

## MINUTES OF GIG HARBOR CITY COUNCIL MEETING – June 13, 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 23, 2011.
2. Correspondence / Proclamations: National Flag Day Proclamation.
3. Receive and File: a) Minutes of May 16, 2011 HBZ Workstudy Session; b) Eagle Scout Project Proposal – Wilkinson Farm Footbridge.
4. Liquor License Action: Special Occasion – GHP Historical Society;
5. Resolution No. 862 – Surplus Property.
6. Appointments to Planning Commission.
7. Wilkinson Farm Park Trail System Conceptual Design and Wetland Mitigation Plan Contract.
8. Acceptance of McCormick Creek Development Easement.
9. Grandview Forest Water Tanks Anchoring Project – Construction Bid Award and Construction Services Contracts.
10. 2011 Travel Demand Model Update - Consultant Services Contract.
11. Kitsap Jail Contract.
12. Fire Investigation Contract Renewal – Pierce County.
13. Interlocal Agreement for Fire Inspection Services – Pierce County Fire District 5.
14. Amendment to Donkey Creek / Austin Estuary Design Contract – MSA.
15. Safeway Redevelopment Inspection Services – Consultant Services Contract.
16. Shoreline Master Program Update Consultant Services Contract – Second Amendment.
17. Approval of Payment of Bills for June 13, 2011: Checks #67052 through #67190 in the amount of \$671,627.75.
18. Approval of Payroll for the month of May: Checks #6254 through #6260, checks #6273 through #6276, and direct deposits in the amount of \$308,277.67.

**MOTION:** Move to approve the Consent Agenda as presented.  
**Ekberg / Conan** – unanimously approved.

Mayor Hunter introduced Reid Ekberg, newly appointed member and Jim Pasin, re-appointed member, both of the Planning Commission.

### **PRESENTATIONS:**

National Flag Day Proclamation – Ken Roberts, John Paul Jones Chapter of The Sons of the American Revolution. Mr. Roberts was not present and so no presentation was made.

**OLD BUSINESS:**

1. Second Reading of Ordinance – Restaurant 1 Uses in Waterfront Millville.

Planning Director Tom Dolan presented the background for this ordinance and offered to answer questions.

Councilmembers and the Mayor discussed the intent and possible effects on the Millville Neighborhood of the proposed ordinance.

**MOTION:** Move to adopt Ordinance No. 1213 as presented.  
**Kadzik / Conan** – roll call vote:

Ekberg – no; Young – yes; Franich – no; Conan – yes; Malich – no; Payne – yes; and Kadzik – yes. Motion carried 4 – 3.

2. Donkey Creek Daylighting Project Update. City Administrator Rob Karlinsey explained that Council requested additional information regarding funding options, refining the daylighting design including probable construction costs, and developing the roadway improvements including probable cost. He presented a brief overview of the requested information.

Senior Engineer Emily Appleton presented additional information on the refined daylighting design and roadway improvements.

Senior Planner Jennifer Kester spoke about the enhancement corridor and the trees that would be affected by constructing Austin Street as a two-way.

Mayor Hunter voiced appreciation for the museum's effort to make more easement available for the project.

Walt Smith – 19316 99th St. KPN, Vaughn, WA. Mr. Smith said that he has been working with staff, Lyndon Lee, and Bow Architects on developing a more aesthetically pleasing solution for daylighting the creek that will be approved by the Department of Fisheries and remain within budget. He gave an overview of the proposed concept and answered questions.

Steven Lynn – 9041 Peacock Avenue. Mr. Lynn, owner of Morso and Water to Wine, talked about “construction fatigue” from ongoing construction on Harborview for the past two years. He spoke in favor of the one-way proposal as it would appear to have less impact on traffic flow and be less costly. He then encouraged additional signage to bring more recognition to that area.

Dave Morris – 2809 Harborview Drive. Mr. Morris spoke on behalf of the Morris Foundation, the Rotary Club, and the museum in asking for assurance that none of the proposals would result in relocating the Midway School.

The Mayor and Council responded that none of the proposals are based on moving the school.

Jim Pasin – 3212 50th St. Ct. Mr. Pasin said that this project began as restoration of Donkey Creek but what is being proposed isn't restoration. He voiced dismay at the discussion on a proposal to go on the other side of the park, build another retaining wall and cut trees that could affect the upland stream. He encouraged Council to stop this project.

Frank Ruffo – 2767 Holly Bluff Court. Mr. Ruffo spoke first on behalf of the museum, saying they are in support of either alternative to help traffic flow. As a citizen, he said we have to stay within budget. He said something could be built with future modifications in mind; sending the money back would be ridiculous. He finalized by saying that the museum wants to continue to partner with and to have a great relationship with the city and citizens.

Jack Bujacich – 3607 Ross Avenue. Mr. Bujacich agreed with comments made by Mr. Pasin. He said he opposes closing Harborview Drive, adding information about Austin Street being a slide area. He talked about traffic counts, the budget and raising stormwater fees while taking \$300,000 from that account to do this project. He addressed cutting the trees using his own past experience of being required to replace one dead tree with 42. He then told the story of how salmon were introduced into Donkey Creek and finalized by saying if you fool with Austin there will be another slide and you'll have to look for another access.

Councilmember Young clarified for the public that closing Harborview Drive was always the plan. He voiced frustration that the stabilization and tree removal issues should have been known before we applied for the grant.

