

GIG HARBOR CITY COUNCIL MEETING OF JANUARY 14, 2008

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

CALL TO ORDER: 6:02 p.m.

PLEDGE OF ALLEGIANCE:

SWEARING IN CEREMONY:

Mayor Hunter performed the ceremony with new City Councilmember Ken Malich, and re-elected Councilmembers, Jim Franich, and Paul Conan.

EXECUTIVE SESSION: For the purpose of discussing potential litigation RCW 42.30.110 (1)(i) and property acquisition per RCW 42.30.110 (c).

MOTION: Move to adjourn to Executive Session at 6:09 p.m. to discuss potential litigation and property acquisition for approximately 45 minutes.

Franich / Payne – unanimously approved.

MOTION: Move to return to regular session at 7:53 p.m.

Payne / Conan – unanimously approved.

CONSENT AGENDA:

1. Approval of the Minutes of City Council Meeting of December 10, 2007 and Special City Council Meeting of December 20th.
2. Council Committee Reports: a) Finance / Safety Committee Dec. 17th
3. WWTP Wetlands Survey Report – Consultant Services Contract/Grette & Assoc.
4. Phase 1 / Triangle Study R-2 Zone – Consultant Services Contract/Saltbush & Assoc.
5. Liquor License Application: Uptown Galaxy.
6. Liquor License Assumption: Gig Harbor Chevron
7. Liquor License Renewals: Thai Hut Thai; Cigar Land; GH Chevron; Brix 25.
8. Approval of Payment of Bills for Dec. 24, 2007:
Checks #56198 through #56365 in the amount of \$441,383.05.
9. Approval of Payment of Bills for Jan. 14, 2008:
Checks #56366 through #56529 in the amount of \$1,220,558.90.
10. Approval of Payment of Payroll for December:
Checks #4949 through #4978 and direct deposits in the amount of \$322,368.82.

MOTION: Move to adopt the Consent Agenda as Presented.

Franich / Kadzik – unanimously approved.

OLD BUSINESS: None scheduled.

NEW BUSINESS:

1. Public Hearing and Resolution Adopting Water Use Efficiency Goals. Jeff Langhelm, Senior Project Engineer explained that staff prepared a report of the city's current water use efficiency measures and proposed goals. He said that there are two goals: one to continue the supply side efficiency at less than 6% for a Distribution Leakage Standard, and the second to decrease the demand-site consumption by ¼ of 1% for each of the next six years. He offered to answer questions.

Mayor Hunter opened the public hearing at 7:56 p.m. No one came forward to speak and the public hearing closed.

MOTION: Move to adopt Resolution No. 736 Adopting Water Use Efficiency Goals.
Payne / Franich - unanimously approved.

2. Appointments: Council Committees / Mayor Pro Tem. Mayor Hunter asked for motions to appoint a Mayor Pro Tem and to adopt the Council Committees.

Councilmember Franich voiced appreciation for all the work the committee members put in throughout the year and the job well done by Councilmember Ekberg while serving as Mayor Pro Tem the last two years. He said it is an honor to hold this position and that other members should also share the experience.

MOTION: Move to nominate Councilmember Paul Conan as Mayor Pro Tem for 2008.
Franich / Payne - unanimously approved.

MOTION: Move to accept the appointments for the Council Committees as assigned.
Franich / Conan - unanimously approved.

3. Public Meeting – Notice of Intention – Atkinson Annexation. Matthew Keough, Associate Planner, gave a brief overview of the direct petition annexation process. He highlighted issues raised by staff during the review related to this particular annexation petition for a single parcel located at 5710 38th Avenue NW. Staff concluded that the parcel is associated with surrounding lots and would not meet the criteria of preserving natural neighborhoods. Staff also concluded that the proposed annexation would create an illogical service area and an abnormally irregular city boundary. Mr. Keough explained that although the property is not urban in character at this time, annexation would allow an application for extension of sewer service which could establish urbanization. Mr. Keough said that the staff report concludes that one single property should not drive an annexation discussion; it should be considered on an area-wide basis. He suggested that Council might consider deferring this annexation request and

spending more time on policy discussions regarding not extending services without annexation.

