

GIG HARBOR CITY COUNCIL MEETING OF FEBRUARY 11, 2008

PRESENT: Councilmembers Ekberg, Malich, and Kadzik. Councilmember Young acted as Mayor Pro Tem. Mayor Hunter and Councilmembers Franich, Payne and Conan were absent.

CALL TO ORDER: 6:02 p.m.

PLEDGE OF ALLEGIANCE:

CONSENT AGENDA:

1. Approval of the Minutes of City Council Meeting of January 28, 2008.
2. Receive and File: a) Building and Fire Division's December and January Activity Report; b) Finance and Safety Committee Meeting Minutes; c) Operations and Public Projects Committee Meeting Minutes;
3. Correspondence / Proclamations: a) Letters of appreciation for the sidewalk on 45th Street; b) Toastmasters' Week.
4. Engineering Technician – Above Mid-range Hire.
5. Public Works Director – Above Mid-range Hire.
6. Department of Licensing – Extension of Business License Contract.
7. Copier Maintenance Agreements.
8. Wastewater Treatment Plant On-Call Engineering Services – Consultant Services Contact.
9. Inspection Services Consultant Services Contract – Inspectus, Inc.
10. SR-16 Interchange Project Consultant Services Contract – Lovell & Assoc.
11. Sanitary Sewer Facilities Easement and Maintenance Agreement – Safeway Pump Station.
12. Right-of-Way Easement Agreement for Mallards Landing Lot 4 Project/Wagner Way Traffic Signal.
13. Approval of Payment of Bills for February 11, 2008:
Checks #56706 through #56811 in the amount of \$546,675.40.
14. Approval of Payment of Payroll for January:
Checks #4979 through #5016 and direct deposits in the amount of \$322,866.62.

MOTION: Move to adopt the Consent Agenda as presented.
Malich / Kadzik – unanimously approved.

PRESENTATION OF PROCLAMATION: Toastmasters' Week February 11th – 15th. Mayor Pro Tem Young asked Mr. David Paul, Peninsula Toastmasters, to come forward to accept the proclamation. Mr. Paul gave a brief overview of the Toastmasters' organization and invited everyone to attend one of their meetings and to become members.

SPECIAL PRESENTATION:

Pierce County Dept. of Emergency Management – All Hazard Mitigation Plan.

Dick Bower, Building and Fire Safety Director, introduced Richard Schroedel, Pierce County Department of Emergency Management.

Mr. Schroedel presented information on the coordination of efforts to develop the All-Hazard Mitigation Plan being presented to Council for review. He explained that the piece most critical for Gig Harbor is the section that addresses mitigation projects in the city. He said that although the projects are not required, the plan is necessary in order to obtain mitigation money either before or after an event. He said that the next step is to complete the plan for state review and adoption and when this is done, the plan will be forwarded to the City Council for adoption.

OLD BUSINESS:

1. Second Reading of Ordinance - Non-conforming Multi-family Dwellings. Tom Dolan, Planning Director presented this ordinance that would allow non-conforming residential structures to be rebuilt in the R-2 Zone if accidentally destroyed. He said that in addition this ordinance clarifies that an owner of a non-conforming structure cannot intentionally destroy a structure and then replace it; and second, clarifies the development of a specific hearing examiner process to allow the change from one nonconforming use to another. Mr. Dolan further explained that this ordinance is an interim effort until the Planning Commission can further develop a permanent solution to forward to Council.

MOTION: Move to adopt Ordinance No. 1122 as presented.
Kadzik / Ekberg – unanimously approved.

Mayor Pro Tem Young thanked people in the audience for their patience in waiting for the adoption of this interim ordinance.

NEW BUSINESS:

1. Purchase and Sale Agreement – Rohwer Property. David Brereton, Public Works Director gave the background information on this agreement to purchase the property located at 9702 Crescent Valley Drive next to the BMX Bike Track. A condition of the purchase and sale agreement is the city is to obtain an appraisal and Phase 1 Environmental Assessment.

Ms. Morris pointed out that Council still has the ability to stop the sale after the results of the appraisal and Phase 1 are complete. She also reminded Council that the property is not within city limits.

MOTION: Move to authorize the Purchase and Sale Agreement in the amount of \$360,000 contingent upon the appraisal and Phase 1 Environmental Assessment findings.
Ekberg / Kadzik – three voted in favor. Mayor Pro Tem Young voted no.

2. Environmental Assessment - Rohwer Property. This was introduced during the previous agenda item.

MOTION: Move to authorize consultant services contract with Robinson, Noble and Saltbush, Inc. for the phase 1 Environmental Assessment of the Rohwer property in an amount not to exceed \$3,500.00.
Ekberg / Kadzik – unanimously approved.

3. Property Appraisal – Rohwer Property. This also was introduced during the previous agenda item.

MOTION: Move to authorize consultant services contract with Trueman Appraisal Company for the appraisal of the Rohwer property in an amount not to exceed \$500.00.
Ekberg / Malich – unanimously approved.

4. 50th Street Improvement Project Conceptual Layout Presentation. Emily Appleton, Senior Engineer presented information on the proposed 50th Street Improvement Project that would provide a through connection between 50th Street to 38th Avenue and serve the city's new Kenneth Leo Marvin Veterans Memorial Park. She answered questions about the project and then introduced Gus Garcia, consultant from HDR.

