

MINUTES OF GIG HARBOR CITY COUNCIL MEETING – NOVEMBER 28, 2011

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

CALL TO ORDER: 5:30 p.m.

PLEDGE OF ALLEGIANCE:

CONSENT AGENDA:

1. Approval of the Minutes of City Council Meeting of Nov. 14, 2011.
2. Receive and File: Minutes of Budget Worksessions – Nov. 7th and 8th, 2011.
3. Resolution – Cooperative Purchasing.
4. Memorandum of Understanding – Gig Harbor Historical Museum.
5. Amendment to City Attorney Contract.
6. Approval of Payment of Bills for Nov. 28, 2011: Checks #68351 through #68445 in the amount of \$461,047.79.

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

OLD BUSINESS:

1. Final Public Hearing and Second Reading of Ordinance – 2012 Proposed Budget. Finance Director David Rodenbach gave an overview the 2012 Budget. He explained that no changes had been made since the last reading.

Mayor Hunter opened the public hearing at 5:32 p.m. No one came forward to speak and the hearing closed.

MOTION: Move to adopt Ordinance No. 1227 as presented.
Payne / Conan - unanimously approved.

2. Public Hearing and Second Reading of Ordinance – 2011 Budget Amendment. Finance Director David Rodenbach presented the background information for amendments to the general fund, the street operating fund, and the street capital fund prior to year end.

Mayor Hunter opened the public hearing at 5:38 p.m. No one came forward to speak and the hearing closed.

MOTION: Move to adopt Ordinance No. 1228 as presented.
Young / Malich - unanimously approved.

NEW BUSINESS:

1. Public Hearing and First Reading of Ordinance – Performance Based Height Exceptions for Private Schools. Senior Planner Jennifer Kester presented the background on this zoning code text amendment to include private primary and secondary schools to be eligible for performance-based height exceptions for gymnasiums and performing arts related facilities.

Councilmember Malich masked if he needed to recuse himself as a member of St. Nicholas Church. City Attorney Angela Belbeck explained that this is a legislative issue and recusal would not be required.

Mayor Hunter opened the public hearing at 5:43 p.m.

Eileen McCain. Ms. McCain said she is a St. Nicholas parishioner, has two children in their school, and is helping St. Nicholas in her capacity as a land use attorney. Ms. McCain explained that St. Nicholas is asking for the same consideration that public schools receive. She passed out proof of the school's state accreditation as a private school. She mentioned an understanding of the impact on the surrounding neighborhoods; the reason they have met with the Greyhawk Neighborhood Association and invited them to participate.

Councilmember Young asked if consideration would be given to take the additional step to have the school property re-zoned to P-I in order to leave some legislative control to where this could occur.

Ms. McCain responded that a private school could never meet the definition of a public institution. Limiting the condition to state accredited schools was the solution to preventing others from applying. She added that they will still have performance standards that will need to go before the Hearing Examiner.

Ken Montgomery – 7777 Greyhawk. Mr. Montgomery said that his yard backs up to the church and made three points: 1) This exception is within the historic boundary area which was in place before the school or Greyhawk neighborhood; 2) The homeowners will have to endure increased noise from a gymnasium in their backyards; and 3) If allowed, it will lower their property values.

Ken Wheeler – 7733 Greyhawk. Mr. Wheeler said his property abuts the school ground. He said that the children are great, polite and are great neighbors. He suggested that they consider a design that placed the first floor below grade to minimize the appearance and affect of such a massive structure. He said this might cost more than the budget, but they wouldn't have to change the height restrictions.

Jim Eva – 7855 Greyhawk. Mr. Eva said that a number of his concerns have been mentioned. He commented that Greyhawk residents would be more amenable to the project if they had an idea of the plan; where it will be located and what it looks like. He agreed that it's important to get the height restriction exemption before they design the

project. He said he knows if the project is built, their property values will decrease due to blocked view, increased noise, and parking overflow.

Robert Pohl – 7827 Greyhawk. Mr. Pohl said his house is located next to the community hall, one of the possible locations of the new gym. He said he measured the distance from the community hall to his property which is 8'5". If they change the structure it will be detrimental to his property value, and he would oppose this.

Eileen McCain responded that this is a legislative amendment not associated with a site specific project and they need the amendment before they can determine a location. She clarified that the church has been here for close to 100 years but is not located in the historic district. She said that one site being considered is the existing parish hall, which is why the Greyhawk neighbors have been included in the discussions. She said that city code requires modulation which would prevent a large, brick wall facing anyone's yard. In addition, there are several ways to go below grade and the sloping property may allow the project to be built without blocking anyone's view. One reason they've hired BLRB Architect's is that they know city code but until they know the parameters, nothing can be designed. The Greyhawk neighborhood will be part of the planning and design phase when it goes through the performance design phase.

Councilmember Malich asked the height of the current church and whether the gym needs to be adjacent to the church. Ms. McCain didn't know, but said it was once constructed to be used as a gym in the future, but now it isn't suitable. Instead the parish hall would be turned into a gymnasium / multi-purpose facility. She said that the noise would be contained within the gym. She talked about locating the gym close to the school because of inclement weather, and consideration for the elderly and young children.