Mr. Keough explained that Council could move to reject this Notice of Intent to Commence Annexation or they could deliberate on the request and authorize the circulation of a petition to annex with conditions. Mr. Keough further clarified that staff sent a courtesy notice to area residents of this meeting.

Joseph Atkinson – 5710 38th Avenue NW. Mr. Atkinson explained that he recently had to give up five feet of his property for city road improvements. He then said that he searched all the city's records for annexed property over the last three years, and he meets all the same criteria. They all had irregular boundaries and were part of a short-plat at some point. He said he wants to split the property and build a new home, but he needs city sewer understanding that it is on a first-come first-serve basis with no guarantee to hook up until 2010. He said he has permission to put a stub on the sewer line being installed across the street and that is why he is pursuing this at this time. Mr. Atkinson referred to the recent Hansen Annexation in which Council determined that it isn't the petitioner's duty to get neighbors to join the annexation effort. He said he could ask them, but he shouldn't be burdened if they choose not to.

Mr. Atkinson then addressed several Council questions. He explained that he spoke with several neighbors and received mixed reactions. He finalized by saying that all these issues were addressed in the other annexations he reviewed and none were turned down.

Carol Morris, City Attorney, stressed that there is no guarantee of sewer availability in 2010 in the ordinance passed by Council.

Bill Andrea – 3919 57th Street Ct. NW. Mr. Andrea said that he has no desire to annex into the city and as far as he knows, neither do any of his neighbors.

Don Dickenson – 56th Street Ct. NW. Mr. Dickenson agreed with Mr. Andrea. He said it would be way too expensive and he is dead set against it.

Councilmember Young asked for clarification. Mr. Dickenson responded that he is concerned with losing half his retirement fund on the unknown.

Councilmember Malich asked if it is more expensive to annex into the city. Matthew Keough responded that no, per se it is not more expensive. He agreed that there are unknowns such as whether or not there would be pressure to link to the sewer, but the taxes are equivalent to the county. He said that he has done some outreach and found different attitudes towards annexation.

Rob Karlinsey, City Administrator, offered to do an analysis of each parcel to compare taxes. He said that property taxes are lower, but the city imposes utility taxes that the county does not.

Councilmember Franich said it would be important to keep minimum lot size in mind as the city's 7200 square foot minimum lot size could change the character of a neighborhood.

Councilmember Young suggested reaching out to the other neighbors before denying the application.

MOTION: Move to direct staff to reach out to the other adjoining property owners on 57th Street to find out if they are interested in annexation and bring it back at the next meeting.

Young / Malich – unanimously approved.

4. YMCA Agreement.

Councilmember Steve Ekberg recused himself from these proceedings and left the Council Chambers.

Rob Karlinsey presented the background for this request to contribute \$250,000 toward the construction of the YMCA aquatic center in return for several community benefits. He explained that the term of the contract is for 20 years, starting from the date of execution. He answered questions regarding the agreement.

MOTION: Move to authorize the Mayor to sign a 20-year Agreement with the YMCA.

Conan / Payne - unanimously approved.

Councilmember Ekberg returned to the Council Chambers at this time.

5. Street Naming at the 72nd Street Plat. Dick Bower, Building and Fire Safety Director presented this request for naming streets in the 72nd Street plat.

MOTION: Move to approved the proposed naming of Teal Loop, Brant Court and Pintail Loop for the 62nd lot, single family development in the 72nd Street Plat located at 72nd Street and Skansie on the west side of Highway 16.

Kadzik / Franich – six voted in favor. Councilmember Malich voted no.

6. Shoreacres Water Contract. Carol Morris presented the background information on the agreement with the city and Shoreacres Water Company to purchase water to distribute to its customers. This agreement has been in place for many years, and the company came to the city asking for an amendment relating to rates, connection fees, and the amount of water the city will provide. She said that the contract amendment has been negotiated with failsafe mechanisms with regard to the amount of water to be sold to track concurrency. If the annual amount of 17,000,000 gallons is exceeded, a

25% surcharge will be added and if the amount is over 10%, the contract must be renegotiated. This agreement will expire in 2011. The rates and connection fees are established by ordinance.

