$70,000 had been received from a previous grant. With the matching City funds, the approximate funding for the project would be \$700,000.

Ben reported that the contractors are approximately two weeks ahead of schedule on the North Harborview Drive Project and the estimated completion date is July 22nd.

ANNOUNCEMENT OF OTHER MEETINGS:

Farmer's Market Meeting - 8:30 a.m. City Hall, June 13th.

APPROVAL OF BILLS:

MOTION: Move approval of warrants #14236 through #14328 in the amount of \$549,921.41.
Platt/Picinich - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of warrants #11190 through #11305 in the amount of \$172,916.76.

Platt/Picinich - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session for the purpose of discussing litigation and possible litigation for approximately 30 minutes.

Picinich/Platt - unanimously approved.

MOTION: Move to return to Regular Session.

Picinich/Platt - unanimously approved.

The Mayor requested Ben Yazici to do a water analysis study between the Correction Center and the business areas at McCormick Creek and bring back the information to Council.

ADJOURN:

MOTION: Move to adjourn at 9:30 p.m.

Platt/Picinich - unanimously approved.

Cassette recorder utilized.

Tape 390 Side A 000 - end.

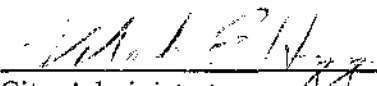
Tape 390 Side B 000 - end.

Tape 391 Side A 000 - end.

Tape 391 Side B 000 - 306.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JUNE 26, 1995

PRESENT: Councilmembers Picinich, Platt, Owel, Ekberg, Markovich and Mayor Wilbert.

PUBLIC COMMENT / DISCUSSION:

Michael Joss - 6820 Kimball Drive. Mr. Joss asked Council to reconsider their recommendation to the State Liquor Board to deny his application for a license to sell beer and wine from his food store and deli. He added that Kinza Teriyaki, a restaurant next door, had been allowed a liquor license. Council instructed the City Administrator contract the Liquor Board and ask them to measure the distance from the Henderson Bay Alternative School property line to the applicant's property for accuracy before denying the application.

CALL TO ORDER: 7:18 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the June 12, 1995 meeting as presented. Platt/Picinich - unanimously approved. Councilman Ekberg abstained.

CORRESPONDENCE:

1. Department of the Air Force - McChord. Mayor Wilbert spoke briefly on this letter from Colonel Craig Rasmussen, a new commander, thanking the community for its continued support and announcing upcoming summer events.
2. Puget Sound Regional Council. Mayor Wilbert gave an overview of this letter certifying the Pierce County countywide policies and Vision 2020 conditional approval, and the minutes of the last annual meeting.
3. Sid Morrison - State Dept. of Transportation. Mayor Wilbert spoke on this letter regarding the status of Senate House Bill 1317 - Public/Private Partnership Bill. She added that the SR520 and SR 522 projects have been petitioned to be placed on the ballot, but SR16 had not received enough petitions to be placed on the ballot as yet.
4. Jennifer Belcher - Commissioner of Public Lands. This letter from the Department of Natural Resources referenced the purchase of the Purdy 'B' property for a public park by Pierce County and the Peninsula Parks Association. The letter indicates that the property is available through the appropriate channels.
5. Regional Transit Authority. This letter states that the Transit Authority will be coming back with a recommendation for a citizen vote in the spring.

OLD BUSINESS:

1. Second Reading - Revised Building Code. Steve Bowman gave a brief overview of this ordinance adopting the Washington State Building Codes with State and City revisions. He asked that Council add language drafted by legal counsel declaring the effective date of the

Ordinance to be June 30, 1995, to coincide with the effective date of the State Building Code as adopted by the State Legislature.

MOTION: Move we adopt the 1994 Uniform Building Codes with revisions as adopted by the Washington State Building Code Council and as recommended by the Gig Harbor Building Code Advisory Board, and further, we adopt an emergency revision that these codes will be in effect as of June 30, 1995.
Markovich/Ekberg - unanimously approved.

NEW BUSINESS:

1. Reappointment of Theresa Malich Mueller to the Planning Commission. Mayor Wilbert asked for a motion to reappoint Ms. Mueller to another six year term on the Planning Commission.

MOTION: Move approval of the Mayor's reappointment of Theresa Malich Mueller to another six year term on the Planning Commission.
Picinich/Platt - unanimously approved.

2. Request for Utility Extension - Westside Professional Park. Mark Hoppen gave a brief presentation on this request for reconsideration for a utility extension of 6.45 ERUs of sewer capacity to a site on Olympic Drive NW that was previously denied. Councilman Ekberg questioned the inconsistency of the inclusion of paragraph 15 of the contract, specifying the owner would not protest an LID for sidewalks, curbs and gutters in the future, when Section 12.B of the contract states that the applicant would be required to conform to City Standards, which would require curbs, gutters, and sidewalks upon construction. Mr. Hoppen stated that it was in the best interest of the City to develop these improvements along Olympic Drive with a future LID, rather than piece by piece. Mr. Ekberg then apologized to the applicant for the delay in approving the extension.

MOTION: Move we extend 6.45 ERUs to Mr. Kirk and Mr. Matthaei for the Westside Professional Park.
Markovich/Platt - unanimously approved.

3. Professional Services Agreement - Thornton. Mark Hoppen presented this agreement with Thornton Land Surveying to survey a feasible route to connect the Seacliff area to Peacock Hill Road. He added that this contract was consistent with the 1995 Budget Objective to acquire an easement for a connecting corridor from 112th Street to Crescent Valley Drive.

MOTION: Move to authorize the signing of a contract with Thornton Land Surveying in an amount not to exceed \$3,400.
Platt/Ekberg - unanimously approved.

4. Resolution Opposing Acceptance of Spent Nuclear Fuel. Mayor Wilbert asked for a motion to approve this resolution that mirrors one that was passed by Pierce County, and opposes the transportation of spent nuclear fuel through the Port of Tacoma.

MOTION: Move approval of Resolution No. 448.
Markovich/Platt - unanimously approved.

5. Liquor License Application, Change of Ownership - Down East Restaurant. No action taken.
6. Briefing on Initiative 164 - Carol Morris. Carol Morris, legal counsel, gave a presentation on Initiative 164, which will go into effect July 22, 1995, unless 90,000 signatures could be gathered for a referendum, placing the issue on the November ballot. She passed out a memo outlining some the issues surrounding 164 and highlighted several items. She suggested that Council strategize in Executive Session on different ways to approach 164 to provide the least amount of liability to the City.

MAYOR'S REPORT: None.

COUNCIL COMMENTS: None.

STAFF REPORT:

Chief Dennis Richards - GHPD. Chief Richards passed out a copy of the ratings from the citizens who participated in the recent Citizens Academy. He then shared photos from a recent marijuana grow operation and a "potato gun" that had been seized from another drug bust. He added that the department was very busy with investigations, and they could not spend as much time as usual working radar. Councilmember Platt asked when the radar trailer would be returning. Chief Richards explained that when the sales representative from California came through again, he would get the trailer. He added that it would cost \$8000 to purchase a trailer, and that it could be set up to do traffic counts, and can take pictures. Councilman Platt also requested that a cover be purchased to cover the police boat to protect it from the sun.

ANNOUNCEMENT OF OTHER MEETINGS: None.

APPROVAL OF BILLS: No bills presented.

EXECUTIVE SESSION:

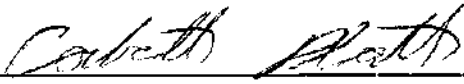
MOTION: Move to adjourn to Executive Session for the purpose of discussing claims and possible litigation for approximately 20 minutes.
Markovich/Picinich - unanimously approved.

MOTION: Move to return to Regular Session.
Picinich/Platt - unanimously approved.


ADJOURN:

MOTION: Move to adjourn at 8:42 p.m.
Platt/Owel - unanimously approved.

Cassette recorder utilized.
Tape 391 Side B 308 - end.
Tape 392 Side A 000 - end.
Tape 392 Side B 000 - 342.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JULY 10, 1995

PRESENT: Councilmembers Picinich, Platt, Owel, Ekberg, and Markovich. Councilmember Platt acted as Mayor Pro Tem.

PUBLIC COMMENT / DISCUSSION:

Jim Boge - 6606 Soundview Drive. Mr. Boge stated that the crosswalks in town, especially the one in front of Jerisich Park, have faded to the point of being unrecognizable, and that this happens every year before being restriped. Mr. Hoppen explained that the public works crew was currently re-striping the parking stalls, and that the other striping, including crosswalks, has been contracted out to be done with a longer-lasting plasticized material.

Councilman Platt asked that if the crosswalk at the old City Light Building was going to be reinstated. Mr. Hoppen said that it would not.

Councilman Markovich asked if there was any law regarding how a property looks, referring to the proposed Gig Harbor Motel property on Harborview, which has the windows broken out and is overgrown with weeds. Lt. Bill Colberg mentioned that the police department has had a problem with teenagers spending the night in the abandoned building. Carol Morris said that Uniform Building Code addresses the abatement of dangerous buildings and requiring the property owner to keep the building closed up.

Councilman Picinich stated he had several people approach him also, and had spoken with the property owner, Bob Mitton, and that some effort had been made to clean up the area. He said that he would speak to him again.

Don Rose - Troop #212. Don explained that he is a boyscout earning his "Citizenship in the Community" merit badge, and needed to attend a council meeting and take notes to report back to his troop.

Ron Bentley - 7316 82nd St. Ct. NW. - Mr. Bentley said that in the one month since the inception of the new sign code that visits to their open houses to the Gig Harbor Heights development had dropped. He said that an increase in advertising had not helped. He added that he could count on at least 5 - 10 new prospects in any given weekend, and in the last four weeks, he had no new visitors at the development. He added that in the same time period, other properties located in the county, where additional directional signs are allowed, had not had a decrease in traffic. He said that Craig Marshall, agent for Greyhawk, had also said there was a drop in traffic. Mr. Bentley said builders were having to pay interest on existing buildings that have not been sold, and therefore, were not willing to build additional homes to avoid the risk of not being able to sell them. He asked if it wouldn't be better for the city to collect the permit fees for building, and property taxes on houses, rather than on empty lots. He asked that the Council once again review the recommendations made by the Association of Realtors during the sign code review process to see if they could be adopted into the code because the current code is not working.

Councilman Picinich commented that he had seen two properties close in Greyhawk, with earnest money being placed on a third property, all within the last month. He said all the blame for the lack of sales was being placed solely on the sign code, when people have told him other factors should be considered, such as changes in the school district, the economy, and the bridge. Mr. Bentley said those factors would affect the whole market in the area, not just within city limits, and stressed that his figures show the decline in real estate traffic inside the city limits since the sign code was passed.