Mayor Hunter suggested some sort of schematic to make the neighbors feel better.

Councilmember Franich voiced concern that this ordinance affects more than just this one site.

Carol Eva – 7855 Greyhawk. Ms. Eva voiced appreciation for being included in the process. She brought up several points: 1) they were told the structure could be up to 36' right up against their back yard; 2) currently there are AA meetings in the parish hall with lots of motorcycle, auto, and talking noise until 9:30 at night. A gym would have evening events that would increase the noise; 3) there are currently two small driveways into the front of the church and it would be difficult to accommodate the increased traffic.

There were no further comments and Mayor Hunter closed the public hearing at 6:16 p.m. Ms. Kester responded to several Council questions regarding the proposed amendment and project. This will return at the next meeting for a second reading.

2. Appointment of a City Representative for the Public Transportation Improvement Conference. City Administrator Rob Karlinsey introduced this request to appoint an

elected to represent the city at the upcoming December conference to consider revisions to the Pierce Transit Boundaries.

Peninsula Transit's Public Information Officer, Lars Erickson, answered questions on the upcoming meeting. He then asked Pierce Transit's Legal Counsel, Tom Wolfendale, to explain the expectations for the first meeting of the PTIC. Both he and Mr. Erickson answered Council questions regarding the PTIC.

Councilmembers discussed who would like to act as the city's representative. Both Councilmember Malich and Young indicated an interest. Councilmember Young commented that he interacts with many of the same representatives on the PCRC.

MOTION: Move to nominate Councilmember Derek Young to represent the city at the Public Transportation Improvement Conference.
Conan / Payne – unanimously approved.

STAFF REPORT:

1. Flood Control Zone District Presentation by Pierce County: Council direction needed. City Administrator Rob Karlinsey explained that Executive McCarthy and Pierce County Councilmember McDonald would like to speak to Council on the flood district and asked to be scheduled for the December 12th meeting. Councilmember Fleming cannot attend this meeting and has proposed postponing the presentation until January 9th or 23rd.

After discussing the time constraints, Councilmembers concurred that they would prefer to have Councilmember Fleming and the new City Councilmembers present at this discussion. Mr. Karlinsey was directed to try and schedule the discussion at the first meeting in January.

2. Pierce Conservation District \$5 Assessment. Rob Karlinsey explained that Council re-authorized the \$5 per parcel property tax assessment on November 14th. Later, the city received notice from Pierce County that they would be holding a public hearing on December 6th regarding the assessment as well. He said that there seems to be some confusion on who has the authority to administer the funds and so he has asked Angela Belbeck to look into it. He will report back with an answer.

PUBLIC COMMENT:

Peter Stanley – Tides Tavern, PO Box 208, Gig Harbor. Mr. Stanley commented on the new city parking lot adjacent to the Tides, praising the efforts of city staff George Flanigan and Marcos McGraw for the superb job of handling the project. He thanked the city for going out of the way to minimize impact on the restaurant during construction.

MAYOR'S REPORT / COUNCIL COMMENTS:

Councilmember said that the new formatting of the council packet it made it hard to navigate. City Administrator Karlinsey explained that staff is trying out a new program to streamline the process and it's still a work in progress.

Councilmember Young presented an update on actions taken by the AWC Legislative Committee. He said that the letter to the Governor from Washington Mayors regarding revenue cuts was countered with a proposal to give up 30 million in storm-water grant programs and an additional 35% in liquor tax distribution for close to 70 million in reductions.

ANNOUNCEMENT OF OTHER MEETINGS:

Planning/Building Committee: Mon. Dec 5th at 5:15 p.m.

EXECUTIVE SESSION: For the purpose of discussing pending or potential litigation per RCW 42.30.110(1)(i), and Guild Negotiations per RCW 42.30.140(4)(a).

MOTION: Move to adjourn to Executive Session at 7:03 p.m. for approximately 35 minutes For the purpose of discussing pending litigation per RCW 42.30.110(1)(i), and Guild Negotiations per RCW 42.30.140(4)(a).
Payne / Conan – unanimously approved.

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

MOTION: Move to adjourn.
Payne / Franich – two voted in favor. Councilmembers Young, Malich and Conan voted no. The motion failed.


MOTION: Move to authorize the Mayor to sign the settlement agreement with Hood Canal Settlement Enhancement.
Young / Conan -

Roll call vote: Young - yes; Franich - yes; Conan - yes; Malich - no; Payne – no. The motion carries three to two.

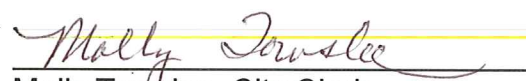
ADJOURN:

MOTION: Move to adjourn at 7:43 p.m.
Young / Conan – unanimously approved.

CD recorder utilized: Tracks 1002 – 1025



Chuck Hunter, Mayor



Molly Towslee, City Clerk