

GIG HARBOR CITY COUNCIL MEETING OF JULY 28, 2008

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

CALL TO ORDER: 6:03 p.m.

PLEDGE OF ALLEGIANCE:

CONSENT AGENDA:

1. Approval of the Minutes of a) City Council Meeting of July 14, 2008; b) Special City Council Meeting July 17, 2008;
2. Receive and File: Police Department Monthly Report.
3. Liquor Licenses: a) Special Occasion Liquor License – Kiwanis; Renewals: b) Cigar & Wine and Gig Harbor Yacht Club.
4. Skansie Netshed Inventory Contract.
5. BB16 Interchange Project Management – Contract Amendment/Stephen B. Lovell & Associates.
6. BB16 Level III Screening Analysis – Contract Amendment – H.W. Lochner, Inc.
7. Canterwood Improvements Project – Construction Survey and Construction Support Services Contract - David Evans & Associates.
8. Canterwood Improvement Project Contract Administration Agreement - WSDOT.
9. SR-16/Burnham Drive Maintenance Agreement – WSDOT.
10. Two Parcels at Crescent Creek - Phase I Environmental Assessment.
11. North Well No. 9 & South Well No. 10 Project Contract – Carollo Engineers.
12. Point Fosdick Drive Sidewalk Project – Local Agency Standard Consultant Agreement/HDR Engineering, Inc.
13. Eddon Boatyard Restoration Project - Amendment to Contract with SHKS.
14. Wetland Property Agreement with SHDP Associates LLC/Capital Management Group, Inc.
15. Approval of Payment of Bills for July 28, 08:
Checks #58284 through #58464 in the amount of \$1,798,364.96.

MOTION: Move to adopt the Consent Agenda as presented.
Young / Conan – unanimously approved.

PRESENTATIONS:

1. Harbor WildWatch. Bruce Holser, President and Robyn Dupuis, Secretary of the Board are representatives from Harbor WildWatch, a non-profit organization of volunteers and staff whose mission is to promote education about the marine environment of Gig Harbor and the Key Peninsula and to inspire stewardship of the Puget Sound by providing learning opportunities. They presented a PowerPoint presentation on the different aspects of their organization and answered questions about the program. They explained that events costs anywhere from \$200 - \$300 and asked for support in the 2009 Budget. Council was very complimentary of the program

and encouraged the Board to contact staff about submitting a proposal for program support in 2009.

2. Thunderbird / Eddon Boat Historical Interpretive Artwork. Mark Hoppen said he was here to ask for a motion of support for an interpretive artwork to be placed at Eddon Boat Park. He said he presented information to the Gig Harbor Arts Commission who then made a motion to forward their approval to the City Council. Mr. Hoppen's PowerPoint program described the nature of the artwork and how it fits in context with the historical site. Mr. Hoppen explained that the piece is designed to go anywhere, but it is intended to be on the hillside between the seating area and the end of the fence by the bulkhead. The designer is the same stainless steel artist whose work graces the entry of the Civic Center, Gary Jackson. Mr. Hoppen presented slides to illustrate how this piece, which could potentially be placed on the National Historic Registry, fits the city's criteria for supporting public art. He added that the city is authorized by resolution to cover the cost of materials and labor for installation and could choose to contribute a portion of the cost of the artwork. Mr. Hoppen stressed that the art piece is extremely durable; it would not increase the city's insurance or maintenance budget; it would not create a public nuisance; nor would it create a pedestrian traffic hazard. He further explained the artwork would become property of the city after passage of an ordinance for that purpose, and the artist will supply an appraisal of the estimated value for insurance purposes. He described the artwork and its proposed placement then offered to answer questions.

Councilmember Malich said he thought another location had been decided upon by the Parks Commission. Mr. Hoppen responded that the Parks Commission decided that they wanted it on the hillside and wanted to see a 3-dimensional drawing of the artwork because up to that point all they had seen was something "flat." He took a ½ scale model to the artist to develop a 3-D model.

Mayor Hunter said that there may be problems with that location. One, the Gig Harbor Boatshop desires a mid-level viewing loft off the main floor which will need handicap access down along that hillside. Two, there will be electrical and other utilities located in that space. These things will have to be constructed before we can decide the exact location of the art work.

Mr. Hoppen said the piece won't be built until the money is raised and that may take some time to raise the necessary \$10-12 thousand. He said that early designs had the vessel placed into the mounting so that you only saw it from one side. This design can be viewed from any angle and will accommodate placement other than where it is envisioned to go.