Bill Higgins - 12303 Meridian South, Puyallup. Mr. Higgins stated he is one of the developers for The Heights. He said he had no idea that the sign code revisions could affect his life to the degree it has. He added that if they had known prior to the purchasing and the development of that plat that they were going to be substantially limited in the ability to direct people into the plat, they might have not developed it. He said he might be approaching the issue on a selfish level, and that he understood that others may have taken advantage of the ability to place signs, plus the desire to keep Gig Harbor beautiful, but requested consideration for his own circumstances. He said when they went through the process to develop, they did everything that was requested of them by the City and thought they would have a reasonable chance to market the development. He asked to be allowed to sell what he had developed with the city's approval.

Mayor ProTem Platt asked how many signs would be needed to sell these houses. Mr. Bentley said at the most, five, but they could get by using four, which is two more than currently allowed. Carol Morris advised Mr. Bentley and Mr. Higgins that there is variance procedure in the sign code, and they should explore that option by speaking to the Planning Director.

Bruce Rogers - 2804 Harborview Drive. Mr. Rogers, manager of Murphy's Landing, said thank you for the new Harborview Drive / North Harborview Drive street project, and that he appreciated how difficult it was, but that it looks great. He then asked Council for their help in getting the 1/8 mile of street from the Tides Tavern to the Old Ferry Landing redone. He added that the road has deteriorated, the curbs were falling apart, and since the new restaurant had opened, the added traffic made the road nearly impassable at times. He said that he had worked on the proposed street project that had been voted down by a minority, and asked if the project could again be reconsidered.

CALL TO ORDER: 7:30 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the June 26, 1995 meeting as presented.
Markovich/Ekberg - unanimously approved.

CORRESPONDENCE: None.

OLD BUSINESS: None.

NEW BUSINESS:

1. Insurance Quote - Association of Washington Cities. Mark Hoppen introduced Jerry Spears, who gave an overview of the AWC proposal to the City to supply insurance coverage in the upcoming year. Mr. Hoppen explained that this information would be given to the current insurance broker, Bratrud Middleton, who will return at a later date with a presentation.
2. Resolution - Setting Fees for Photocopying and Transcription Charges. Molly Towslee gave a presentation of this resolution to document cost per copy charges for public documents, which is required by amendments to RCW 42.17.300.

MOTION: Move approval of Resolution #449 as presented.
Markovich/Ekberg - unanimously approved.

MAYOR'S REPORT: None.

COUNCIL COMMENTS: None.

STAFF REPORT:

Lieutenant Bill Colberg - GHPD. Lt. Colberg gave an overview of the current stats and explained that the DUIs are down 44%. He said he felt this was due to an awareness of people and reduction of drinking and driving. He explained he himself puts 50 - 100 mile on the vehicle per night patrolling a 2-1/2 mile loop, and added that crime currently seems to be on a downswing. He added that the officers had been assisting Pierce County and the State Patrol in calls just outside city limits.

ANNOUNCEMENT OF OTHER MEETINGS: None.

APPROVAL OF PAYROLL:

MOTION: Move approval of payroll warrants #11306 through #11423 in the amount of \$176,621.58.
Owel/Ekberg - unanimously approved.

APPROVAL OF BILLS:

MOTION: Move approval of warrants #14329 through #14369 in the amount of \$46,368.58.
Owel/Ekberg - unanimously approved.

MOTION: Move approval of warrants #14416 through #14370 in the amount of \$386,729.36.
Owel/Ekberg - unanimously approved.

EXECUTIVE SESSION:

- MOTION:** Move to adjourn to Executive Session at 7:50 p.m. for the purpose of discussing a claim for approximately 20 minutes.
Picinich/Ekberg - unanimously approved.
- MOTION:** Move to return to Regular Session at 8:03 p.m.
Picinich/ - unanimously approved.
- MOTION:** Move to authorize the payment of the claim by Scott Wittmers in the amount of \$220.00.
Picinich/Owel - unanimously approved.
- MOTION:** Move to authorize the acceptance of \$1300 in the settlement of the Eachus Lawsuit, and authorize the city attorney to sign the stipulated dismissal.
Picinich/Markovich - unanimously approved.
- MOTION:** Move to authorize the city attorney to draft an ordinance for street vacation procedures.
Picinich/Ekberg - unanimously approved.

ADJOURN:

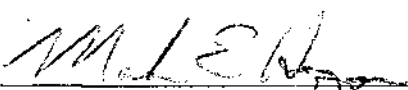
- MOTION:** Move to adjourn at 8:05 p.m.
Platt/Owel - unanimously approved.

Cassette recorder utilized.
Tape 392 Side B 344 - end.
Tape 393 Side A 000 - end.
Tape 393 Side B 000 - 199.

Tape malfunction - recording blank after Council adjourned into Executive Session until adjournment.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JULY 24, 1995

PRESENT: Councilmembers Picinich, Platt, Owel, Ekberg, Markovich and Mayor Wilbert.

PUBLIC COMMENT / DISCUSSION:

Jim Boge - 6606 Soundview Drive. Mr. Boge asked that if a sign code variance were applied for, if there would there be any citizen input allowed before the decision was made. Ray Gilmore, Planning Director, explained that any variance request would go before the Hearing Examiner, and that the new code did not allow for administrative decisions in this area.

Don Thompson - 9716 43rd NW. Mr. Thompson briefed the Council on the attempt by his neighborhood, Avalon Woods, to annex to the City of Gig Harbor. He explained that when their neighborhood joined the Gig Harbor North annexation effort, they were not aware that there would be the lengthy delays involved, and that Statute 35A.14.230 would not allow them to break away from an annexation effort. He added that for approximately four years the neighborhood has had city sewer, storm drain, and water in anticipation of annexation, and asked if Council would explore the option of allowing them to break away from the Gig Harbor North annexation efforts to avoid further delays and allow them to annex on their own.

Mark Hoppen, City Administrator, explained the elements involved in the Gig Harbor North annexation effort, and how the delays were being handled. He added that he was expecting a response from the applicant by the end of this week and that he would be bringing the issue to Council soon.

Mr. Thompson asked that if something concrete had not occurred within 60 days, then would Council consider allowing Avalon Woods to come forth with their own annexation petition. Mr. Hoppen will keep Mr. Thompson informed of the progress.

SPECIAL PRESENTATION:

Pierce County Jail Services and Capacity Recommendation - Andrew Neiditz. Mr. Neiditz, Executive Director of Public Safety for Pierce County, handed out the Jail Services and Capacity Recommendations and gave an overview of what methods had been explored to rectify the problem of overcrowding in the existing facilities. He asked for support in the upcoming year to pass a 1/10 of one cent increase in sales tax to pay for the proposed "no frills" jail and juvenile facilities.

PUBLIC HEARING:

Six Year Transportation Plan. Mayor Wilbert opened the public hearing portion of the meeting at 6:30 p.m. Ben Yazici, Public Works Director, presented an overview of the projects slated to be completed within the next six years. He added that the plan includes several projects to be initiated in 1996; Pioneer Way/Kimball Drive project, a carry over from 1995, Judson Street improvements, Rosedale Street improvements, and others as time and the budget permits. He added that we would receive approximately \$600,000 in grant funds for the Rosedale project.

Mayor Wilbert asked if anyone in the audience had any comments on the Transportation Plan. No one came forward to speak. She then asked Councilmembers for comments. Councilman Ekberg asked if the East/West Road should be included in the plan. Mr. Yazici said it was an oversight, and yes, that it should be included because no grant funding could be obtained for a project unless it was included in the City's Six Year Transportation Plan. Mayor Wilbert suggested including the Hunt Street Overpass, and a frontage road connecting Kimball Drive with Olympic Village to the project list as well. Councilman Picinich agreed with the inclusion of the Hunt Street Overpass, and asked questions regarding the frontage road. Mr. Yazici stated that there appears to be sufficient room to facilitate this road. He added that these two projects, if included in the Six Year Plan, would be slated for the fourth, fifth, and sixth years due to funding. With no further comments from the audience or Council, the public hearing was closed at 7:47 p.m.

CALL TO ORDER: 7:47 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the July 10, 1995 meeting as presented. Markovich/Ekberg - unanimously approved.

CORRESPONDENCE: None.

OLD BUSINESS: None.

NEW BUSINESS:

1. Resolution - Six Year Transportation Plan.

MOTION: Move to approve Resolution #450 adopting the Six Year Transportation Plan, with the addition of items 9, the East/West Road, item 10, Hunt Overpass, and 11, a frontage road connecting Kimball Drive to Olympic Village. Platt/Owel - unanimously approved.

2. Award of Contract for Street Striping - Apply A Line, Inc. Ben Yazici presented this contract to restripe all the streets and crosswalks. He added that a thermoplastic striping would be used on the crosswalks, which would approximately six times longer than paint. He explained that though the low bid from Apply-A-Line, Inc. was \$1,500 more than had been budgeted for, the savings from the North Harborview Drive/Harborview Drive project would make up the difference.

MOTION: Move to award the Street Striping contract to Apply-A-Line, Inc. for \$10,071.12, including all applicable taxes. Picinich/Platt - unanimously approved.

3. Parks and Recreation Impact Fee Program. Ben Yazici explained that Council allocated \$20,000 in this year's budget to develop this program. He added that the purpose of the impact fee was not to increase the current level of service, but only to assure that future

development would not diminish the existing parks standard. He asked Council to authorize a professional services contract with The Beckwith Consulting Group to assist in developing a Parks and Recreation Impact Fee Program. The contract would include the development of a Comprehensive Park Plan, Comprehensive Capital Improvement Plan, and an Impact Fee Program for Parks and Recreation for the amount of \$19,379.00. Ben assured the Council that The Beckwith Consulting Group was very experienced in this area, and had done work for the city previously, and that he was pleased with the quality of their work.

MOTION: Move to award the professional services contract to The Beckwith Consulting Group to develop a Comprehensive Park Plan, Capital Improvement Plan and Impact Fee Program for the City of Gig Harbor Parks & Recreation Department, for a cost not to exceed \$19,379.00.
Markovich/Picinich - unanimously approved.

4. Impact Fee Programs, Citizens Committee. Mr. Yazici presented this resolution authorizing the formation of a citizens committee to develop transportation and park impact fee programs. He explained the committee was to be made up of two members of the Planning Commission, one accountant or finance person, one license professional engineer, one professional contractor or builder, and two lay citizens residing within the City displaying an interest in impact fees. He added that he also felt that he should be included in the group to facilitate the process. He explained the method of choosing the committee and outlined the process the committee would take in order to bring a recommendation before the Council.

