

MINUTES OF GIG HARBOR CITY COUNCIL MEETING – May 23, 2011

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

CALL TO ORDER: 5:31 p.m.

PLEDGE OF ALLEGIANCE:

CONSENT AGENDA:

1. Approval of the Minutes of City Council Meeting of May 9, 2011.
2. Liquor License Action: Renewals: Target, Puerto Vallarta Restaurant, Round Table Pizza, and Julep Nail Parlor.
3. Summer Sounds at Skansie Contracts.
4. Resolution No. 861 – Performing Art Center.
5. Interlocal Agreement to Use Civic Center for Voting Center.
6. Tree Removal at Wilkinson Farm Park – Contract Authorization.
7. Wastewater Treatment Plant Improvements Project – Amendment No. 5 for Warranty Owner's Representative Services / Parametrix.
8. Acceptance of Deed for Harbor Hill Park Property.
9. Dedication of Right-of-Way Easement Agreements for Pt. Fosdick Square Redevelopment Offsite Improvements.
10. Quit Claim Deed for Right-of-Way – Harbor Pacific Properties, LLC.
11. 2011 Pavement Maintenance and Repairs Project – Consultant Services Contract.
12. Canterwood Sewer Manhole Rehabilitation Design and Limited Inspection Services.
13. Jerisich Dock Float Extension Agreement – Washington State Parks Dept.
14. Approval of Payment of Bills for May 23, 2011: Checks #66918 through #67051 in the amount of \$630,318.29.

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

PRESENTATIONS:

Proposed South Sound 9-1-1 Agency. Kevin Phelps, Deputy Pierce County Executive, presented information on the effort to design and implement a county-wide radio communications network that will be state-of-the-art, fully redundant, cost effective, will accommodate growth and meet all state and federal requirements. The proposed agency would dissolve the existing Law Enforcement Support Agency (LESA) and would take over communications and dispatch for all participating police and fire agencies. Funding for the proposed agency would rely upon a 0.1% county-wide sales tax increase, the recently imposed 20-cent increase in the 911 tax on phones, and fees from the participating jurisdictions.

Rob Masko, Chief in Charge of Systems, discussed the benefit for agencies to be able to communicate in an emergency situation.

OLD BUSINESS:

1. Public Hearing – Donkey Creek Daylighting Project Options & Costs. City Administrator Rob Karlinsey presented the background information for this project and a brief description of the four options for consideration: 1) Pedestrian Bridge; 2) 10-ft Jack & Bore; 3) 22-ft Culvert; and 4) Pocket Park Day-lighting.

Mayor Hunter opened the public hearing at 6:00 p.m.

Frank Ruffo – 2767 Hollybluff Court. Mr. Ruffo, President of the Harbor History Museum, offered the museum's support on whatever the city chooses to do. He said that the option for a pocket park would benefit the museum but stressed that safety is a major issue. He said that a 10' sheet pile wall behind the Mid-way School is neither esthetically pleasing nor safe. He finalized by saying this is a beneficial project for the city and museum and they will work with the city for a project that makes sense for everyone.

Chuck Meacham – 9509 Wheeler Avenue. Mr. Meacham gave an overview of his work history. He said the priorities for this project are to improve fish habitat and provide an appealing and educational opportunity for citizens and the History Museum but none of the options achieve these objectives. He recommended doing what the budget will allow now, leaving it open for future improvements. He described his vision for the future improvements to the Donkey Creek Park area.

Jim Pasin – 3212 50th St. Ct. NW. Mr. Pasin spoke in support of the information provided by Mr. Meacham. He said that three of the options do not meet the community vision and that steel walls do not meet the definition of "restoration of the natural habitat." He talked about the work done by the Planning Commission on the Shoreline Management Plan and asked that the city follow that plan in this area. He strongly opposed moving forward with a lesser option just to save face and said the last thing the city needs is another park; the existing parks aren't well-maintained. He strongly recommended that the city put the project on hold rather than spending millions of dollars "just because."

Walt Smith – 19316 99th St. KPN, Vaughn, WA. Mr. Smith said he was asked to work with city staff to come up with an aesthetic, pleasing option for the portion adjacent to the museum that will be within budget. He said that by using alternative materials and expanding the creeks slope he feels that the goal can be met. He explained that expanding the slope would require additional easement from the museum; a possibility that will be discussed at the upcoming Board meeting. He also said that by eliminating the expensive and unsightly sheet piling, this project can be accomplished at a substantial cost savings and could become something the community can be proud of.

