

GIG HARBOR CITY COUNCIL MEETING OF OCTOBER 9, 2006

PRESENT: Councilmembers Ekberg, Young, Franich, Conan, Dick, Payne, Kadzik and Mayor Hunter.

CALL TO ORDER: 7:03 p.m.

PLEDGE OF ALLEGIANCE:

CONSENT AGENDA:

These consent agenda items are considered routine and may be adopted with one motion as per Gig Harbor Ordinance No. 799.

1. Approval of the Minutes of the City Council Meeting of September 25, 2006.
2. Correspondence / Proclamations: a) YWCA Pierce County Month b) Youth Voting Awareness Week.
3. Sanitary Sewer Facilities Easement and Maintenance Agreement – Babich Marine Fuel.
4. Skansie Avenue Storage Tank Maintenance – Contract Authorization.
5. Eddon Boat Remediation Clean-up Action Plan – Reallocated and Amended Consultant Services Contract – Anchor Environmental, LLC.
6. Payment of Bills for October 9, 2006.
Checks #51607 through #51733 in the amount of \$403,338.90.
7. Payment for Payroll for the Month of September:
Checks #4404 through #4457 and direct deposit entries in the amount of \$461,715.25.

MOTION: Move to approve the Consent Agenda as presented.
Franich / Ekberg – unanimously approved.

OLD BUSINESS:

1. Second Reading of Ordinance - Drug Paraphernalia. Chief Mike Davis presented this ordinance that would control the delivery, sale or manufacture of drug paraphernalia. He said that at the recommendation of Councilmember Payne, the fine had been increased to \$250.00.

Councilmember Dick spoke in favor of this ordinance. There were no further comments made.

MOTION: Move to adopt Ordinance No. 1055 as presented.
Franich / Conan – unanimously approved.

2. Second Reading of Ordinance – Harbor Hill Rezone (REZ 04-35). John Vodopich presented this ordinance that would amend the city's zoning map to adopt zoning changes for a 23.44 acre parcel.

MOTION: Move to adopt Ordinance No. 1056 as presented.
Payne / Dick – unanimously approved.

NEW BUSINESS:

1. First Reading of Ordinance – Interlocal Agreement with Pierce County to Expand the Hospital Benefit Zone. David Rodenbach, Finance Director, explained that this ordinance expands the Hospital Benefit Zone to include some areas of Unincorporated Pierce County up to 144th, and also approves an Interlocal Agreement with Pierce County to include these areas. He said that the public hearing on this expansion will be held during the 2nd reading of the Ordinance at the October 23rd meeting.

Councilmember Payne asked if another expansion would be possible in the future. Mr. Rodenbach responded that he believes this will only be allowed this one time. He then addressed questions about the Department of Revenue saying that this expansion has been done with their blessing and cooperation.

Councilmember Franich voiced concern that this type of financing arrangement could lead to future rezoning to commercial to take advantage of this financing tool. He said that he hopes that this does not happen.

STAFF REPORT:

1. Mike Davis, Chief of Police – September Stats. No verbal report given.

Mayor Hunter asked for an update on the Eddon Boatyard clean-up efforts. Steve Misiurak, City Engineer, explained that he is working with the Department of Ecology to do further chemical testing. He said that after completion of the testing and the analysis is submitted to DOE, he anticipates an opinion letter that will allow the city to move forward with the permitting process. He introduced Dave Templeton, Project Manager from Anchor Environmental, to answer questions.

Councilmember Ekberg asked if there was any way to speed up the process since the city is acting in a voluntary manner to perform the clean-up.

Mr. Templeton explained the two types of Ecology clean-up projects. In the voluntary program you are issued opinion letters as you move through the process. The letters aren't very clear-cut and may contain several caveats. In the other type of clean-up, you enter into an agreed order with DOE that is very specific on decision points and the steps that are required to be taken. He continued to explain that the clean-up of the Eddon Boat property is being done in conjunction with the seller in a voluntary clean-up program. He said that Ecology has not been particularly cooperative in helping to solve regulatory issues on the site. This may be due partly to a project manager that is relatively new to the clean-up program.