Mayor Wilbert stated that the Planning Commission was extremely busy, and asked that the provision for two Planning Commission members be changed to one. Councilman Ekberg said it should be modified to read "up to two" Planning Commission members in case two were available and interested in participating.

Councilman Picinich voiced his concern that the October 15th deadline was insufficient to get through the process. He asked if progress had been made in choosing a consultant to develop the Transportation Impact Fees. Ben explained that currently he was in the negotiation process to choose a consultant to perform that task. He added that the October 15th target date was optimistic.

Carol Morris, legal counsel, emphasized that the impact fee program must be on-line and the ordinance adopted before December 7, 1995, in case Initiative 164 goes into effect on December 7th, which would require an economic impact analysis on every ordinance adopted after that date. She advised adhering to the existing schedule of October 15th to meet that deadline.

MOTION: Move adoption of Resolution #451, with the inclusion of the Public Works Director on the committee, and the words, "up to two" be added to the Planning Commission member requirement.
Markovich/Ekberg - unanimously approved.

5. Water Intertie with Harbor Water Company. Mr. Yazici presented this request from Harbor Water Company to intertie with the city water system in the Swede Hill Interchange area. He explained that since 1988, 36 residences on Peacock Hill had been served by Harbor Water, as the city did not have sufficient pressure to serve this area. Harbor Water was allowed to use the City-owned water tank on Peacock Hill, and the City billed and collected revenues from the customers receiving Harbor Company water. In this request Harbor Water is asking to install a waterline, at their cost, to intertie with the city water lines and provide fireflow to the area at Swede Hill, in lieu of building their own water tank. Ben explained that he wanted to reach an agreement with Harbor Water that would be mutually beneficial to both parties, and gave an overview of the provisions. Mark Hoppen pointed out that an additional benefit would be lower water rates over time.

Betty Garrison - PO Box 527. Ms. Garrison asked if the fireflow support would only be extended to the Bujacich / Sehmel intersection, or if it could be extended to the surrounding area. Mr. Yazici assured her that fireflow support could be extended past that intersection. Ms. Garrison urged Councilmembers to make a decision at this meeting as the area needed a timely solution to their fireflow problems.

MOTION: Move to authorize the City Attorney and the Public Works Director to draft an agreement consistent with the issues identified to establish the intertie at the Swede Hill and Sehmel Drive intersection, to be brought back before Council for approval and the Mayor's signature.
Markovich/Ekberg - unanimously approved.

6. Vernhardson Street/Goodman Avenue Overlay Contract Award. Mr. Yazici presented this contract to overlay Vernhardson Street and pave Goodman Avenue. He gave a brief overview of the bid results and answered questions.

MOTION: Move we award the Vernhardson Street Overlay and Goodman Avenue Paving projects to Woodworth & Company Inc. for a lump sum amount of \$53,000.
Picinich/Ekberg - unanimously approved.

7. Chapel Hill Presbyterian Proposed Expansion - Resolution. Mayor Wilbert asked if any Councilmembers wished to reveal any ex parte oral or written communications on this matter, or to disclose any potential appearance of fairness issues, or if any member of the audience had any appearance of fairness challenges to any of the Councilmembers or Mayor. There was no response to this query. She then asked the applicant's representative, William Lynn, to stand and take an oath of truth in any testimony given by him at this meeting, which he did.

Ray Gilmore, Planning Director, gave an overview of the project. He added that staff had recommended denial of the variance because there was no site-specific hardship to warrant the additional 24.5 feet height above the maximum height of the zone. He explained that the Hearing Examiner, after two public hearings, had approved both the height variance and conditional use permit for this project. Ray said that several requirements regarding firecode/building code and ADA were not incorporated into the Hearing Examiner's

conditions of approval, but had been added to the resolution for consideration.

Councilmember Owel stated that she could not see where the site plan application has addressed compatibility with the City's Comprehensive Plan. Mr. Gilmore said that was one of the issues brought up in the staff report. He summarized the land use policies pertinent to this project and emphasized that the City's Comprehensive Plan states that new structures should maintain a small town scale.

Carol Morris, legal counsel, pointed out that in the Hearing Examiner's Findings, the examiner specifically states compatibility with the City's Comprehensive Plan even though the staff report points out that the Comprehensive Plan requires a small town scale for new structures, which was inconsistent with the Comprehensive Plan. Councilman Owel said she would like to see this issue addressed.

Councilmember Markovich commented that the portion of the Comprehensive Plan requiring small town structures may be a critical problem because Gig Harbor, especially our urban growth area, is so diversified, and included much more than the downtown area. He added that he felt there was nothing wrong with the church. He added that there are other large scale buildings in that area, such as the high school.

Councilmember Ekberg asked for clarification for the conditional use permit. He added that his only concern was that he could see no justification for the height variance and that the Hearing Examiner didn't meet these conditions. Council then discussed which way to proceed. Carol Morris advised them that the conditional use permit and the height variance were final, and only the site plan was being considered. She added that site plan conditions could be considered not met by Council if the Council decided the conditions of the Comprehensive Plan had not been met, and the Hearing Examiner's Recommendations for approval could be modified or rejected.

Councilmember Owel suggested having the applicant re-submit a more comprehensive site-plan addressing this issue more completely. Carol Morris advised Council they could modify or reject the recommendation by the Hearing Examiner and hold their own public hearing on the site plan and adopt their own findings and conclusions based on the criteria for site-plan approval and the issue of compatibility with the Comprehensive Plan. Council would be making their own findings and would not be bound to the Hearing Examiner's Findings in regard to any of the criteria for the site plan.

William Lynn requested permission to make a procedural point, and Councilman Markovich asked to hear what he had to say.

William Lynn - 2200 First Interstate Plaza, Seattle. Mr. Lynn stressed that making a decision without all the testimony that was presented to the Hearing Examiner would be premature. He said that before Council decides that the Hearing Examiner didn't have enough evidence for his findings, and to decide that this building is out of scale, all the pertinent information should be reviewed. He offered to make a presentation of the information to council. He said that the presentation that had been made to the Hearing Examiner was extensive, up to two hours long, and included aerial photos, photos from the

freeway, and several letters of support from the surrounding property owners. He added that no one objected to the project. He said this information is why the Examiner was able to find that this building was not going to be highly visible from the freeway, and that the building was in scale with the neighborhood.

Carol Morris asked Mr. Lynn if he recommend Council hold another hearing. Mr. Lynn said it is within their prerogative, and before Council makes a decision they should see all the evidence that the Hearing Examiner had.

Councilmember Platt stated that if Council were to have their own hearing, it would set the project back a few weeks, but in a project of this scope, wouldn't be a major setback. He added that he was present at the first hearing and was surprised at the amount of public support. He heard no opposition to the project.

MOTION: Move we adopt the Hearing Examiner's Recommendations.
Markovich / No second to the motion. The motion died for lack of a second.

MOTION: Move we reject the Hearing Examiner's Decision and hold a new public hearing on the site plan to be held on September 11, 1995, as agreed to by the Applicant.
Picinich/Platt - unanimously approved.

8. Howard Dahl - Rezone. Ray Gilmore introduced this application for a rezone of the property located at 7715 Skansi Avenue from a R-1, single family, to a RB-2, residential business. He described the surrounding properties as St. John's Episcopal Church, Chapel Hill Presbyterian, the PTI storage area, and Shoreline Glass. He added that the Hearing Examiner held a public hearing, and recommended approval of the rezone as it is consistent with the Comprehensive Plan. He said the first reading of the ordinance to approve the rezone would be presented at the next City Council meeting.
9. Regulatory Reform Act -- I-164. Carol Morris, legal counsel, talked about the Regulatory Reform Act in effect and how it affects the City's code and permit hearings. She said that sufficient signatures had been collected for verification to put Initiative 164 on the November ballot, and if passed, it will go into effect on December 7th. Because Regulatory Reform requires the City to adopt several new ordinances which could be interpreted as a restraint on land use, Ms. Morris advised Council to adopt any of these ordinances prior to 164 going into effect, so that an economic impact analysis would not have to be done on the ordinances. She provided a handout outlining the permitting process under Regulatory Reform and gave an overview of the process.
10. First Reading - Ordinance Adopting Changes to City Traffic Code. Mark Hoppen briefly introduced the first reading of this ordinance to amend the City Municipal Code to keep the City's traffic code current with the State Statutes. This ordinance will return for a second reading at the next council meeting.
11. Liquor License Renewals: Captains Terrace; Emerald Star; Hunan Garden; Kinza Teryaki; and Green Turtle. Councilmember Picinich asked that staff contact the liquor board and ask

that they measure the distance from Kinza Teryaki to the Henderson Bay School grounds to see if the restaurant is within the 500 feet limit. No other action taken.

ANNOUNCEMENT OF OTHER MEETINGS:

Planning Commission Public Hearing on the Zoning Code Update - Thursday, August 3rd, 7:00 p.m. at City Hall.

APPROVAL OF BILLS:

MOTION: Move approval of warrants #14417 through #14508 in the amount of \$733,605.98.
Platt/Ekberg - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 9:31 p.m. for the purpose of discussing pending litigation and potential litigation for approximately 20 minutes.
Platt/Picinich - unanimously approved.

MOTION: Move to return to Regular Session at 9:47 p.m.
Picinich/Platt - unanimously approved.

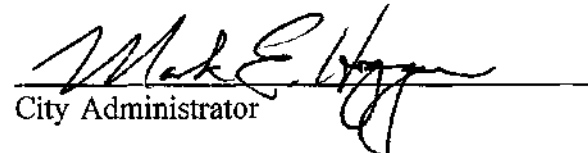
ADJOURN:

MOTION: Move to adjourn at 9:47 p.m.
Platt/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 393 Side B 200 - end.
Tape 394 Both Sides.
Tape 395 Both Sides.
Tape 396 Side A 000 - 028.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF AUGUST 14, 1995

PRESENT: Councilmembers Picinich, Platt, Owel, Ekberg, Markovich and Mayor Wilbert.

PUBLIC COMMENT / DISCUSSION: None.

CALL TO ORDER: 7:47 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the July 24, 1995 meeting as presented.
Picinich/Platt - unanimously approved.