Councilmember Payne asked if there is a projected timeline for raising the funds. Mr. Hoppen responded that if approved tonight he will present it to the T-Bird owners at the upcoming banquet. He will be sending out a mailing, contacting relatives of those who worked in the shop, contacting local service organizations, and making it possible for individual donors to contribute.

Mayor Hunter said that if fundraising is as successful as the upcoming 50th Anniversary of the Thunderbird Celebration, it shouldn't take long.

MOTION: Move to proceed with the Thunderbird / Eddon Boat Historical Interpretive Artwork.
Malich / Payne – unanimously approved.

3. Harborview / Judson Project Update. Emily Appleton, Senior Engineer introduced Eric Schmidt and explained that he is the consultant helping the city develop a conceptual master plan of the whole downtown area including Judson / Stanich / Uddenberg areas, all along Harborview to North Harborview / Austin area. From the conceptual plan we will develop the Phase I Construction Project after we received the preliminary construction costs. Ms. Appleton said that another update will come to Council on August 11th and the final conceptual design will come back for approval in September. She then turned it over to Mr. Schmidt.

Eric Schmidt introduced the members of his team. They took turns presenting an expansive slide show broken into four segments: 1) Issue and Opportunities; 2) Public Process; 3) Opportunities; and 4) Preliminary Layouts. After each section they paused to address questions.

Mayor Hunter stressed the need for a conservative palate when incorporating artwork into the streetscapes. He also stressed the importance of maintaining the eclectic character of the town.

Mr. Schmidt said that it is very important to them to make sure that the different districts to remain distinct. He referred to the existing walls and plantings along the upland sidewalk as examples of the love and character that they will retain and use to base their design. He said that only broken panels of sidewalk will be replaced on the upland side which will be power washed to match the older portions.

OLD BUSINESS:

1. Second Reading of Ordinance – Water Utility Rate Increase. David Rodenbach, Finance Director, presented the information on a proposed 3% increase in the water rate that is expected to provide approximately \$73,000 in additional operating revenues for the water utility in 2009. This will raise the average monthly rate from \$22.29 to \$22.96.

David discussed Councilmember Malich's request for more information on programs for low-income families. He said that approximately 6% of the Gig Harbor families qualify as low-income. He explained that city code currently states you have to be low income and have senior citizen or disabled status to qualify for help. David introduced the city's consultant, Ashley Emory who did a study and found that it would cost the water fund \$18,000 a year if 6% of the city residents are included in this program.

Mr. Emory addressed questions about the effect this would have on rates by explaining this would require another one-time rate increase of 5% to compensate. He stressed that this is within Council's ability and the figures could be worked into future rate studies without too much impact.

Councilmembers discussed educating the public on our current program and the need to expand the limits of who qualify. A recommendation was made to bring this before the Finance Committee to further evaluate a program to include other low-income residents.

Mr. Emory said that the next time the city performs a rate study, the single most important thing that can be done for residential equity is to start making significant distinctions between hi-residential users and low-residential users. You also get the added benefit of conservation.

MOTION: Move to adopt Ordinance No.1133.
Kadzik / Payne – unanimously approved.

2. Second Reading of Ordinance – Sewer Utility Rate Increase. David Rodenbach presented the information for a 15% sewer rate in 2009. This increase is to address the 23 million in upcoming capital improvement projects. This increase is expected to bring in \$372,000 annually and will raise the average monthly rate from \$40.71 to \$46.82.

MOTION: Move to adopt Ordinance No.1134.
Young / Conan – unanimously approved.

3. Second Reading of Ordinance – Stormwater Utility Rate Increase. David Rodenbach introduced this ordinance for a 3% increase in stormwater rates effective January 2009 that will raise the rate from \$10.80 per month to \$11.12 per month. He said that this rate will not fund the Capital Improvements in 2009 and that is the reason for the recently implemented GFCs.

MOTION: Move to adopt Ordinance No.1135.
Young / Malich – unanimously approved.

4. Second Reading of Ordinance - Establish a Salary Commission. No staff presentation.

Councilmember Payne voiced his support of the ordinance.

MOTION: Move to adopt Ordinance No.1136.
Kadzik / Payne – unanimously approved.

5. Second Reading of Ordinance – Temporary Sewage Holding Tanks. Jeff Langhelm, Associate Engineer explained that the minimal changes to the ordinance at Council's request at the first reading are highlighted yellow. He said that the SEPA

determination must run its course and this will be back to Council at the first meeting in September.

