

MINUTES OF GIG HARBOR CITY COUNCIL MEETING – February 13, 2012

PRESENT: Councilmembers Ekberg, Young, Guernsey, Perrow, Malich, Payne, Kadzik and Mayor Hunter.

CALL TO ORDER: 5:30 p.m.

PLEDGE OF ALLEGIANCE:

CONSENT AGENDA:

1. Approval of the Minutes of City Council Meeting of Jan. 23, 2012.
2. Liquor License Action: a) Added Privilege – Fred Meyer; b) Added Privilege – QFC; c) Added Privilege – Costco; d) New Application – The Wine Studio; e) Discontinued – Harbor Kitchen; f) Added Privilege – Safeway.
3. Receive and File: a) Operations and Public Projects Committee Minutes of Nov. 17 and Dec. 15, 2011; b) Parks Commission Minutes of Jan. 4, 2012; c) Lodging Tax Advisory Committee Minutes, January 5, 2012; d) Finance / Safety Committee Minutes Dec 19, 2011; e) 2011 4th Quarter Financial Report; f) Letter from Pierce Transit praising Public Works Staff.
4. Appointment to Parks Commission.
5. Tacoma / Pierce County Task Force Memorandum of Understanding.
6. Tacoma Regional Convention and Visitor Bureau Services 2012.
7. Harbor WildWatch – Agreement for Distribution of Grant Funds.
8. Well No. 11 Production Well Construction Consultant Services Contract – Carollo Engineering.
9. Gig Harbor Historical Waterfront Association Agreement.
10. Approval of Payment of Bills Feb. 13, 2012: Checks #68892 through #69033 in the amount of \$586,611.89.
11. Approval of Payroll for the month of January: Checks #6414 though #6434 in the amount of \$328,773.63.

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

PRESENTATIONS:

1. Holiday Helpers Support Group Recognition. Chief Mike Davis introduced the Holiday Helpers Program and recognized several supporters of the program: Fred Labayen, Ambassador from Galaxy Theatre; Teresa Baker from Kelly's Café; Pam and Steve Sutton with the State Patrol and Betcher Family Foundation; and Kim Crowder, Volunteer Coordinator from Shop With a Cop Program. Chief Davis also recognized the local Target for closing their store for four hours to allow the kids to shop, and donating wrapping paper, stocking stuffers, and a Santa. City Council voiced appreciation for all the support for this worthwhile program.
2. "The Catch" Maquette of Proposed Bronze at Maritime Pier. Representing the Greater Gig Harbor Foundation, Julie Gustanski gave an overview of the mission of the foundation and

the request by David Senner for the foundation to take over the project to raise funds for a piece of art that would be a gift to the city.

Douglas Granam, Southworth. Mr. Granam talked about this opportunity to honor fishermen with a representational statue of the 1909 Ashael Curtis photo. He described how the maquette is made in foam and clay, and said that the final product would be done the same way, and then finished as a silicon hollow cast bronze that would patina over time. He mentioned the opportunity to make the jacket green and the salmon silver and the naming opportunities such as benches in the area.

Ms. Gustanski closed by saying the maquette has been in the works long before it was recommended by Council. She also said the maquette has been reviewed by the Gig Harbor Arts Commission.

Tracy VonTrotha – Chair, Gig Harbor Arts Commission. Ms. VonTrotha offered to answer questions regarding the Arts Commission's recommendations. She read a personal statement regarding how the Arts Commission agreed that the statute would be a fitting addition, but disagreed on accepting how the maquette was produced. She explained that they were expecting a small, hand-carved model in wax or clay, but were taken aback with a model that was largely outsourced utilizing 3-D software and produced robotically. One of the commission's recommendations is that the primary artistic credit is given to the photographer, and the technology used to produce the statue be publicized. She suggested that in the future, procedures be put in place to address any major public art donation to the city. She then addressed Council questions regarding the Arts Commission's recommendations.

Ms. Gustanski responded that she and Mr. Granam had just read the recommendations from the Arts Commission a few minutes ago and neither have any objections. She commented that the project is a gift to the city and many things were in play before it was given to the GGHF. She explained that the production method was used for the small model, and the artist component will come with the full-sized statue. She also said that as things progress, information will be posted on their web-site, and that people will find the technology intriguing.

Mr. Granam was asked about the final product. He said that the statue will be around 6'5" tall and suggested that the base be designed to allow people to get near the statue. He explained that his own creative aspect will be in the finishing of the statue; in things like the scales of the salmon and the seams of the jacket and boots, all which will be done by hand. Mr. Granam suggested that people come to his studio and be part of the on-going process.