CORRESPONDENCE:

1. WFOA - 1995 Budget Award. Mayor Wilbert commented on this letter announcing that Gig Harbor's 1995 Budget had earned the Washington Finance Officers Association Distinguished Budget Award. She congratulated Tom Enlow, Finance Director, for his hard work in preparing the budget.
2. Nuclear Waste Policy - President Clinton. Mayor Wilbert briefly touched on this letter from the President to Mark Hoppen, City Administrator, thanking him for sharing his views on the Nuclear Waste Policy Act of 1982.
3. Open Positions on the P.C. Solid Waste Advisory Committee. Mayor Wilbert announced that if any member of the community was interested in serving in these two positions, she would be happy to submit their names for consideration.
4. 1996/1996 Count of Pierce County Homeless Community. Mayor Wilbert reported on this letter announcing the coordinated attempt to count the homeless in Pierce County to be done on September 26th and 27th and asking for assistance in behalf of our community .
5. Advisory on Referendum 48, Stan Finkelstein, AWC Executive Director. Mayor Wilbert introduced this advisory announcing that enough signatures had been obtained to place Referendum 48 on the November 7th ballot.

OLD BUSINESS:

1. Howard Dahl - Rezone Request, First Reading of Ordinance. Ray Gilmore introduced the ordinance for a rezone of the property located at 7715 Skansie Avenue from a R-1, single family, to a RB-2, residential business, which had a public hearing at the last council meeting. The second reading of the ordinance to approve the rezone will be presented at the next City Council meeting.
2. Second Reading - Ordinance Adopting Changes to City Traffic Code. Mark Hoppen summarized the second reading of this ordinance to amend the City Municipal Code to keep the City's traffic code current with the State Statutes.

MOTION: Move to adopt Ordinance 694 amending the City Traffic Code.
Markovich/Picinich - unanimously approved.

NEW BUSINESS:

1. Appeal of Right-of-Way Permit Denial - Doug Sorensen. Mark Hoppen gave a history of this appeal of the right-of-way use permit applied for by Mr. Doug Sorensen to reconstruct a fence that was removed during the new construction of North Harborview Drive. Because the fence does not meet zoning requirements on adjacent private property, the application was denied. Mr. Sorensen appealed the denial due to privacy issues.

Legal counsel, Carol Morris, explained that the "grandfathering clause" did not apply to any public property, and because the fence would be located on the public right-of-way, was not a valid argument in this case. Councilmember Owel said she has walked that area and agrees with the privacy concerns and that there were site-specific issues for this particular property.

Doug Sorensen - 9409 No. Harborview Dr. - Mr. Sorensen stated that his property was unique in that it was the only property in town where the fence had been taken down by the city and not allowed to be put back up. He added that a neighbor had been allowed to replace their shrubs which were paid for by the city. He said that these shrubs are non-conforming because they are over four feet tall and located on city property. He passed out a picture showing other non-conforming fences in the city, and pictures illustrating the lack of privacy on his property since the removal of his shrubs and fence.

Glenna Malanca - 7922 Goodman Drive NW - Ms. Malanca explained that she was a friend of the Sorensens. She applauded the North Harborview Drive project of which her friends seemed victims because of the fence issue. She asked if staff could act on the appeal process, since were it not for the road project, the Sorensen's fence would still be there.

MOTION: Move we approve the right-of-way permit for Mr. Sorensen to construct up to a six foot high fence to replace the fence and shrubs that were there before the North Harborview roadway project.
Markovich/Ekberg -

Councilman Ekberg asked if the city had paid for shrubs to be replaced on another property affected by the road project. Mr. Yazici explained that yes, some landscaping had been replaced, but that the conditions were different due to the fact there was more room to replant that was not available on the Sorensen property. Councilman Owel suggested placing conditions on the right-of-way permit to make it site specific to prevent setting a precedence for other non-conforming fences to be built in the right-of-way. Carol Morris said she could draft a resolution to set forth the facts so the approval of this permit would be on record for future reference.

AMENDED MOTION: Amend the motion to approve the right-of-way permit through resolution form stating site specific reasons.
Owel/Picinich - unanimously approved.

2. Recommended Building Code Change - Frank Ruffo. Ray Gilmore, Planning Director, gave a brief history of this proposed building permit renewal fee schedule. Mr. Frank Ruffo sent a letter of protest for having to renew an expired building permit to have a final inspection on the deck of their home. He paid the fees but requested Council's consideration to change the code to allow flexibility in cases such as his, and requested a refund of the \$743.63 renewal fee.

Mr. Gilmore explained that a building permit is good for one year from date of issue and briefly outlined the process required to keep a building permit active for that year. He added that if a permit is renewed before expiration, there is no charge for renewal. Only when the permit is allowed to expire, does the code require a new application in the amount of one-half the original fee.

After discussion, Council decided to take no action and to leave the code as is.

3. Juror Services Contract. Mark Hoppen introduced this contract for pre-qualified jury members for the municipal court. He pointed out that an increase from 500 jurors to 750 was necessary due to the shortage of qualified jurors during the last year.

MOTION: Move that we approve the Juror Services Contract for 750 qualified jurors in an amount not to exceed \$2,443.75, and that the Mayor be authorized to execute this contract on behalf of the city.
Markovich/Ekberg - unanimously approved.

4. Rosedale Street / Chapel Hill Church Street Improvements. Ben Yazici, Public Works Director, explained that one of the conditions of the previous Chapel Hill expansion project was to build curbs, gutters and sidewalk improvements. In lieu of making these improvements, he suggested Chapel Hill make a contribution toward the Rosedale Street project to be completed next year. He added that the Church was in agreement with this suggestion and is ready to deposit \$29,684.37 toward the project. Mr. Yazici asked for Council's approval for this change.

MOTION: Move we authorize the City Administrator to collect \$29,684.37 from the Chapel Hill Church for the curbs, gutters, and sidewalk improvements and to release the Church from the responsibility of building such improvements.
Picinich/Owel - unanimously approved.

5. Transportation Impact Fee Program - Professional Service Contract, KJS Associates. Ben Yazici asked for Council's approval to award this contract to KJS Associates to assist in the development of the Transportation Impact Fee Program.

MOTION: Move to award the professional services contract to KJS Associates, Inc. to develop a Transportation Impact Fee Program for the City of Gig Harbor for a cost not to exceed \$34,000.
Picinich/Markovich - unanimously approved.

Mr. Yazici added that he had run an ad in the paper to find interested parties to serve on the Transportation and Park Impact Fees programs committee, but had not received much interest. He asked if any Councilmembers could suggest someone who would be interested in serving on the committee, and added that the park impact fees would require three to four meetings, and the transportation impact fees would require four. He said that the meetings could be held consecutively on the same day to save time.

6. Hearing Examiner Recommendation, SP 95-01 - Steve Zuvela, (for Walter Morris & Randy Eaton). Ray Gilmore presented the Hearing Examiner's recommendation for approval to construct a private, joint-use, sixty-foot recreational pier.

Mayor Wilbert asked if any Councilmembers wished to reveal any ex parte oral or written communications on this matter, or to disclose any potential appearance of fairness issues, or if any member of the audience had any appearance of fairness challenges to any of the Councilmembers or Mayor. There was no response to this query. She then asked the representative for the project, Walter Morris, to take an oath of honesty in any testimony that he may give, to which he answered affirmatively.

MOTION: Move that SP 95-01 be approved subject to the conditions set forth in the Hearing Examiner's Findings and Recommendations.
Markovich/Picinich - unanimously approved.

7. St. John's Episcopal Church - SPR - 95-04. Ray Gilmore presented the Hearing Examiner's approval of a conditional use permit for St. John's Episcopal Church to utilize their facility for the Holy Family School, and the recommendation to approve the site plan, subject to conditions.

Mayor Wilbert asked if any Councilmembers wished to reveal any ex parte oral or written communications on this matter, or to disclose any potential appearance of fairness issues, or if any member of the audience had any appearance of fairness challenges to any of the Councilmembers or Mayor. There was no response to this query. She then asked the representative for the project, Catherine McGee, to take an oath of honesty in any testimony that she may give, to which she answered affirmatively.

MOTION: Move adoption of Resolution #452 for site plan approval of Holy Family School to operate in the existing church facility at 7701 Skansie Avenue.
Picinich/Markovich - unanimously approved.

MAYOR'S REPORT:

Pedestrian / Bicycle Safety - Mayor Wilbert said that there are several issues that have been brought to her attention regarding pedestrian, bicycle and automobile safety issues, and that they could be addressed through a meeting of the Public Safety Committee, or on an individual basis as they come to her attention. Councilmember Owel asked who served on the committee, and Mayor Wilbert responded that it was made up of the Public Works Director, Police Chief, City Administrator, Councilman Picinich and Councilman Platt. Councilman Ekberg suggested this would be a good spot to begin dealing with these issues. Councilman Platt asked who would replace Chief Richards

on the committee, and it was suggested to ask Lt. Colberg to fill in. Mayor Wilbert said these issues would be brought before the Public Safety Committee.

Mayor Wilbert then addressed the memo from the Pierce County Regional Council, to which the city is responding with two recommendations. One recommendation is to send the Mayor back asking for the Executive Committee to have a simple majority quorum rather than a one-third minority quorum. Councilmember Markovich asked if the Executive Committee's actions are recommendations to the full council or are they empowered to make decisions independently of the council. Mark Hoppen explained that they are required to obtain approval of the full council, but that they do carry a great deal of influence. Mayor Wilbert added that the second recommendation is to submit all the Councilmembers as alternates to attend in her absence, to eliminate the problem of someone being available to attend. The Councilmembers agreed to this.

STAFF REPORT:

Mark Hoppen passed out a copy of the letter from the Department of Natural Resources responding to his letter requesting the State to require the vessel "Sea Star" to find alternate moorage outside of Gig Harbor Bay. He added that a proposal to create an anchorage in the east side of the bay was currently before DNR and they seem positive toward the proposal. He said that the maritime police patrol is working with Pierce County to facilitate the removal of unwanted buoys in the bay and enforcing unleased buoy moorage in the bay.

ANNOUNCEMENT OF OTHER MEETINGS:

Budget Workshop - Wednesday, August 30th, 3 p.m. to 6 p.m. at North by Northwest.

APPROVAL OF BILLS:

MOTION: Move approval of warrants #14421 through #14614 except warrant #14581 in the amount of \$483,451.93.
Platt/Markovich - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of warrants #11424 through #11551 in the amount of \$182,125.40.
Platt/Markovich - unanimously approved.

EXECUTIVE SESSION:


MOTION: Move to adjourn to Executive Session at 8:45 p.m. for the purpose of discussing property acquisition for approximately 10 minutes.
Picinich/Platt - unanimously approved.

MOTION: Move to return to Regular Session at 8:50 p.m.
Picinich/Platt - unanimously approved.