Councilmember Payne asked for clarification on the comments in red on page four. Carol Morris, City Attorney explained that she just wanted to clarify the Council's intent in asking for a copy of a maintenance agreement. Councilmembers discussed whether this would be needed if there is already language requiring a bond for the cost of pumping the tank.

Mayor Hunter commented on the amount of time being spent on something that doesn't work. It would be labor intensive to inspect these facilities and to track the maintenance and bonding requirements. Councilmember Young agreed that this is taking staff time, but the city has caused hardship on property owners that were ready to go to permitting when we ran out of sewer capacity.

Councilmember Payne asked about timing and whether one of these facilities would be installed before we have capacity again. Mr. Langhelm said it is hard to speculate, but if the developer were allowed to install one at the very end of the building process, it's highly likely that these would not be required because it will easily take more than 18 months to reach the point of installation. This is past the anticipated date for completion of the Wastewater Treatment Plant expansion.

Councilmember Kadzik said that this ordinance eases the way for people to move ahead with development; he voiced support for the effort.

Council directed this to return for a third reading in September after SEPA is complete. Councilmember Young said he will listen to the tape to clarify the concern with paragraph 6.

Councilmember Payne commented that initially he was against this ordinance, but now he understands that from a practical standpoint this will allow a project to move forward.

NEW BUSINESS:

1. First Reading of Ordinance – Heritage Point Rezone. Tom Dolan, Planning Director, presented the background information on this ordinance to change the zoning map to reflect a site-specific rezone for the parcel at 4129 Harborview Drive back to the R-1 designation. He explained that this does not require two readings to adopt.

MOTION: Move to adopt Ordinance No.1137 in one reading as allowed by Ordinance 1088.

Payne / Malich – unanimously approved.

2. Planning Commission Work Program. Tom Dolan explained that during the joint Planning Commission / Design Review Board / City Council worksession, Council identified several zoning code requirements they would like. After the worksession the

Planning/Building Committee met to discuss a different priority list for the Planning Commission in 2008. Council can accept this work program or modify the program.

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

Mayor Hunter announced the items 3, 4 and 5 had been moved to the next meeting to allow staff more time to gather information.

6. Street Rehabilitation / Resurfacing Project Additional Paving Schedule 12 – Change Order No. 1. David Stubchaer, Public Works Director, presented the background on this change order to include two additional cul de sacs in the paving schedule for Fairway Estates neighborhood. This would address more than aesthetics; it would also address the engineering and structural concerns now rather than having to come back in five years.

Councilmember Payne asked for clarification on the mixed recommendation from the Operations Committee. Mr. Langhelm explained that there were concerns on the financial aspect of doing this for aesthetics and the concern of having to come back to do the work in five years.

Mayor Hunter commented that the city had done roadway repairs in a piecemeal fashion and it all shows up. Everything is on a different schedule for repairs; it would be nice to move toward more uniformity. Councilmembers discussed this further and agreed that you have to consider both financial and the aesthetics of a neighborhood.

Mr. Stubchaer added that it is cheaper to maintain a road in good condition than to wait for it to fail. If these roads are not repaired they continue to deteriorate at a faster rate which is more expensive to repair. He then said that he will be implementing a more systematic pavement maintenance approach.

Councilmember Young asked why a decision was made in the original contract to not include the two cul de sacs and why this change order isn't on the Consent Agenda. Mr. Stubchaer responded that the cul de sacs in question were in better condition than the rest of the roadway and so it was strictly a budget decision. He said it wasn't on the Consent Agenda is because of the mixed recommendation by the Operations Committee.

Connie Brown – 2704 39th Street in Fairway Estates. Ms. Brown said that they appreciate that the main road is scheduled to be repaved. She said that leaving a patchwork appearance doesn't make sense adding that the existing roadway is 30 years old. One of the city engineers said that although the cul de sacs don't appear to be disintegrating, they are. One of the cul de sacs gets a lot of truck traffic. She pointed out that although this adds \$15,000 to the original contract it is only \$1,400 over

the budgeted amount for road repairs. She concluded by saying that five of the seven homeowners that live on the cul de sacs are here tonight.

Dan Stromstad – 2619 38th St. NW. Mr. Stromstad said that his neighbor of five years is a trucker who comes in nearly every day and he has watched the ruts appearing in the roadway. The survey done by the city was done before this neighbor moved in. He said it would be “penny-wise and pound foolish” to not repave the cul de sacs at that same time as the other roadway.