Mr. Templeton further explained that there has been a meeting with the supervisors to express frustration with the process, which may have turned out to be a positive move. Another technical memorandum is being submitted to DOE in the next two weeks, and the city should receive another opinion letter regarding the uplands. This letter, along with the results of the next submitted chemical test, will be litmus test as to the renewed

cooperation level. Mr. Templeton finalized by saying that this is a complicated process and that he still believes that the voluntary clean-up program is a better and faster way to move through the program. DOE has been invited to come and visit the site to help understand the end vision for the site in order to help to further the partnership.

Councilmember Payne asked for clarification on the scheduling. Mr. Templeton described the restrictions on a construction schedule. He said that the permitting process can take 8-9 months to go through the ESA process. With a concept in place to submit for permitting, it is realistic to enter into the construction phase during the 2007-2008 time frame. He said that this schedule has been revised based on the agreed-to steps with DOE. Originally, it was hoped to be able to enter into construction during the 2006-2007 construction window.

Mayor Hunter asked about the uplands. Mr. Templeton responded that this phase would include core sampling of the mud to be done from a vessel and some surface sampling on the beach. He said that they try and obtain three-year permits for construction and you can apply for an extension.

PUBLIC COMMENT: No one signed up to speak.

COUNCIL COMMENTS / MAYOR'S REPORT:

Councilmember Franich reported that he spoke with Tim Moore, Project Engineer with the Tacoma Narrows Bridge Project regarding screening, who told him that it may be acceptable to place screening at both approaches of the existing bridge and at the main tower section, but it probably wouldn't do much good. Councilmember Franich then said that the traffic low seems to be getting better.

Councilmember Franich then mentioned that he would like to discuss moving the Council Meeting time to 6:00 p.m.

MOTION: Move to direct staff to bring back an ordinance changing the time of the Council Meeting time.
Franich / Ekberg –

Councilmember Young said that he would also like to discuss changing the meeting day to something other than Mondays.

Councilmember Dick said the earlier time may make it more difficult for those crossing the bridge.

Councilmember Ekberg said that it makes sense to have it at an earlier time rather than having staff wait around until 7:00 p.m. Councilmember Conan agreed, but stressed that the affect on citizen participation needed to be considered.

RESTATED MOTION: Move to direct staff to bring back an ordinance changing the time of the Council Meeting time.
Franich / Ekberg – unanimously approved.

Mayor Hunter said that he and city staff had a good meeting with Pierce County Planning and Engineering, and Terry Lee, County Councilmember. He said that he would like to meet on a quarterly basis to develop a partnership to work on issues such as traffic.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Gig Harbor North Traffic Options Committee Meeting – October 25th, 9:00 a.m. – Community Rooms A&B.
2. Operations and Public Projects Committee Meeting – October 26th, 3:00 p.m. – Engineering & Operations Conference Room.

EXECUTIVE SESSION: For the purpose of discussing pending litigation per RCW 42.30.110(1)(i).


MOTION: Move to adjourn to Executive Session for approximately 15 minutes at 7:32 p.m. in order to discuss pending litigation per RCW 42.30.110(1)(i).
Franich / Young – unanimously approved.

MOTION: Move to return to regular session at 7:45 p.m.
Kadzik / Ekberg – unanimously approved.

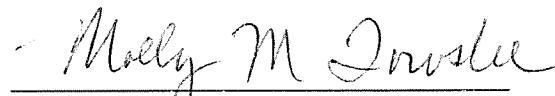
ADJOURN:

MOTION: Move to adjourn at 7:46 p.m.
Franich / Conan – unanimously approved.

CD recorder utilized:
Disk #1 Tracks 1 – 14



Charles L. Hunter, Mayor



Molly M. Towslee, City Clerk