ADJOURN:

MOTION: Move to adjourn at 8:50 p.m.
Ekberg/Markovich - unanimously approved.

Cassette recorder utilized.
Tape 396 Side A 029 - end.
Tape 396 Side B 000 - end.
Tape 397 Side A 000 - 134.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF AUGUST 28, 1995

PRESENT: Councilmembers Picinich, Platt, Owel, Ekberg, Markovich and Mayor Wilbert.

PUBLIC COMMENT / DISCUSSION:

Larry Burcar - 8910 Franklin Avenue. Mr. Burcar shared his concerns about the increased traffic speeding down Franklin. He said it has created a dangerous situation and gave an example of an elderly lady who was almost run down recently. He added that he is aware that the police cannot be there all the time, but suggested they increase their patrol during commute hours. He also suggested placing a three-way stop at the intersection of Fuller and Franklin. He asked that something be done before there was a fatality.

Councilman Ekberg asked Mark Hoppen to check with the Police Department on how many tickets had been issued in this area and to report back to Council with that information.

Jim Boge - 6606 Soundview Drive. Mr. Boge said that two months ago he came to Council with his concerns about the faded crosswalks and had been told something was going to be done soon. He said he checked this afternoon, and the crosswalks at Jerisich Park and in front of Dunlap's Deli had not been done. He added it was a shame that summer was almost over and it had not been done.

Mark Hoppen explained that the contracts had just been signed and work should begin within a week. Councilman Ekberg added that the striping project had been delayed to wait for the completion of the Harborview Drive project, and that the longer-lasting material would prevent the fading of the crosswalks so quickly.

Carl Sletto - Arabellas Landing. Mr. Sletto said he had information regarding the request by Jim Richardson to remove the judgement against his property. Mr. Hoppen informed Mr. Sletto that this issue was going to be added as an item under New Business this evening, and his testimony would be accepted at that time.

CALL TO ORDER: 7:10 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the August 14, 1995 meeting with correction.
Picinich/Platt - unanimously approved.

CORRESPONDENCE:

1. Jail Capacity Presentation - Andrew Neiditz, Executive Director of Public Safety. Mayor Wilbert presented this letter thanking the Mayor and Councilmembers for inviting him to present a jail capacity report. She added that this remains a high profile issue.

2. Request for Proposal for Grants - State Growth Management Services. Mayor Wilbert introduced Carol Morris, legal counsel, to comment on this request for grant proposals. Ms. Morris said that with Council's approval she would be making grant application not only for the City of Gig Harbor, but for other cities to develop a model ordinance for regulatory reform, and hopefully would receive some of the available funds to cover her legal fees.

Ray Gilmore, Planning Director, added that the Department of Community, Trade and Economic Development had been awarded 3.5 million by the legislature to assist local communities with the Growth Management Act and Regulatory Reform. He added that only \$150,000 was being awarded with this request for proposals for grants. He suggested that the Mayor pen a letter to request additional funds for this task.

3. Regional Transit Authority / Citizen's Forum. Mayor Wilbert asked if anyone had any suggestions for the Regional Transit Authority. She added that it would once again be coming up for a vote, and she didn't expect residents on this side of the bridge to be included in the voting process, as they were not included previously.

OLD BUSINESS:

1. Howard Dahl - Rezone Request, Second Reading of Ordinance. Ray Gilmore introduced the second reading of this ordinance for a rezone of the property located at 7715 Skansie Avenue from a R-1, single family, to a RB-2, residential business.

MOTION: Move to approve Ordinance No. 695.
Markovich/Ekberg - unanimously approved.

2. Resolution for Appeal of Right-of-Way Permit Denial - Doug Sorensen. Mark Hoppen asked Carol Morris to present the resolution she drafted at Council's direction. Ms. Morris stated she had drafted this resolution stating findings and facts that are specific to this approval to provide a history for granting this permit. She said that she understood that Council had not placed any conditions upon the approval, but added that if Council wanted to add specific conditions, they could rescind their decision and consider the permit again. She said that there is a question of whether or not Mr. Sorensen actually owns a portion of the property where he proposes to place the fence. She said that if this were so, the ordinance states that Mr. Sorensen would have to provide the City with assurance from the neighbor that he has possessory use of the property. Ms. Morris suggested that if Council were to approve the Resolution before them, that they change it to read "the fence is approved *up to 100 feet*" in case Mr. Sorensen is unable to get approval from his neighbor and he is forced to only build 50 feet of fence.

Councilman Picinich suggested waiting to act until Mr. Sorensen was able to get permission from his neighbor for the additional 50 feet of fence so the blanks in the resolution regarding placement of the fence could be filled in.

MOTION: Move we approve Resolution No. 453 with the amendment to Section 2 that we allow from 50 up to 100 feet in length and six feet in height to be placed along 9409 North Harborview Drive.
Markovich/Picinich -

Councilmember Platt said he was not in favor of granting this fence on city right-of-way. He added that he is not comfortable with the approval, especially with the fence being placed in front of another's property. Councilmember Ekberg added that because of the unique situation the applicant should be able to put something back, but he didn't believe that a structure six feet high was necessary. He said he thought privacy could be restored without a six foot fence.

Carol Morris said that because Council had recommended approval at the last council meeting with a resolution, that if they decide to change their mind and add conditions, they need to rescind their previous decision and confront the application at another time in order to give the applicant a chance to prepare for a meeting to consider the application.

Councilmember Markovich noted there was a motion on the table. Mayor Wilbert asked for a vote on whether to call for the question and stop discussion. Councilmember Markovich voted in favor of calling for the question and stopping the discussion. Councilmembers Owel, Platt, Ekberg, and Picinich voted in favor of keeping discussion open. The motion to continue discussing the issues was carried.

Councilmember Owel said she didn't feel that the Sorensens had initiated the situation for which they were asking for remedy. She added that in reviewing the GHMC, the applicant's do not have many avenues open to them, other than a major remodel or site plan modification, which may not be available to them. She said that if it were commercial property, the owner would be required to provide precisely that kind of screening. Councilmember Owel added that the steep terrain is common throughout the City, and there are not many avenues to address this situation except through resolution, making it site-specific. She said her final concern is that the City needs to address these incremental impacts on citizens due to traffic. She stressed that this property is solely residential, not commercial, and that Mr. Sorensen has a legitimate need to restore his privacy.

Councilmember Markovich said he supported everything Councilmember Owel had said. Councilman Picinich said he also agreed but his concern is the second party in control of the fifty foot section.

Mayor Wilbert suggested tabling the issue to place the proper language in the resolution and having any questions answered. Councilmember Picinich asked Doug Sorensen whether or not he had permission to place a fence in front of their neighbor's property.

Doug Sorensen attempted to clarify the layout of the property and where the fence would be located. He said the property was on a corner, and that the fence would front his property, not the neighbor's. He said he could get permission from the property owner, who would be agreeable.

Councilmember Owel asked for the length of Mr. Sorensen's property frontage on North Harborview. He answered that it is 105 feet. Mark Hoppen asked if Mr. Sorensen's driveway is on his property or on an easement, because he plans to place the fence in front of his driveway. Mr. Sorensen responded that the driveway is on all on City property but fronts approximately 50' on the neighbor's property. He clarified that it is complicated because of the pie-shape, and if you look at it from the street, it looks like his property, but it's really his neighbor's.

AMENDED MOTION: Move we table any action on this until we have an exact site plan showing the properties and where the fence is going to be placed. Ekberg/Platt - four voted in favor. Councilmember Markovich voted against.

NEW BUSINESS:

1. Request for Time Extension - Design Guidelines Technical Committee; Revised Resolution. Ray Gilmore, Planning Director, gave a history on the appointment of the Committee and explained that although they have made substantial progress to do a complete and thorough job will require more time. He requested that Council approve a Resolution allowing the Committee more time by extending the deadline to December 31, 1995. Carol Morris added that if 164 is adopted by the voters, and the Council gives a recommendation to present the guidelines to the Planning Commission after the adoption of 164, an economic impact analysis on these regulations will probably have to be done.

Rick Gagliano - 8607 56th Ave. NW. Mr. Gagliano introduced himself as the Chairman of the Design Guidelines Technical Committee. He said that they had spent the last month working closely with the Planning Commission to make sure their recommendations would not be in conflict with the new zoning amendments. If the zoning amendments are in place before 164 is passed, they wanted to be sure that the design guidelines that they recommend will be consistent and not of dire impact.

Mr. Gilmore said the Staff is aware that extending the deadline to December 31st may result in an EIS being required, but the alternative would be to submit an incomplete product, and that the Planning Commission would prefer to have a completed guideline. Councilman Platt asked for an Executive Summary of the progress of the Committee to be presented at the Budget Workshop on Wednesday.

MOTION: Move adoption of Resolution #454.
Markovich/Ekberg - unanimously approved.

2. Assigned Counsel Contract - Pierce County. Mark Hoppen explained that because the contract came so late in the year, a higher price had not been negotiated by Pierce County. He said that the price was the same as the previous year.

MOTION: Move we approve the Assigned Counsel Agreement for an amount not to exceed \$15,750 annually.
Markovich/Platt - unanimously approved.

3. Liquor License Renewals - Bartell Drug Co.; Olympic Village BP; Gig Harbor Yacht Club.
No action taken.

Mayor Wilbert asked if Mark Hoppen would gather information regarding the specific classes of liquor license and distribute to Councilmembers for future reference.

4. James Richardson Judgement. Mark Hoppen gave a brief history of the judgement placed upon Mr. Richardson's property to assure that he built his addition in compliance to the height and building code after he had begun construction, without permits or a variance, for 30" over the height limit. He added that Mr. Richardson would like the \$30,000 judgement that had been placed on his property by the City be removed to allow him to obtain a loan to finish the construction. Mr. Hoppen explained that there is another, much larger obligation, that may be removed some time this week. Carol Morris added that Mr. Richardson had not yet paid anything toward the judgement or the interest that had been accruing. She said that Council had the option to forgive the judgement or to subordinate it to the new loan.

Carl Sletto - Arabella's Landing. Mr. Sletto said he is attempting to broker a mortgage for Mr. Richardson to allow him to refinance his house to complete the repairs that he had begun. He said the title came back with the \$30,000 judgement by the City and another \$400,000 judgement against his company and property, and that Mr. Richardson is in the process of satisfying the other, larger judgement. Mr. Sletto said that they are attempting to refinance his house to pay off the existing loan with Key Bank, leaving him with approximately \$11,000 to complete the improvements on the home. He said the property as it stands is worth approximately \$122,000, but with the completed repairs it could be worth up to \$140,000 with a mortgage of \$65,000. He said it would be a good investment for the City if they insisted on taking the \$30,000 back.