John Holmaas – 7602 Goodman Drive NW. Mr. Holmaas proposed a walking path around the top of the estuary utilizing the sheet piling to the north and geo cells on the slope. He said a pathway would allow the opportunity to see the ecostructure of the estuary.

Dave Morris – 260 E. Grapeview Point, Allyn. Mr. Morris spoke in favor of Option No. 4 explaining that a pocket park would enhance the Midway School project. He talked about dangerous sheet piling and the safety issue of a ten-foot drop behind the school. He said that as a taxpayer, he supports the option that stays within budget.

Jack Bujacich – 3607 Ross Avenue. Mr. Bujacich gave a history of Donkey Creek, stressing that it was never a salmon producing creek until the hatchery was built. He voiced support of Option 4, explaining that spending another million dollars on improvements to Austin is a waste because it's a slide area and would require acquisition of additional land. He asked if the utilities would remain intact with Option 4 and if so, this is a reason to choose this option. He pointed out that although funds came from the government, it's still taxpayer dollars.

Jennifer Kilmer – 7617 40th St. Ct. NW. Ms. Kilmer, representing the museum, reinforced that they are willing to work with the city on whatever option moves forward. She too voiced concern due to the drastic slope design and asked that public safety and aesthetics be taken into consideration. When asked about the possibility of closing North Harborview Drive and moving the intersection to Austin, she responded that this would be an improvement.

Mark Hoppen – 8133 Shirley Avenue. Mr. Hoppen spoke in favor of closing North Harborview Drive in order to increase pedestrian access between the park and museum. He also said that if the roadway is closed the other properties in that area will redevelop. He agreed that Austin Street is a problem that will have to be addressed, but recommended doing so as it would be a one-time opportunity to improve an area of town that has degraded over the years.

Mayor Hunter spoke in favor of Option Four citing the budget, ADA slope concerns, and impact on the Finholm District as some of the concerns.

Senior Engineer Emily Appleton and Chris Huber from Murray Smith and Associates addressed Council questions on alternatives to the sheet pile wall and improvements to Austin Street.

Councilmembers each commented on the direction this project has taken and how to proceed from here. A recommendation came forward for staff to “sharpen their pencils” on the cost to close North Harborview Drive and to have discussions with the history museums to address safety and aesthetic concerns by means of an expanded easement.

Mayor Hunter said that an amendment to the MSA Consultants Contract would be required to continue work on other options.

MOTION: Move to authorize an addendum to the MSA Consultants Contract; to direct staff to move forward with Option No. 4, to refine the cost of closing North Harborview Drive, to work with the History Museum and address the aesthetics of the estuary design, and to bring this information back at the June 13th meeting for consideration.
Ekberg / Young – unanimously approved.

Staff was asked to have the top four funding options for the closing of North Harborview Drive available at the June 13th meeting.

2. Second Reading of Ordinance – Interim DB Parking Provisions for Existing Buildings. Senior Planner Jennifer Kester presented the information for this ordinance and passed out written public comments.

Councilmembers discussed the intent and possible effects of the ordinance.

MOTION: Move to adopt Ordinance No. 1208 as presented.
Payne / Kadzik – six voted yes. Councilmember Franich voted no.

3. Second Reading of Ordinance – Restaurant Parking Requirements. Planning Director Tom Dolan presented the background for this ordinance and answered Council questions.

MOTION: Move to adopt Ordinance No. 1209 as presented.
Payne / Kadzik – six voted yes. Councilmember Franich voted no.

4. Second Reading of Ordinance – Graffiti Control. City Administrator Rob Karlinsey introduced the ordinance.

MOTION: Move to adopt Ordinance No. 1209 as presented.
Kadzik / Payne – unanimously approved.

5. Second Reading of Ordinance – Solicitation of Vehicle Occupants on Public Roadways. Rob Karlinsey introduced the ordinance.

Councilmembers offered their point of view on the ordinance.

MOTION: Move to adopt Ordinance No. 1210 as presented.
Payne / Kadzik – six voted yes. Councilmember Malich voted no.