MOTION: Move to approve the execution of Change Order #1 to the 2008 Street Rehabilitation and Resurfacing Project (CSP-0805) in an amount not to exceed fifteen thousand seventy-seven dollars and fifty cents (\$15,077.50).

Payne / Young – unanimously approved.

7. Cushman Trail Phase 2 – Interagency Agreement. David Stubchaer presented this interagency agreement between Gig Harbor and Pierce County for cooperatively designing, permitting, constructing, maintaining and operating the Cushman Trail Phase 2 between the Park N Ride on Kimball up to 96th Street. This has been bid and is waiting for this and the next agenda item to be approved to move forward.

Council and staff discussed agreements with PenMet for signage and to coordinate maintenance of the trail. Staff was asked for further information before the upcoming joint meeting with PenMet Parks.

MOTION: Move to approve the Interagency Agreement between the City of Gig Harbor and Pierce County for the Development and Maintenance of the Cushman Trail.

Young / Conan – unanimously approved.

8. Cushman Trail Permit Assignment. David Stubchaer then presented this assignment that amends the original agreement between Tacoma Power and Pierce County and memorialized the maintenance and operation benefits and responsibilities for the completed trail.

MOTION: Move to approve the Permit Assignment the City of Gig Harbor, Pierce County and Tacoma Power for the Cushman Trail Phase 2 Project.

Young / Conan – unanimously approved.

STAFF REPORT:

MAYOR’S REPORT / COUNCIL COMMENTS:

PUBLIC COMMENT:

Betsy Elgar – 8144 Shady Lane in Lakewood, Washington. Ms. Elgar said her father worked under three U.S. Presidents during WWI and WWII. She said she is a Mt. Rainier representative for Pierce and Kitsap Counties for the Washington State Chapter of Social Workers. Ms. Elgar informed Council about two public laws: Personal Responsibility and Work Opportunity Reconciliation Act - 1996 HR-3734 Public Law 104-193 and also the Balanced Budget Act 1997 Public Law 105-33 both which passed when President Clinton was in office and reauthorized by President Bush. She talked about the Town Hall Commission in California where she was for 16 years and where she learned about people. She is trying to improve lives for people who are drug addicts and homeless. She said she is here to talk about creating jobs, food stamps and immigration and the bridge. She is concerned because she was a disaster specialist for the American Red Cross and took CPR and Disaster Training. She said she wants to know if they are going to build a new bridge. She stressed that they must make sure it is earthquake proof to prevent disasters for safety for the population. This is a relevant matter and she thanked Council for listening.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Downtown Business Plan Advisory Committee – Tues. July 29th at 5:30 p.m.
2. National Night Out – Skansie Park on August 5th at 6:00 p.m.
3. City Council Joint Workstudy Session with PenMet Parks – Mon. Aug. 4th at 6:00 p.m. at PenMet Parks office.
4. City Council Meeting of August 25th CANCELLED.
5. Intergovernmental Affairs Committee – Mon. Aug. 11th at 4:30 p.m.
6. Meet with Senator Patty Murray Wed. Aug. 13th at 10:00 a.m.
7. GH North Traffic Options Committee – Wednesday, Sept. 3rd at 9:00 a.m. in Community Rooms A & B.
8. City Council Budget Retreat – Monday, Sept. 15th at 6:00 p.m. in Community Rooms A & B.

Mayor Hunter asked if Council would be able to meet on Friday, September 12th from 8:30 to 11:00 for a Budget Retreat because Chief Davis would not be available on the 15th. Councilmembers will check with the City Clerk to let her know.

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


MOTION: Move to adjourn to Executive Session at 8:35 p.m. for approximately ten minutes for the purposes of discussing pending litigation per RCW 42.30.110(1)(i).
Payne / Malich – unanimously approved.

MOTION: Move to return to regular session at 8:45 p.m.
Kadzik / Payne – unanimously approved.

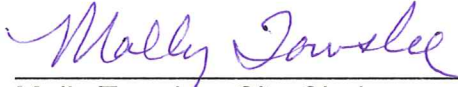
ADJOURN TO COMMUNITY ROOMS A&B - WORKSTUDY SESSION: Mainstreet
Program Parking Inventory Update.

MOTION: Move to adjourn to the workstudy session at 8:45 p.m.
Kadzik / Payne – unanimously approved.

CD recorder utilized:
Disk #1 Tracks 1- 12
Disk #2 Tracks 1- 28



Charles Hunter, Mayor



Molly Towslee, City Clerk