Mr. Garcia addressed Council questions. He explained that due to the wetlands they tried to minimize impact to these areas. Another component was the elimination of the planting strip between the parking area and park to avoid trampling. He further explained that the roadway design evolved into a more rural concept with traffic calming, parking, and pedestrian components to minimize the impact on the adjacent property owners.

Randall Lee – PO Box 1608. Mr. Lee asked for further clarification on the plan, specifically the parking component. He suggested an elevated parkway to accommodate pedestrian traffic.

Mr. Garcia came back up and described the parking design and pedestrian amenities.

This report was informational and no Council action was requested.

5. Resolution - Support Green Building and PC Master Builders Built Green Program. Dick Bower explained that Green Building continues to gain momentum not only in construction but also development side of projects as people realize the benefits of using Green Building and sustainable construction technology. He said that this resolution supports voluntary use of these practices and the model program put forth by Pierce County Master Builders.

John Alexander – Master Builders Association. Mr. Alexander spoke in support of the resolution and voiced appreciation for the initiative taken by Mr. Bower in approaching MBA about the Pierce County Built Green program. He said that this program is tailored for this area and is part of a larger, state-wide program. He gave an overview of certain elements, and explained that there will be a presentation on March 10th to show how the program works.

Councilmembers voiced support for this effort.

MOTION: Move to adopt Resolution No. 741 in support of Green Building and the Pierce County Master Builders Built Green Program.
Kadzik / Malich – unanimously approved.

6. Zoo / Trek Authority Board Official Ballot. Tom Dolan presented this request to appoint someone to the Zoo / Trek Authority Board.

MOTION: Move to cast its vote for Bobbi Allison from the Town of Eatonville to serve as a member of the Zoo/Trek Authority Board.
Malich / Ekberg – unanimously approved.

7. Labor and Personnel Legal Services Agreement – Ogden, Murphy, Wallace. Ms. Morris presented this contract for personnel services and well as the next on the agenda. She said that the city has utilized Ogden Murphy Wallace for several years, and City Administrator Rob Karlinsey asked to add the contract with Summit Law Group; a law firm that he has worked with previously.

After further discussion Council decided to table the contract with Summit Law Group until Mr. Karlinsey could return and give further clarification.

MOTION: Move to authorize the Mayor to sign the Agreement with Ogden Murphy Wallace, PLLC for Labor and Personnel related legal services in 2008.
Kadzik / Ekberg – three voted in favor. Councilmember Malich voted no.

8. Labor and Personnel Legal Services Agreement – Summit Law Group.

MOTION: Move to table this contract to the next meeting.
Kadzik / Ekberg – unanimously approved.

STAFF REPORT:

Dick Bower, Building and Fire Safety Manager.

- . All Hazard Mitigation Plan
- . MBP.com Update.

Mr. Bower explained that one interesting thing about the mitigation plan is that it hardens the infrastructure against future damage rather than fixing damage from a past event. Although there isn't money available to the private sector at this point, that could change. In addition, the mitigation projects listed in the plan will benefit by federal funding if and when it becomes available. He said that the plan will come back to Council for adoption upon its approval at the state level. Mr. Bower clarified that adoption of this plan doesn't obligate the citizens to take any action.

Mr. Bower then reported that the city's Development Services Departments have been working on improving services to the community. One element of this is a membership in MyBuildingPermit.com; a service of the E-citygovalliance. This service was designed to make government more assessable and transparent to communities. He described the current program that allows someone to check the status of a permit online, and added that after all modules are incorporated the results of inspections will also be accessible online. Mr. Bower said that an informational session will be presented to Council at the March 10th Council meeting.

PUBLIC COMMENT:

Jennifer Chendlee – 1121 136th Ave. Ms. Chendlee referenced the renewal of the contract with Ogden Murphy Wallace and asked if there is a measurement of satisfaction for city contracts and cost tracking.

Mayor Pro Tem Young explained that the personnel attorneys do not interact with the citizens; they provide employment and personnel service to the city. One metric for staff who deals with citizens is customer service, and so yes, the Administration does keep an eye on that. He said that costs are another area that Administration is tasked with overseeing. He said that this could better be addressed when the City Administrator returns.

Randall Lee – PO Box 1608. He agreed with comments about duplication of services relative to attorney contracts. He said that there should be a clause that allows for billing on a time and materials basis.

Ms. Morris assured Mr. Lee that the contracts are written in this manner.

MAYOR'S REPORT / COUNCIL COMMENTS:

Councilmember Malich said that he likes the idea of going "green" and suggested a Council Committee to study this further.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Operations & Public Projects Committee – Thursday, Feb. 21st at 3:00

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

MOTION: Move to adjourn to Executive Session at 7:12 p.m. to discuss potential litigation for approximately twenty minutes.
Ekberg / Kadzik – unanimously approved.

MOTION: Move to return to regular session at 7:29 p.m.
Kadzik / Malich – unanimously approved.

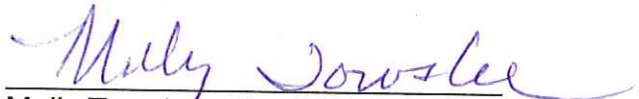
ADJOURN:

MOTION: Move to adjourn at 7:30 p.m.
Kadzik / Malich – unanimously approved.

CD recorder utilized:
Disk #1 Tracks 1 - 29



Charles L. Hunter, Mayor



Molly Towslee, City Clerk