Councilmembers asked for further clarification of the contract language.

Scott Wagner – PO Box 492, Gig Harbor. Mr. Wagner responded that Shoreacres purchased approximately 17 million gallons in the last twelve month period. They currently have 240 connections but have the ability have 317 total. The idea is that when a new connection is added, an increase of 80,000 gallons of water (1 ERU) would be made.

MOTION: Move to authorize the Mayor to sign the contract between the City of Gig Harbor and Shoreacres Water Company.
Kadzik / Payne - unanimously approved.

7. History Museum Contract Extension. Rob Karlinsey explained that the city has an agreement with the History Museum to purchase the triangle piece at Donkey Creek Park and the easement on the museum property. The contract needs to be extended by 90 days in order to complete the environmental analysis. He said that one change needs to be made to the agreement to eliminate the words “attached hereto as Exhibit D” from the last paragraph in Section 2, paragraph 4.8. The indemnification language is sufficient.

MOTION: Move to authorize the Mayor, on behalf of Council, to execute a First Amendment to the Agreement between the City of Gig Harbor and the Gig Harbor Peninsula Historical Society as amended.
Payne / Conan - unanimously approved.

8. Recommendation for Naming the Park on 50th Street. David Brereton explained that the Parks Commission was asked to recommend names for the future park off 50th Street. They picked three: Kenny Marvin Veteran’s Memorial Park; Veteran’s Memorial Park; and Westside Park. He said that members of Mr. Marvin’s family are present to speak.

Jack Bujacich – 3607 Ross Avenue. Mr. Bujacich gave a brief history of Gig Harbor resident, Kenny Marvin. Kenny owned a gas station here, fished commercially, and served his country in the war. Kenny was a Marine taken on Wake Island and held as a prisoner of war for over 1300 days. Mr. Bujacich said it would be appropriate to honor all veterans and recognize one in particular by naming the park Ken Marvin Memorial Park. He further explained that Kenny lived on the corner of 38th in near the park property, and served the community well.

Nick Tarabochia – 8021 Shirley Avenue. Mr. Tarabochia agreed that it would be appropriate to have Ken Marvin’s name on a Veteran’s Memorial Park, which would

honor all veterans and also honor Ken. This is a man that was a part of our community, served our country, and was a local fisherman.

Don Sehmel – 4010 Vernhardson Street. Mr. Sehmel said he was fortunate to have Kenny Marvin as a friend for over 60 years. He said he would like to suggest an alternative name for the park. He talked about veterans of many wars, WWII, Korea, Vietnam, Gulf, and now Iraq and Afghanistan. He said the name Veteran’s Memorial Park would cover a wider section of the community.

Councilmembers Kadzik commented that it may be more appropriate to use the more formal Kenneth rather than Kenny. He then said that on the East Coast, honoring a specific person in conjunction with a Veteran’s Memorial was widespread and he would be in favor of the name Kenneth Leo Marvin Veteran’s Memorial Park.

Councilmember Ekberg said that the bio on Kenny was very interesting. He said that the community hasn’t done anything for our all veteran’s from many wars and a larger encompassing Veteran’s Memorial Park would allow the service groups to include biographies of several of the individual veterans. He said he would favor the name Veteran’s Memorial Park.

Councilmember Young said he started with the idea of choosing Veteran’s Memorial Park, but was reminded that it is common to honor an individual by naming a memorial. He said he is in favor of honoring someone with a Westside connection. He said he is in favor of naming the park the Kenneth Leo Marvin Veteran’s Park.

Councilmember Conan said that Kenny Marvin was a long-time family friend and so he was excited to see a recommendation to honor him. He said that Kenny was key in the formation of this community and agreed that this his name should be honored at a Veteran’s Memorial Park.