The Mayor asked for a brief recess at 7:40 p.m. The meeting resumed at 7:46 p.m.

NEW BUSINESS:

1. Public Hearing and First Reading of Ordinance – Restaurant 1 Uses in Waterfront Millville. Tom Dolan presented the background for this ordinance that would allow beer and wine to be served and expand the hours of operation for restaurants in the Waterfront Millville zone.

Mayor Hunter opened the public hearing at 7:50 p.m.

John Moist – 3323 Harborview Drive. Mr. Moist, proponent for the ordinance, said he has received an enthusiast response and overwhelming support from residents for the changes; only a small fraction was opposed. He explained that the 1200 ft. limitation as and the provision that no grill or deep fryers are allowed would prevent any new restaurants in the zone. He spoke in support of small businesses saying that without the change, the Red Rooster probably won't make it. He encouraged approval.

Jami Radcliff – 3313 Harborview Drive. Ms. Radcliff, manager of the Red Rooster Restaurant, described the family-friendly atmosphere of her business, and said that adding beer and wine to the menu won't attract a rowdy crowd. She said that people often leave when they find out she doesn't serve alcohol. She pointed out that that El Pueblito, which is 280' from her door, is the same distance to the residences. She too said she received no opposition from the neighbors she canvassed. She responded to council questions by saying her current hours of operation are 7:00 a.m. to 4:00 p.m. and that there is a huge profit margin loss without these changes. She also said she could provide a number of jobs for young people if the change is made.

John English – 3313 Harborview Drive. Mr. English, part owner of the Red Rooster, stressed that the city should be progressive toward economic development. He cited three reasons the ordinance should pass: 1) profit margin would increase 35%; 2) the success of this business is predicated upon passage; and 3) it would provide jobs for college kids. He asked to give this business the opportunity to succeed. Because they are located only 280' from El Pueblito, he said the concern that the change would negatively affect the residents doesn't hold water.

Jack Bujacich – 3607 Ross Avenue. Mr. Bujacich spoke in opposition to the ordinance. He said no one came to his residence except Councilmember Franich. He explained that he owns property on Harborview Drive and this change would open a can of worms. He said that he owned a successful restaurant for five years without beer and wine because he served good food. He finalized by saying he talked to his neighbors and they are also opposed to the change.

Warren Zimmerman – 2717 Ryan Lane. Mr. Zimmerman spoke on behalf of the Chamber of Commerce and read a letter in support of the ordinance. He explained that the Chamber was a neighbor of the Red Rooster until recently; they came and talked to him about the difficulty of opening a restaurant with limited hours. He talked about his own experience at running a restaurant, stressing that hours do matter. He said that the

Chamber is in favor of improving the flow of traffic downtown and view this as an important element. He ended by saying that he watched Isamira and Poseidon's come and go largely because of the limitations of this zone.

Richard Gené – 4809 E. Maple Lane Circle NW. Mr. Gené explained that he was privileged to live all over the world during multiple careers. He said that this proposal is consistent with what he has seen in his travels, and said that these changes won't spoil the neighborhood, it would be a multiplier for jobs, and it will do good things for the waterfront. He then talked about his boating experience and the restaurants he's visited while in port. He talked about his involvement in community organizations adding that he wouldn't recommend something that wasn't appropriate.

Bob Winskill – 5445 Hidden Haven Lane. Mr. Winskill spoke in favor of the ordinance. He said that the Millville Waterfront Zone was adopted to prevent commercial development along that stretch, but that's not going to happen. He said that people along the waterfront are in favor of this, and it will be good for the community.

Carol Davis – 3312 Harborview Drive. Ms. Davis, owner of the house directly across from the Red Rooster, spoke in opposition of the ordinance saying these changes would definitely impact their life. She said that the lights from that driveway shine in their house, and the extended hours would create night traffic to an area that is very quiet after 7 p.m. She said the changes only benefit the restaurants, and allowing beer and wine sales will not help already decreasing property values. Ms. Davis said that the business owners knew about the zoning restrictions when they bought. She concluded by saying Waterfront Millville wasn't intended to be a commercial area.

