

## MINUTES OF GIG HARBOR CITY COUNCIL MEETING – FEBRUARY 8, 2010

**PRESENT:** Councilmembers Ekberg, Young, Franich, Malich, Payne, Kadzik and Mayor Hunter. Councilmember Conan came at 5:40 p.m.

**CALL TO ORDER:** 5:32 p.m.

**PLEDGE OF ALLEGIANCE:**

### CONSENT AGENDA:

1. Approval of the Minutes of City Council Meeting of January 25, 2010.
2. Receive and File: Minutes from Council Budget Worksession November 16, 2009.
3. Liquor License Actions: a) Discontinuation – GH Mini-Mart; b) Application – Paradise Theatre; c) Application in Lieu of Current Privilege – Green Turtle.
4. Gig Harbor Historic Waterfront Association Agreement.
5. Wastewater Treatment Plant On-Call Engineering Services – Consultant Services Contract.
6. Resolution - Voluntary Furlough Policy Extension.
7. Approval of USDA Rural Development Loan Application.
8. Approval of Payment of Bills for February 8, 2010: Checks #62801 through #62944 in the amount of \$1,249,015.04.
9. Approval of Payroll for the month of January: Checks #5635 through #5648 in the amount of \$339,427.62.

**MOTION:** Move to adopt the Consent Agenda as presented.  
**Franich / Ekberg** - unanimously approved.

### PRESENTATIONS:

1. 2010 Amateur Golf Open Presentation. Gig Harbor Historic Waterfront Association / Harbor History Museum Board Member Jack Sutton introduced Larry Gilhuly, USGA Northwest Region Director, who presented information on the upcoming 2010 Amateur Gold Open to be held this August at Chambers Bay Golf Course. He described how this precursor to the 2015 US Open is going to benefit Gig Harbor.

Councilmembers Payne and Kadzik agreed on the need to be prepared for these events.

**OLD BUSINESS:** None scheduled.

### NEW BUSINESS:

1. Resolution - 2010 Comprehensive Plan Amendment Annual Review docket. Planning Director Tom Dolan presented the background information for this resolution to include a private application in the 2010 review cycle. In response to questions, Mr. Dolan described the application to change the land use map for property currently

designated as Mixed-Use Overlay District to Employment District, saying staff anticipates this to be a relatively minor amendment. He said that other applicants may have delayed submission of an application, but it would require an ordinance to open this review period back up and there wouldn't be sufficient time to process them this year.

City Attorney Angela Belbeck said that she has no concerns with allowing this application to be reviewed; the application was submitted prior to the adoption of the resolution limiting the applications.

**MOTION:** Move to adopt Resolution No. 823 repealing Resolution No. 805 and include the 96th Street LLC land use map amendment (COMP 10-0003) on the 2010 annual review docket.

**Kadzik / Conan** – six voted in favor. Councilmember Malich voted no.

2. Resolution - Canterwood Annexation Denial. Tom Dolan presented the background for this action to deny the application to annex 714 acres. He explained that due to the impact of the two recent annexations and staff reductions, this annexation is premature. Angela Belbeck recommended denying the application rather than allowing it to languish.

Councilmembers and staff discussed several of the issues involved with this annexation.

Russell Tanner – Canterwood Development Company and Homeowners Association.

Mr. Tanner voiced concern that there are 25 undeveloped residential lots in Canterwood but at this time there is no sewer capacity unless you are part of the city. He asked if this could be addressed administratively. He further explained that several of the properties don't have the ability to utilize a septic drain field.

Staff was directed to look into these concerns.

**MOTION:** Move to adopt Resolution No. 824 rejecting the Canterwood Annexation.

**Ekberg / Franich** - six voted in favor. Councilmember Malich voted no.

**MOTION:** Move to direct staff to come back with proposed solutions to the sewer connection concern.

**Ekberg / Young** – unanimously approved.

3. Cemeteries as conditional uses in the R-1 zone. Tom Dolan presented this request by Haven of Rest Cemetery for a text amendment to expand existing cemeteries as a conditional use in the R-1 zoning district. Mr. Dolan explained that the Planning and Building Committee has suggested that the full Council should decide if the amendment should be city-sponsored. He noted that the Planning Commission is recommending that the City Council have direct consideration to amend the ordinance rather than moving through the Planning Commission review process.

Councilmembers deliberated the issue of sponsoring this amendment.

Katherine Jerkovich – Haven of Rest. Ms. Jerkovich asked Council to keep in mind that when Haven of Rest was annexed, a portion of this property was already in the city and had R-1 zoning; the balance was annexed as R-2. Staff made it clear that cemeteries would only be allowed in the R-2 zone. This could have been avoided if the code had been amended to include cemeteries in the R-1 zone. She said that the request for the amendment to be city sponsored is a result from comments made by Council during the unsuccessful comp plan amendment.