**MOTION:** Move to approve the pocket park over the arch culvert with one-ways and the staff estimate of \$2,575,000.00.  
**Ekberg / Young -**

Councilmember Ekberg said he supports this proposal because it gets the most of what we want with the budget we have.

Councilmember Payne spoke against this proposed motion citing several reasons. He said he supports the two-way of Austin.

Councilmember Conan agreed with many of the comments by Councilmember Payne, adding his own concerns. He said that he would not support the motion.

Councilmember Kadzik said this is really two projects and suggested separating the motion. He said he would not support the current motion and suggested more public input on this new information on Austin Street.

Mayor Hunter said we should work within budget.

There was discussion about requests to find funding from the HBZ for other projects and how the allocation is based upon each person's priorities.

Councilmember Franich voiced support of opening a problematic culvert but spoke against spending the money on these roads.

**RESTATED MOTION:** Move to approve the pocket park over the arch culvert with one-ways and the staff estimate of \$2,575,000.00.

**Ekberg / Young** - roll call vote:

Ekberg – yes; Young – yes; Franich – yes; Conan – no; Malich – no; Payne – no; and Kadzik – no. Motion failed 3 – 4.

There was discussion on separating the project into two parts and the importance of further public input on the impacts of the project.

Councilmember Malich voiced his desire to daylight Donkey Creek with a traffic bridge or arch culvert to avoid taking out trees and installing large retaining walls at Austin. This was discussed further.

There was consensus to have further public outreach on the Austin Street Design with an emphasis on mitigation of the retaining walls and loss of trees. Because of the time constraint for the non-transportation portion, Council was asked to move forward with design for daylighting the creek and Austin Estuary.

**MOTION:** Move forward and negotiate with MSA for the design of daylighting the creek and Austin Estuary from North Harborview Drive out to the bay.

**Young / Kadzik** – unanimously approved.

Councilmember Kadzik spoke in favor of the two-way on Austin to support flow from the park to the museum and the functions that could take place.

Staff was directed to hold the public outreach at Harbor Ridge Middle School and to strive for as much participation as possible.

3. Hospital Benefit Zone Project List. City Administrator Rob Karlinsey explained that at the workstudy session, Council identified twelve projects for funding in the next five years which he placed in a Five-Year Capital Plan for consideration. He gave an overview of the projects and estimated costs and answered questions. After discussion, Mr. Karlinsey said he would bring back the final Five-Year Plan for approval at the June 27th meeting.

**NEW BUSINESS:**

1. Ordinance – Termination of Moratorium on Medical Marijuana Dispensaries.  
Zach Lell, Legal Counsel sitting in for Angela Belbeck, recommended adopting this ordinance terminating the moratorium passed in April in one reading as it's basically a housekeeping item. He gave a brief overview of what has occurred in the State Legislature with this topic, saying that one aspect that wasn't vetoed will allow collective gardens for qualified medical marijuana patients. He added that staff's recommendation is to enact a moratorium on collective gardens before the law comes into effect on July 22nd. This will allow the city to establish a zoning and licensing framework for these uses.

**MOTION:** Move to adopt Ordinance No. 1214.  
**Conan / Young** – unanimously approved.

**STAFF REPORT:**

City Administrator Rob Karlinsey said he wanted to publically thank his co-workers for their hard work on the Maritime Festival.

Councilmember Franich asked for clarification on funding for Consent Agenda 14 – Amendment to Donkey Creek / Austin Estuary Design Contract with MSA. Mr. Karlinsey responded that the amount is part of the already budgeted amount from the Stormwater Fund.

**PUBLIC COMMENT:** None.

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

Mayor Hunter said he thinks Council is being rough on staff regarding the design of the Donkey Creek Project; this isn't standard engineering and there are few firms that have done wetland or estuary work. He asked that Council keep this in mind.

Councilmember Young announced that Pierce County Regional Council meets this Thursday for a public hearing on Comp Plan Amendments; one of which is Gig Harbor's. He asked if Council has any direction for him to let him know before the meeting.

Councilmember Malich thanked Emily Appleton for her time spent helping him understand the Donkey Creek project. Mayor Hunter recognized her efforts in trying to save the city money.

**ANNOUNCEMENT OF OTHER MEETINGS:**

1. Shorecrest Sewer Rate Public Meeting: Wed. June 15th at 5:30 p.m.
2. Operations Committee Meeting: Thu. June 16<sup>th</sup> at 3:00 p.m.

**EXECUTIVE SESSION:** For the purpose of discussing property acquisition per RCW 42.30.110(b).

**MOTION:** Move to go into Executive Session at 7:57p.m. for approximately fifteen minutes to discuss property acquisition per RCW 42.31.110(b).  
**Franich / Malich** – unanimously approved.

**MOTION:** Move to return to regular session at 8:09 p.m.  
**Kadzik / Conan** – unanimously approved.

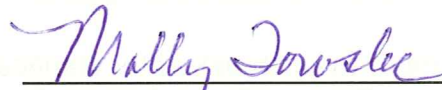
**ADJOURN:**

**MOTION:** Move to adjourn at 8:09 p.m.  
**Kadzik / Conan** – unanimously approved.

CD recorder utilized: Tracks 1002 – 1024



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Charles L. Hunter, Mayor



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Molly Towslee, City Clerk