Councilmember Platt pointed out that this was the same Jim Richardson who was quoted in the newspaper as saying "The City didn't get nothing from me" in regards to the judgement placed upon his property.

Councilmember Ekberg stressed that one of the reasons the City has an agenda with a cut-off date is to enable Council to do research on an agenda item. He added that he was not prepared to make any decisions on this request and suggested it be brought back on the next agenda. Mr. Hoppen said he agreed and added that he had requested Mr. Richardson to provide evidence that the other judgement had been removed, but that had not been received.

MAYOR'S REPORT

The City of Gig Harbor 50 Year Anniversary Celebration. Mayor Wilbert said she had sent a letter to the Historical Society and other past, public officials asking for assistance with gathering information. Councilmember Markovich said he thought this was a wonderful opportunity to bring together the City government, business community, and service community to celebrate this community-wide event. Mayor Wilbert asked Councilmembers Picinich and Markovich to be on a planning committee.

STAFF REPORT: None.

ANNOUNCEMENT OF OTHER MEETINGS:

Budget Workshop - Wednesday, August 30th, 3 p.m. to 6 p.m. at North by Northwest.

Cassette recorder utilized.

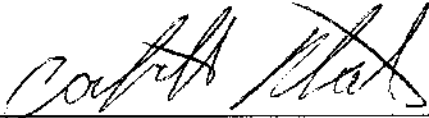
Tape 398 Side B 138 - end.

Tape 399 Side A 000 - end.

Tape 399 Side B 000 - end.

Tape 400 Side A 000 - end.

Tape 400 Side B 000 - 369.



Mayor Pro Tem



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF SEPTEMBER 25, 1995

PRESENT: Councilmembers Picinich, Owel, and Ekberg. Councilmember Platt acted as Mayor Pro Tem in Mayor Wilbert's absence.

PUBLIC COMMENT / DISCUSSION: None.

CALL TO ORDER: 7:10 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the September 11, 1995 meeting as presented.
Picinich/Ekberg - unanimously approved.

CORRESPONDENCE:

1. Pierce County - District #7 Meeting on December 12, 1995.
2. State Representative Mike Carrell - Property Taxes Working Group.
3. Peninsula High School Student - Jennifer Bisenius.

OLD BUSINESS:

1. Second Reading - Ordinance for 1995 Budget Amendment for Debt Redemption. Tom Enlow introduced the second reading of this ordinance.

MOTION: Move for adoption of Ordinance No. 696 authorizing the transfer of funds and redemption of the remaining 1985 Water/Sewer Advance Refunding Bonds and adopting Attachment 'A', the updated 1995 salary schedule.
Picinich/Owel - unanimously approved.

2. Resolution - Chapel Hill Presbyterian Church. Ray Gilmore presented the ordinance with findings and conclusions reflecting Council's action on this application, following the September 13, 1995 public hearing. Ray Gilmore pointed out a grammatical error in the Resolution to be corrected.

MOTION: Move adoption of Resolution 455 approving the site plan for Chapel Hill Church as corrected by legal staff.
Picinich/Owel - unanimously approved.

NEW BUSINESS:

1. Hearing Examiner Recommendation for Approval - SP95-04, Gig Harbor Motel. Mayor Pro Tem Platt asked if any Councilmembers wished to reveal any ex parte oral or written communications on this matter, or to disclose any potential appearance of fairness issues, or if any member of the audience had any appearance of fairness challenges to any of the Councilmembers or Mayor. There was no response to this query. He then asked the

Mayor Wilbert announced a recess at 9:00 p.m. The Council Meeting resumed at 9:05 p.m.

CALL TO ORDER: 9:07 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the August 28, 1995 meeting with correction.
Picinich/Platt - unanimously approved.

CORRESPONDENCE:

1. Washington Finance Officers Association - certification of Professional Finance Officer for Tom Enlow. Mayor Wilbert congratulated Tom Enlow for his hard work in obtaining this certification.
2. Washington Finance Officers Association - certification of Professional Finance Officer for Fumiko Tamaru. Mayor Wilbert also congratulated Ms. Tamaru for her diligence in maintaining such a high level of professionalism. Tom Enlow said he was very proud of Fumiko and added that she had grown a lot professionally in the last year.

OLD BUSINESS:

1. Resolution for Appeal of Right-of-Way Permit Denial - Doug Sorensen. Carol Morris informed Council that the information that Mr. Sorensen submitted still did not meet the code's requirement. She added that the document is evidence of an easement for a portion of the property owned by the Currier's and a common users easement on a portion of the vacated Otter Street. She said that this easement is for right of use, not right of possession of the property. She advised Council that they could adopt the resolution limiting the fence to be placed only in front of his own property, or to wait and request the applicant to obtain more information on who the "common users" are for Otter Street and have these parties also apply for the right-of-way permit, along with the Curriers.

Councilman Picinich said he would like to allow the applicant to begin construction in front of his own property. Carol Morris advised him that the applicant could come back later and make another application when he was able to obtain signatures from the Curriers and the other "common users". The Sorensen's asked for clarification of the application process and agreed that they would like to place the fence where it originally was, but if they could not, they would like the option of putting it in front of their own property.

Councilman Ekberg stated that there are two issues here, one of placing a fence on City right-of-way, and the ordinance regulating the fence height in a front yard. He said he wanted to make his concerns known, because it is not the only unique piece of property in town, and added that just because someone currently has a fence on right-of-way, they automatically cannot replace the fence if it is removed.

MOTION: Move we approve Resolution No. 453 with the amendment to Section 2 that we allow construction of a fence six feet in height to be placed along 9409 North Harborview Drive beginning five feet south of the monument marking

the beginning of the Sorensen's property, continuing south for 100 feet to their southern most property line. In addition, the Sorensen's will be responsible for any cost incurred in removing the existing fence and transport of the materials to the public works shop, and the construction of a new fence.

Picinich/Markovich - unanimously approved.

NEW BUSINESS:

1. 1995 Budget Amendment for Debt Redemption. Tom Enlow introduced the first reading of this ordinance amending the 1995 budget to authorize the transfer of funds and redemption of the remaining 1985 Water/Sewer Advance Refunding Bonds, and to adopt the updated 1995 salary schedule. This ordinance will return at the next meeting for a second reading.
2. Special Occasion Liquor License - Fall Harvest Festival, St. Nicholas Church. No action taken.

MAYOR'S REPORT:

Commencement Bay Maritime Fest. Mayor Wilbert briefly introduced her report on the Maritime Fest. She said that she would not be available to participate in the festivities and asked if any Councilmembers were interested in representing the City.

STAFF REPORT:

Mayor Wilbert welcomed Lt. Bill Colberg as the acting Chief of Police, who gave a brief report on the past months activities, stating that things had been reasonably quiet, and that DWIs were down.

ANNOUNCEMENT OF OTHER MEETINGS: None.

APPROVAL OF BILLS:

MOTION: Move approval of warrants #14655 through #14723 in the amount of \$47,103.31.
Platt/Ekberg - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of warrants #11552 through #11685 in the amount of \$190,368.56.
Platt/Ekberg - unanimously approved.

EXECUTIVE SESSION: None.

ADJOURN:

MOTION: Move to adjourn at 9:36 p.m.
Owel/Ekberg - unanimously approved.

architect and has served on the Planning Commission. He added that he has seen a lot of activity and growth happen in the area, most of it congruent, and some of it he is sorry to see. He said that he loves this area and it seems there should be a place in the harbor for a large place of worship. He urged Council to accept this project.

Joseph Meyers - 11106 36th Ave. Ct NW. Mr. Meyers said he was the current Chairperson for the Peninsula Advisory Commission and had done considerable construction from Tukwila to Portland. He said he has a reputation on the PAC for being critical of variances, but he believes that this particular project benefits hundreds if not thousands of people and the variance should be considered in that context. He said he didn't think it was a bad thing for Gig Harbor to have a reputation of having a strong, Christian atmosphere.

Councilmember Owel asked for more specifics on how to address the traffic concerns in North Creek Development. Mr. Brasher used the aerial photo to show the proposed 3-lane access off Skansie. He said that this entrance was designed to reduce the traffic off Rosedale. He said that the access into North Creek was intended to be maintained but that the design of the 3-lane Skansie entrance would minimize the use of the North Creek access. Councilmember Owel then asked if there would be any problem barricading the North Creek access as had been requested by Ms. Keagle. He said he didn't believe there would be a problem, but the use of it, just by the very nature of the design of the proposed Skansie entrance, would be minimized. Councilmember Owel interjected that this assumption was relatively unpredictable, and that it is difficult to predict traffic impacts. She added that she knows there are concerns about the traffic, and added that obviously, there will be lots of activity if it is to be a Gig Harbor center whose use wouldn't be confined to Sundays. She said if it is a concern, she would like to see it vigorously addressed. She said that if he insists that no one will be using it anyway, there would be no problem with closing the road off. She said that if they do intend on using it then obviously it will contribute to a traffic problem. Mr. Brasher said that this is a concern that could be taken into consideration.

Councilmember Ekberg asked how the traffic flow from the parking lot out to Rosedale Street would be handled. Mr. Brasher said that due to the nature of the design of the proposed entrance off Skansie, it would be easier for people to use this entrance, taking the bulk of the traffic off Rosedale. Councilmember Ekberg then asked for an explanation of the proposed landscaping behind Quiet Maples and the area extending over to Rosedale. Mr. Brasher explained that the proposed landscaping is a 25' width buffer of dense evergreens called deodar cedars. He added that these are dense, columnar trees that can grow up to 80 feet. In addition to that he said that low landscaping would be added along with a six foot high fence to block the headlights of cars from shining into Quiet Maples.

Councilmember Owel asked about concerns about drainage. Mr. Brasher answered that the problem had been solved two or three years ago when the church had built a retention and outfall system.

There were no further questions and Mayor Wilbert closed the public hearing portion of the meeting.

MOTION: Move for the adoption of Resolution #455 granting site approval for

Chapel Hill Presbyterian Church incorporating the findings, conclusions and recommendations of the Hearing Examiner in his report dated June 1, 1995 and his reconsideration dated June 26, 1995, listed as items numbered one through thirteen.

Platt/Picinich -

Legal counsel recommended that because Council held their own Public Hearing, that they do not adopt the Hearing Examiner's findings and conclusions, but to adopt their own which would be based upon the Hearing Examiner's, but would also include their own findings that may be made at this meeting.