Christy Fierro – 10117 124th Ave KPN. Ms. Fierro spoke in support of the ordinance. She expressed support of the Red Rooster as a casual family dining experience on the waterfront. She said the 7 p.m. closing time is too restrictive for summer-time and to allow family dinners because of her husband's commute from JBLM. She said she would like to be able to bring visitors and to enjoy a glass of wine at a restaurant that isn't restricted to 21 and over or fine dining. She talked about growing up in a riverfront town with similar struggles that are facing downtown Gig Harbor, and how these amendments will be a positive change.

John Skansie – 3211 East Bay Drive NW. Mr. Skansie spoke against the ordinance saying that he understands the concerns of both business owner and homeowner. He said the zoning code was written with residents in mind and that should be maintained. He agreed with the possibility of property devaluation. He suggested that the 1.2 million being considered for Donkey Creek be used for business enhancement to draw an anchor tenant at the old QFC site.

Jeff Carr – 8020 Dorotich Street. Mr. Carr explained that he lives a block from the Red Rooster and Suzanne's and spoke in support of the change. He said that the narrow crafting of the language will prevent anyone else opening a business, and Council should encourage the growth and development of businesses in downtown.

Susan Wood – 7221 Soundview Drive. Ms. Wood, who lives downtown, said this change would allow someone like her to go and have a sandwich and a cup of coffee or glass of wine, which would be great.

John Harkness – 3422 Harborview Drive. Mr. Harkness who lives across from Suzanne's and close to the Red Rooster, spoke in support of the ordinance. He said that he understands the intent of the code to protect residents, but sees nothing but positive impact from these changes. He explained that these small, appropriate, and locally owned businesses are why people come to visit and live here. He then said he doesn't anticipate any measurable traffic increase if the hours are extended to 9 p.m. He added that although the businesses knew the restrictions before opening, with this proposal they are asking the city to think of all the residents of Gig Harbor.

Debra Ross – 9023 Point Fosdick Drive. Ms. Ross, owner of the building that Suzanne's is located, spoke in favor of the ordinance. She said that staying open until 9 p.m. will not bring a rowdy bar crowd, and it would be an advantage to the downtown.

Jack Eddy – 7720 Insel Avenue. Mr. Eddy said that change can be good, explaining that when they moved here in 1977 you had to drive to Tacoma after 5 p.m. to get a hamburger because everything here was closed. He spoke in favor of the ordinance saying small businesses are the lifeblood of a small community. He referred to what happens to revenues when big box stores like Borders fold, and the positive tax-base that occurs from small businesses that provide 5-10 jobs year after year. He said the proposed changes will also allow these two small restaurants to survive in the winter.

There were no further comments and the public hearing closed at 7:25 p.m.

Councilmembers asked questions of staff and discussed the intent and possible effects of the proposed ordinance. This will return for a second reading at the next meeting.

2. First and Final Reading of Ordinance – 72nd Street Annexation. Planning Director Tom Dolan presented the background for this ordinance to finalize this annexation of approximately four acres. He explained that the ordinance, per code, can be adopted at this first reading.

MOTION: Move to adopt Ordinance No. 1212 as presented.
Payne / Kadzik – unanimously approved.

Mayor Hunter announced that the Eagle Scout presentation had been moved to the next meeting.

STAFF REPORT:

1. HBZ Project Evaluation Matrix. City Administrator Rob Karlinsey recommended another workshop on June 6th to evaluate how well the projects meet the intent of the Hospital Benefit Zone. He asked Council to submit their draft matrix the Wednesday before the worksession for inclusion.

2. Wheeler Avenue Asphalt Paving. Rob Karlinsey presented a request from a resident to pave the uncontested portion of Wheeler Street. He suggested that this be discussed in the 2012 pavement management program.

PUBLIC COMMENT: No one came forward to speak.

MAYOR'S REPORT / COUNCIL COMMENTS: There were no Mayor or Council comments.


ANNOUNCEMENT OF OTHER MEETINGS:

1. Civic Center Closed Monday, May 30th for Memorial Day.
2. Harbor Hill Park Dedication Ceremony – June 8 at 3:00 p.m.

ADJOURN:

MOTION: Move to adjourn at 9:05 p.m.
Franich / Young – unanimously approved.

CD recorder utilized: Tracks 1002 – 1046



Charles L. Hunter, Mayor



Molly Towslee, City Clerk