Councilmember Payne said that he didn’t have the honor of meeting Mr. Marvin. He added that all veterans deserve our respect and honor and he supports identifying Mr. Marvin with this Veteran’s Memorial Park given his ties to the Westside. He said that he would like to instruct the Parks Commission to find an appropriate way to honor not only Mr. Marvin, but other veterans in this park where families and youth will come to use the park and to see, understand, and acknowledge the sacrifice that has gone before them in this community.

MOTION: Move to adopt Kenneth Leo Marvin Veteran’s Memorial Park as the name for the new city park on 50th Street.
Kadzik / Payne - unanimously approved.

9. Planning Commission Work Program. Jenn Kester, Senior Planner presented the proposed work program explaining that the program has been organized by quarters of the year rather than tiers to allow for more efficiency.

Councilmember Franich voiced concern that not enough time would be allowed to thoroughly review each issue. Ms. Kester responded that the Planning Commission has committed to the formation of subcommittees for issues that may need more detailed discussion. Another would be to ask the Planning / Building Committee to move it forward on the work program for additional consideration.

Councilmember Young asked about the timeline for consideration of affordable housing. Mr. Kester said that a draft agreement for an inventory and analysis is currently under review before coming to Council. Councilmember Young asked that a placeholder be added for this item towards the end of the year.

Councilmember Payne asked if there is a short-term solution for non-conforming structures. Ms. Kester said that a draft ordinance will come before Council at the next meeting in January, or the first in February.

Councilmember Kadzik praised the goal-setting approach. He then said that he shares the concern about issues being rushed, but that he has confidence in the Planning Commission and staff that issues will not come back to Council without appropriate consideration.

MOTION: Move to accept the Planning Commission Work Program as proposed.
Kadzik / Conan –

Councilmember Young offered an amendment to the main motion.

AMENDMENT: Move to add an Affordable Housing Text Amendment in the fourth quarter.
Young / Payne – unanimously approved.

MAIN MOTION: Move to accept the Planning Commission Work Program as amended.
Kadzik / Conan – six voted in favor. Councilmember Franich voted no.

STAFF REPORT:

Gig Harbor Police Department - November and December Monthly Reports. Chief Davis presented these two reports and offered to answer questions. He thanked Council for their support of a traffic safety program which has resulted in a decrease of accidents. He talked about the increase in DUIs and the results of recent recruitment efforts.

PUBLIC COMMENT: None.

MAYOR'S REPORT / COUNCIL COMMENTS:

Councilmember Franich asked for an update on the Olympic Drive Project. David Brereton responded that there are currently four contractors working to relocate utilities. He said he would coordinate the patching of potholes and temporary striping to help during construction.

Councilmember Payne recognized Councilmember Ekberg for serving as Mayor Pro Tem the past two years. The meetings he presided over went smoothly. Mayor Hunter also voiced appreciation.

ANNOUNCEMENT OF OTHER MEETINGS:

1. GH North Traffic Options Committee – Wednesday, Jan. 23rd at 9:00 a.m. in Community Rooms A & B.
2. Finance & Safety Committee Special Meeting – January 22nd at 5:00 p.m.
3. Boards & Commissions Candidate Review – Mon. Jan. 28th at 4:30 p.m.
4. Special City Council Meeting: Joint Workstudy Session with the Lodging Tax Advisory Board - Monday, Feb. 4th at 6:00 p.m.
5. Regular City Council Meeting February 11th at 6:00 p.m.

Mayor Hunter said that the elected officials have been invited to attend the Westsound Watershed Summit Meeting held all day on January 24th and asked anyone interested in attending to let him know. He mentioned the grant opportunities that may be available if the city participates in these meetings which are held a couple times a year.

MOTION: Move to adjourn back to Executive Session at 8:28 p.m. for approximately fifteen minutes to discuss property acquisition.
Franich / Ekberg – unanimously approved.


MOTION: Move to return to regular session at 8:35 p.m.
Franich / Conan – unanimously approved.

ADJOURN:

MOTION: Move to adjourn at 8:35 p.m.
Franich / Conan – unanimously approved.

CD recorder utilized:
Disk #1 Tracks 1 - 16
Disk #2 Tracks 1 - 9


Charles L. Hunter, Mayor


Molly Towslee, City Clerk