Mark Hoppen – 8133 Shirley Avenue. Mr. Hoppen commented that the applicant made the choice to apply for a Comprehensive Plan Amendment to rezone the property to R-2 to gain expansion of rights on the property. He said it would be prudent for the city to treat this text amendment as a new application.

**MOTION:** Move that this text amendment not be city-sponsored.

**Ekberg / Malich** – roll call vote:

Ekberg – yes; Young – yes; Franich – yes; Conan – no; Malich – yes; Payne – no; Kadzik – no. Motion carried four to three.

4. Outdoor Gallery Program Proposal – Gig Harbor Arts Commission. Commissioner Dale Strickland presented information on a proposal to place rotating art in four outdoor locations throughout the city. He passed out a brochure with examples of the types of pedestals, and explained that the Arts Commission will solicit funding for placement of the four structures after the sites are approved. He asked for Council support to move forward with this proposal.

**MOTION:** Move to support the outdoor gallery proposal by the Gig Harbor Arts Commission.

**Payne / Malich** – unanimously approved.

## **STAFF REPORT:**

1. Narrows Bridge Tolls. City Administrator Rob Karlinsey announced the Citizen Advisory Committee meeting to be held at the Civic Center tomorrow, February 9th at 5:00 p.m. He explained that the vote taken by the Washington State Transportation Commission to raise tolls goes back to the CAC. Whatever they come back with is forwarded to the Transportation Commission, then on to the State Legislature. He described the effort to get the word out, saying that a large crowd is expected.

Councilmember Young added that the letter from the city has just been signed by all the Councilmembers. He said he also has letters from the County Executive, County Councilmembers, Mayors of Tacoma, Lakewood and University Place and Kitsap County Councilmembers to submit to the Transportation Commission.

2. Direct Consideration – Portal Signs. Planning Director Tom Dolan explained that the Planning Commission voted to allow the City Council to have direct consideration on a proposal for portal signs at Jerisich Dock. The proposal will be submitted to Council in conjunction with the park improvement proposal from the Gig Harbor Historic Waterfront Association in the next few months.

**PUBLIC COMMENT:**

David McGoldrick – 820 “A” Street, Tacoma. Mr. McGoldrick, Law Firm of Morton McGoldrick, explained that he represents downtown property owners who are concerned with the possibility of Thurston Lane being closed to public travel by the adjacent property owner. He described the effect of a closure and offered possible solutions. Mr. McGoldrick asked that the city reconsider their position and join in their effort to keep Thurston Lane a public right of way.

**MAYOR'S REPORT / COUNCIL COMMENTS:**

Councilmember Malich commented that there seems to be more signs in the city right of way and asked about enforcement of the sign code. He then asked when parking stall size is going to be addressed. Planning Director Tom Dolan first responded that staff is working on sign code enforcement. He then said that the Planning Commission has parking listed in their long-term work program; work on shoreline matters must be completed first.

Councilmember Young presented an update on the effort by the Pierce Council Regional Council to distribute the remainder of stimulus dollars. He said although we didn't qualify for this time, another award consideration is anticipated with some focus on road preservation, trails, and sidewalk improvements. He said that he will know more by the 19th of February.

City Administrator Karlinsey added that one project that might qualify is the Point Fosdick / 56th Frontage Road Improvements which he described as mostly designed, permitted, and has a completed SEPA. He said that staff is working to get the NEPA done in time for consideration. He added that when the adjacent property is developed there would be a pro-rata contribution towards the improvements.

Councilmember Ekberg reported that Chief Mike Davis has been representing the City well explaining that Chief Davis read to the students at Harbor Heights Elementary. Councilmember Ekberg read some of the thank you notes and safety tips forwarded to the Chief by the students.

**ANNOUNCEMENT OF OTHER MEETINGS:**

1. Operations Committee: Thu. Feb 11th at 3:00 p.m.
2. Civic Center Closed for Presidents' Day – Mon. Feb 15th.
3. Boards and Commission Candidate Review: Mon. Feb 22nd at 5:30 p.m.

4. Jerisich Dock / Skansie Brothers Parks - Comprehensive Park Plan Workstudy  
Session: Mon. March 1st at 5:30 p.m.

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


**MOTION:** Move to adjourn to Executive Session at 7:15 p.m. for the purpose of discussing potential litigation per RCW 42.30.110(1)(i) for approximately fifteen minutes:  
**Payne / Conan** - unanimously approved.

**MOTION:** Move to return to regular session at 7:43 p.m.  
**Kadzik / Payne** - unanimously approved.

**ADJOURN:**

**MOTION:** Move to adjourn at 7:43 p.m.  
**Payne / Kadzik** - unanimously approved.

CD recorder utilized: Tracks 1001 – 1023

  
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Charles L. Hunter, Mayor

  
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Molly Towslee, City Clerk