AMENDED MOTION: To adopt Resolution #455 as rewritten by legal counsel and based upon the Hearing Examiner's findings and conclusions number one through thirteen.

Platt/Picinich -

Councilmember Picinich asked if Councilmember Owel wished to include a condition to this motion regarding the blocking off of the entrance into North Creek Estates. Councilmember Owel asked staff if the City had any options. Carol Morris advised the Council that any agreement to place a barrier on this access would have to be between the property owners. Councilman Picinich asked Pastor Toone about the road. Pastor Toone answered that the church had agreed to allow that road to be put in at the request of the North Creek development for placement of a sewer easement, and in exchange the church was given access to the road. Ms. Keagle added that the problem is that this was done by the developers, not the homeowners, who did not know about the agreement. Mayor Wilbert reminded the audience that the public testimony portion of the hearing had been closed.

Councilmember Ekberg said he heard concerns about the access to North Creek being used for more than just Sunday Sessions and that the Church has tried to arrange the traffic to address the concerns. He asked Staff if a condition could be placed on the site plan that this road be maintained for fire access only and be gated. Ray Gilmore said that it is a private road and that fire access is dealt with on only public roads, and it would be difficult to justify to require gating of a private road from a private street. Councilmember Owel said that her whole point in bringing it up is that she understood that it is a private road and not addressable, but added that she would like the church's word that if the traffic impacts develop to the degree that they need some relief that it will be worked out. Pastor Toone replied "I feel that this is fair."

Councilmember Markovich questioned whether traffic impact aren't usually a part of the site plan review process. Mr. Gilmore answered that yes, but that the Public Works Department had not identified a traffic impact issue with that road.

Mayor Wilbert called for the question on the motion on the table.

AMENDED MOTION: To adopt Resolution #455 as rewritten by legal counsel and based upon the Hearing Examiner's findings and conclusions number one through thirteen.

Platt/Picinich - unanimously approved.

Hearing Examiner in the original application. Mayor Wilbert added that there were two new exhibits prepared by staff to be presented, which were shown on the overhead projector and identified as Exhibit #1 and Exhibit #2. Mr. Osguthorpe presented these exhibits, which compared the scale of the neighboring PTI building and the Gig Harbor High School to the proposed Chapel Hill project.

Mayor Wilbert opened the public testimony portion of the hearing.

Tom Morfee, President of PNA, P.O. Box 507, Gig Harbor. Mr. Morfee asked Council and the Church representatives to take into consideration the aesthetic quality of the area, and protection of the SR-16 corridor. He added that he was concerned that if this proposed project was allowed, it would set a precedent for construction of other buildings of this scale.

William Lynn - PO Box 1157 Tacoma. Mr. Lynn spoke on behalf of Chapel Hill. He explained that the unique features of the 35 acre parcel, including its heavily treed buffers, distance from SR-16, and the surrounding commercial use, lessens the impact of the scale of the project. He added that the real indication of the compatibility of the project is the support shown from neighbors on all four sides of the property, plus other community groups who would benefit from the project. He demonstrated how the curve on SR-16, the drop of the east lane, and the backdrop of trees minimized the visual impact. He then mentioned that a Supreme Court decision had upheld the First Amendment protecting freedom of religion and that whole ordinances have been thrown out in regards to regulating the building and remodeling of churches. He suggested that in order to avoid the concern of "setting a precedence" in allowing the project, the Council's decision could rest on the Constitution. He introduced Dan Barsher, architect for the project.

Dan Barsher - 12202 Pacific Avenue, Tacoma. Mr. Barsher said he had been working with Chapel Hill on this project for four years. He gave an overview of the master planning process used by the Chapel Hill Congregation to arrive at a final design for their church, taking into account the wetlands located on the property, the slope of the land, and the neighboring residential areas. Mr. Barsher showed photos that illustrated "looking into the site" from the outlying areas. He showed the six different schemes that had been developed, and the final conceptual drawing that led to the actual final design. He added that they had opted to move the building back from the original drawing to lessen the impact on the neighboring Quiet Maples neighborhood. Mr. Barsher gave a report on how the final design of the sanctuary was developed to make the most of acoustics and seating to meet the needs of the growing congregation, while attempting to control sprawl. He referred to the model to illustrate how the sanctuary had been moved back on the site, and the landscaping plan designed to protect the Quiet Maples development and to provide screening from SR-16. Additional exhibits illustrated the heights of other churches in the City and the view of the site from different points along SR-16, including one with the new sanctuary superimposed upon the photo. In conclusion, he said that the illustrations and exhibits reveal that the project will not have a negative impact, and in fact, demonstrate that it would be a great addition to the community.

Mark Toone - 4814 Rosedale Street. Pastor Toone emphasized that a lot of hard work and time had been spent the last 5-1/2 years planning for this project. He said that the last 2-1/2 years had been spent in raising money and that he had been able to announce on Sunday that 5.5 million

dollars had been raised. He said that the present sanctuary is designed to seat 250 people, but that on an average Sunday, 800 people attend services, with Easter Sunday reaching 1,200, and Christmas service having 2,000 people in attendance. Because of this growth services have been moved to the gymnasium, and an additional service has been added. He said that if a building of the proposed size and scale of the new sanctuary were only used for 2-1/2 hours twice a week it may appear to be a waste of resources, but in fact, the facilities would be a gathering place for community events throughout the week. He said that the facility would be used for speakers, classes, and school events such as commencement exercises. He said church's past practice of allowing their facilities to be used for community activities, at no charge was proof of this. He said that if the City were to build a community center, it would cost the taxpayers millions...and Chapel Hill is willing to supply it for free. He pointed out the level of support from the surrounding neighborhoods, other ministers in the community, and the school district and added that this project was not a detriment to the community, and that it would have a positive affect. He talked about the breakdown of the small-town nature of Gig Harbor, the recent drive-by shooting, and the amount of young runaways in the past year. He said that the church would lend moral and spiritual support to the town. He respectfully asked for support of the project., and reintroduced Bill Lynn to address the City's Comprehensive Plan.

Mr. Lynn said he wanted to address the two issues of the Comprehensive Plan that were in question. First he talked about placing an incompatible structure where it would impact the surrounding area. He said that this did not apply to the project because the surrounding area was protected by the natural features of the property, and added that he could offer no better testimony to the compatibility than the letters of support from the neighbors. He then talked about freeway visibility. He said that the building would be far less visible than existing buildings in the area. He said that if the property were smaller, or if there were no trees, and if the property were closer to SR-16, this might be an issue. He again referred to the photos taken from the freeway showing the site with the new sanctuary superimposed upon one photo, and said that there is no visible impact upon the freeway. Mr. Lynn then cited the case of "City of Sumner vs the Baptists" and added that the court had told Sumner to "work it out". He said that freedom of religion has to prevail and thanked the Council for the opportunity to present his information.

Kathy Keagle - 4619 Salmon Creek Lane. Ms. Keagle, a neighbor of Chapel Hill, said she had been vocal during the project because of her concerns regarding the traffic impacts that may result from the access road from the church into North Creek Estates. She said that the church had added another access onto Skansie to the project, and that she was very appreciative. She said that due to the multi-use nature of the facility, she asked if the church would also consider blocking off the access to the North Creek road with a gate that could still be fire-truck assessable, but would discourage other, through traffic. She added that Pastor Toone had indicated to her that this access would remain open, but she asked if they would reconsider. She said that the neighborhood would love the City to take over the maintenance of their road, but had been told it would cost over \$100,000 to bring it up to city standards. Because they cannot afford those costs, they are hoping to minimize the traffic to make the road last as long as possible.

Bill Reed - 9810 Franklin Avenue. Mr. Reed said that he has lived in the Gig Harbor area since 1959 and that he would like to speak in favor of this development. He added that he is an

APPROVAL OF BILLS:

MOTION: Move approval of warrants #14615 through #14654 in the amount of \$31,698.62.
Platt/Ekberg - unanimously approved.

MOTION: Move approval of warrant #14581 in the amount of \$148.75.
Platt/Ekberg - unanimously approved.

EXECUTIVE SESSION: None.


SPECIAL PRESENTATION:

Mayor Wilbert introduced Claire Petrich. Ms. Petrich, one of the founders and organizers of the Commencement Bay Maritime Fest, gave a brief description of the upcoming festival to be held September 22nd through the 24th on the Thea Foss Waterway in Tacoma. She explained that activities would include tugboat races, which had been reinstated after 40 years, a parade of fishing boats, and other festivities during the two-day festival. She added that a celebration at the Eleventh Street Bridge would be commemorating the 100th year anniversary of the building of the first bridge at that location.

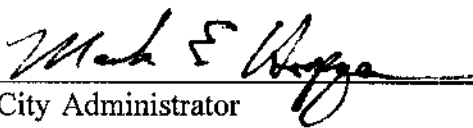
ADJOURN:

MOTION: Move to adjourn at 8:04 p.m.
Platt/Ekberg - unanimously approved.

Cassette recorder utilized.
Tape 397 Side B 135 - end.
Tape 398 Side A 000 - end.
Tape 398 Side B 000 - 137.



Mayor



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF SEPTEMBER 11, 1995

PRESENT: Councilmembers Picinich, Platt, Owel, Ekberg, Markovich and Mayor Wilbert.

PUBLIC COMMENT / DISCUSSION:

Jim Boge - 6606 Soundview Drive. Mr. Boge shared his concerns that the code allows temporary construction or project identification signs, which are limited to information about a building under construction or being remodeled, but in several instances, the signs located at construction sites in Gig Harbor only have the construction company's name. He wanted to know why the contractors are not being held to the code, or why the code isn't changed. He added that the signs are nothing more than advertising for the contractor.

John Miller - 6556 Snug Harbor Lane. Mr. Miller gave a brief overview of the placement of a lien by the City of Gig Harbor on the James Richardson property, up to the current request by Mr. Richardson to remove the lien so he could obtain a loan. Mr. Miller said it is ludicrous for Council to even consider removal of the lien until Mr. Richardson proves he is in compliance.

PUBLIC HEARING: Chapel Hill Presbyterian Church - Site Plan.

Mayor Wilbert opened the Public Hearing at 7:10. Mayor Wilbert asked if any Councilmembers wished to reveal any ex parte oral or written communications on this matter, or to disclose any potential appearance of fairness issues, or if any member of the audience had any appearance of fairness challenges to any of the Councilmembers or Mayor. There was no response to this query. She then asked all parties who had signed up to speak at this hearing to stand and take an oath of honesty in any testimony that he or she may give. The following persons stood and replied affirmatively to the oath of honesty: Tom Morfee, Joseph Meyers, Bill Lynn, Dan Barsher, Mark Toone, Kathy Keagle, Bill Reed, Steve Osguthorpe, and Ray Gilmore. The Mayor continued with the public hearing.

Ray Gilmore, Planning Director, introduced Steve Osguthorpe as the project planner for the Chapel Hill project. He added that the City had received substantial comments on the project, which had been distributed to Councilmembers.

Steven Osguthorpe gave a history of the Council's decision to hold their own Public Hearing on the proposed Chapel Hill Presbyterian Church Site Plan citing concerns over the height, mass, and scale of the project. He added that the conditional use permit for the project is conditional to the approval of the site plan, and if the Council were to require changes to the site plan, the conditional use permit would have to go back to the Hearing Examiner for approval.

Mr. Osguthorpe said that the staff's original recommendation was to deny the site plan, and that had not changed. He offered two design options that would address the mass and scale of the project, while still allowing the approved height of the structure. The first option would be to increase the screening, and the second option would be to move the sanctuary further back on the property. He said that the illustrations and model before Council were the same as the ones submitted to the

representative for the project to take an oath of honesty in any testimony that may be given. No representative for the project was present to reply. Ray Gilmore then introduced this Shoreline Permit for the construction of a 15-unit motel on Harborview Drive. He added that because a portion of the project falls within 200 feet of Gig Harbor Bay, a shoreline permit must be granted before issuance of a building permit. He added that the Hearing Examiner recommended approval of the Shoreline Permit with conditions.

MOTION: Move we approve Shoreline Permit 95-04.
Ekberg/Picinich - unanimously approved.

2. Liquor License Renewal - Hy-Ui-Hee-Hee. No action taken.

MAYOR'S REPORT: Art for the City Hall Foyer.

STAFF REPORT:

Interim Chief of Police, Lt. Colberg, GHPD. Lt. Colberg gave a short report on the pursuit over the weekend that resulted in the apprehension of a male escaped from the Department of Corrections in Shelton, and his female driver for possession of drugs.

Tom Enlow, Finance Director. Tom distributed a printout of budgeted and actual revenues and expenditures for 1993 through 1995 to date, and estimated for the 1996 Budget as required by RCW 35A.33.135.

ANNOUNCEMENT OF OTHER MEETINGS: None.

APPROVAL OF BILLS:

MOTION: Move approval of warrants #14723 through #14812 in the amount of \$243,220.28.
Picinich/Ekberg - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 7:36 p.m. to discuss property acquisition possibilities for approximately five minutes.
Picinich/Owel - two voting in favor. Councilmember Ekberg voting against.

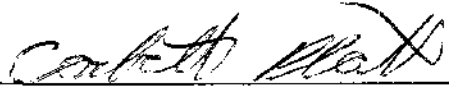
MOTION: Move to return to regular session at 7:41
Picinich/Owel - unanimously approved.

MOTION: Move we make an offer to purchase the property adjacent to the City Park for \$75,000 in the next budgetary year.
Picinich/Ekberg - unanimously approved.

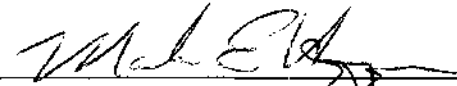
ADJOURN:

MOTION: Move to adjourn at 7:42 p.m.
Picinich/Ekberg - unanimously approved.

Cassette recorder utilized.
Tape 400 Side B 370 - end.
Tape 401 Side A 000 - 228.



Mayor Pro Tem



City Administrator

REGULAR GIG HARBOR CITY COUNCIL MEETING OF OCTOBER 9, 1995

PRESENT: Councilmembers Picinich, Owel, Markovich and Ekberg. Councilmember Platt acted as Mayor Pro Tem in Mayor Wilbert's absence.

PUBLIC COMMENT / DISCUSSION: None.

CALL TO ORDER: 7:05 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the September 25, 1995 meeting as presented.
Owel/Picinich - three voting in favor. Councilmember Markovich abstaining.

CORRESPONDENCE:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

1. Viacom Cable TV Franchise "Change of Ownership" - First Reading of Ordinance. Mark Hoppen introduced this ordinance approving the change of control of the franchise between the City of Gig Harbor and Viacom Cablevision governing the operation and maintenance of a cable television system. Councilman Markovich voiced his concerns about the need to pass an ordinance that he didn't clearly understand. Carol Morris, legal counsel, explained that the FCC requirements state that local jurisdictions have 60 days to approve an ordinance recognizing the transfer of control. If no action is taken, the transfer still takes affect.

Mr. Hoppen introduced Diane Lachel from Viacom to answer questions. Ms. Lachel explained the amount of paperwork that was involved with the transfer and that the Council had three options: 1) to do nothing, and the transfer would still take affect in December; 2) to approve the ordinance that had been presented to acknowledge the change of ownership; and 3) to not approve or deny if just cause could be shown. Councilmember Markovich again restated his concerns that he was not willing to approve an ordinance that stated the transfer was "deemed in the best interest to the citizens of Gig Harbor", when in fact, he had no idea whether or not it was.

Carol Morris added that Council could pass an ordinance with the objectional language removed. She said that the advantage to passing an ordinance of this type was to have a clear record to show the new assignee for the existing franchise agreement with the City of Gig Harbor and Viacom. This ordinance will return for a second reading at the next council meeting.

2. Legal Rate Increase Agreement for 1995. Mark Hoppen briefly introduced this proposal for legal services. He added that this proposal was similar to, but less than last year's request for increases.

MOTION: Move to approve the proposed rate adjustment for legal services for 1996.
Ekberg/Markovich - unanimously approved.

3. SDP95-02 - Pleasurecraft Marina. Mayor Pro Tem Platt asked if any Councilmembers wished to reveal any ex parte oral or written communications on this matter, or to disclose any potential appearance of fairness issues, or if any member of the audience had any appearance of fairness challenges to any of the Councilmembers or Mayor. There was no response to this query. He then asked the representatives for the project to take an oath of honesty in any testimony that may be given. The two representatives for the project stood and answered affirmatively to the oath of honesty.

Ray Gilmore then gave an overview of the Hearing Examiner's findings, conclusions, and recommendation for approval for the shoreline permit application to add five uncovered moorage slips and the removal of underground fuel tanks at the marina located at 3215 Harborview Drive. Councilmember Platt questioned the limiting of the vessel length to 30 feet on the outside slip and asked how that was to be enforced. Mr. Gilmore explained that this was necessary to prevent any moored vessel from extending over the outer harborline and that it would be up to the applicant to stay in compliance. Councilmember Ekberg asked if it would be better to limit the width of the vessel as opposed to the length. Mr. Gilmore explained that due to the orientation of the outside slip, the length of a vessel could encroach upon the outer harborline, not the width. He then introduced the applicant's representative.

Wendell Stroud - PO Box 336, Tacoma. Mr. Stroud, representative for the project, answered Councilmember's questions regarding the regulation of the length of the vessel in the outside slip. He said that it would be easier to have the language in the agreement state that the end vessel was not to extend over the outer harborline rather than specifically limit the length of a vessel, but that the Department of Natural Resources had approved the permit as it was currently written, and that the language should stay as approved.

MOTION: Move we approve the Hearing Examiner's recommendations for approval of Shoreline Development Permit 95-02 for Pleasurecraft Marina.
Markovich/Picinich - unanimously approved.

4. Ordinance Amending GHMC 13.34 Relating to Water & Sewer Extension. Mark Hoppen introduced this ordinance to allow utility extensions outside the city's urban boundary under emergency conditions. Councilmember Markovich questioned why the ordinance was written to only allow municipal or quasi-municipal corporations to apply, possibly eliminating the opportunity for the Purdy Shopping Center to obtain sewer service. Mr. Hoppen explained that he fully expected Pierce County to include the Purdy area into the city's urban growth area, eliminating the need for emergency extensions in this area which is already linked to city sewer service. He noted that the emergency extensions provision

is complementary to existing and future service areas planned under the city water and sewer comprehensive plans.

MOTION: Move approval of Ordinance 697 to allow for emergency utility extensions outside the city's urban boundary with corrections errors as follows: Section 13.34.010 paragraph 'B', changing the word "form" to "from;" and in Section 13.34.070 paragraph 'B', changing the work "financial" to "financially."
Markovich/Owel - unanimously approved.

5. Fire District #5 Emergency Operation Center - Request for Water. Mark Hoppen presented the request from the Fire District to extend a water line service from the existing line adjacent to the Purdy Women's Correction Center to the Emergency Operations Center on Bujacich Road to satisfy their fireflow requirements. He explained that the District would install the line, and then ownership would be turned over to the city upon completion, with no constructino or other costs to be incurred by the city. Mr. Hoppen introduced Glen Stenbak to answer questions.

Glen Stenbak - Fire District #5. Mr. Stenbak said that the Fire District planned on using approximately 320,000 gallons per year during training maneuvers. He added that the on-site domestic flow could not adequately support this usage. He explained the Fire District would pay for the cost of installing the line, and permits. He asked for a latecomer's agreement to be included with the contract to allow the Fire District to recoup some of its costs if others were allowed to connect to the line.

MOTION: Move we approve the extension of water to the Fire District consistent with the Fire District request and that Council request the City Attorney craft an agreement to accommodate that, with the inclusion of a Latecomer's Agreement.
Markovich/Picinich - unanimously approved.

MAYOR'S REPORT:

None.

STAFF REPORT:

None.

ANNOUNCEMENT OF OTHER MEETINGS:

None.

APPROVAL OF PAYROLL:

MOTION: Move approval of warrants #11686 through #11814 in the amount of \$192,305.14.
Picinich/Owel - unanimously approved.

APPROVAL OF BILLS:

MOTION: Move approval of warrants #14813 through #14879 in the amount of \$60,471.69.
Picinich/Markovich- unanimously approved.

EXECUTIVE SESSION:


MOTION: Move to adjourn to Executive Session at 7:51 p.m. to discuss claims and property acquisition for approximately ten minutes.
Picinich/Markovich - unanimously approved.

MOTION: Move to return to regular session at 7:58 p.m.
Picinich/Owel - unanimously approved.

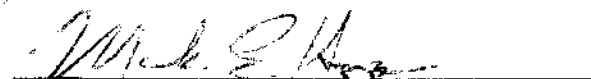
ADJOURN:

MOTION: Move to adjourn at 8:00 p.m.
Picinich/Ekberg - unanimously approved.

Cassette recorder utilized.
Due to tape malfunction, this meeting was not recorded.



Mayor



City Administrator