Mardie Rees – 5810 Sandy Packard Road. Ms. Rees, a native Gig Harbor sculptor and member of the Gig Harbor Arts Commission, voiced concern about how the piece is being made. She explained that her profession is sculpting the human figure; she works with a live model and spend hours on research to ensure her pieces have "soul" and "meaning." She said that the 3-D technology is a useful tool that she uses to accurately enlarge a piece from hand-sculpted work and then finishes by hand. She stressed that "The Catch" was digitally created but is being sold to the community as a commissioned art piece. She said that this is manufacturing, not a piece of fine art that gives value to a place. By accepting this

manufactured piece to be placed in a prominent place we are saying we don't value what is real, she said, and asked if this is the legacy we want to leave. She strongly suggested the City not accept this project in its present form.

Don Rees – 9803 44th Ave NW. Mr. Rees, Mardi's father, explained that an artist would spend six to eight months with a live model, but what he sees here is a Xerox copy. He explained that he toured the 3-D facility when he took Mardi's pieces there for digital archiving. He talked about the years of study of the human figure required to sculpt a statue, then asked if "The Catch" should be called a sculpture by Hitachi. He also referred to the statue as a "Milli Vanilli" misrepresentation of the real thing. He continued to say this new technology is great to scale up your model and helps reduce the cost of the final product, but they start with an art piece. The maquette was outsourced, made from blue foam, painted with clay and touched up by hand. He said the Greater Gig Harbor Foundation and the city has good intentions, but we are forgetting where we came from. Because the piece is set up as a commissioned art piece, it is not truly representational of what it actually costs to create. When asked if he thinks photographs are art, he responded that there is a difference between a photograph and a painting and a photo will never be a painting, just as this technology will never be a sculpture; they just don't have the same value. He said that this reflects poorly on the city, it doesn't encourage artistic expression in the community, and is a slap in the face to the artists.

Councilmember Payne said that Council relies upon the Arts Commission for a recommendation but there seems to be conflicting information on whether or not to move forward. Mayor Hunter reminded everyone that this is a gift to the city and we aren't involved in the fundraising efforts.

Ms. Gustanski explained that Council adopted a resolution in support of the project in October and the concern that the product represents the image on the Ashael Curtis photo has been the assurance made by both Mr. Granam and the foundation. She said that it hasn't been sold as a commissioned piece; it is being sold as an opportunity for the community to join together to gift the city with a valuable piece of art.

Councilmember Perrow asked why 3-D was used rather than the traditional method. Mr. Granam responded that it's a gross misrepresentation to assume you can carve something out of foam with a machine, slap clay on it and say you have a sculpture. He explained that foam core has been used since ancient times and that with hand finishing, this *is* the traditional method utilizing available technology. He added that this is the best way to create a piece that looks exactly like the photo in response to comments made by Council. He then addressed the Arts Commission recommendation to not do anything to color the patina by saying he thinks giving the fish and jacket color it would enhance the work.

Councilmember Ekberg commented that the main concern is that it looks like the picture, and it does. He said that it is a great gift and the city should embrace it, move forward, and thank them for their efforts. Councilmember Kadzik agreed, adding that although he appreciates what the artists have said, the city should accept this gratefully.

Councilmember Young voiced appreciation for both sides presented by the artists which he called two different approaches to the same end.

MOTION: Move to accept the maquette as demonstrating the ability of the artist to produce a life-sized realistic bronze statue for placement at the Parking Lot and Maritime Pier location (3003 Harborview Drive), with the stipulation that all six recommendations of the Gig Harbor Arts Commission be added.
Kadzik / Malich – unanimously approved.

3. Sand Volleyball Court Lighting. City Administrator Rob Karlinsey introduced the subject and presented a brief background for this request to light the sand volleyball court to extend the hours it can be used.

Chris Nelson, proponent for the project, used a PowerPoint presentation to explain the desire to install lighting in order to use the courts after dark. At the conclusion, he asked Council's approval to move forward before they spend more time or money on the idea.

Councilmembers discussed appropriate lighting, the affect on proximal residences, hours of operation, how much staff time would be involved, and the concern that this could set precedence for other city parks.

Council concurred that if the group could propose acceptable hours and a lighting proposal that meets city standards, they should be allowed to move forward.

Greg Vermillion thanked Council for listening and said that the courts are a dream. He said that a key point in proceeding is the hours they would be allowed to play. He was directed to talk to the neighbors and work with staff to come up with something acceptable to both.

OLD BUSINESS:

1. Second Reading of Ordinance – Shorecrest Community Septic System Rates. Finance Director presented the background for the rates and an overview of the public process to date. He explained that the information given at the last public meeting was accepted with the main concern being the connection fee for the three available hookups.

City Attorney Angela Belbeck and Public Works Inspector George Flannigan provided additional information on the subdivision of property resulting in five lots and three available connections.

MOTION: Move to adopt Ordinance No. 1230.
Malich / Guernsey –

Jim Franich – 3702 Harborview Drive. Mr. Franich asked if there was clear understanding and provisions in the agreement for who would be responsible to pay to run a sewer line to a city hookup if the drainfield fails. He said it was discussed in committee and he thought there was an agreement. He said that this is the time to address it.

David Rodenbach responded that Section Four of the agreement establishes a separate fund to pay for costs of maintenance. He continued to say that in the next rate study, Shorecrest will be reviewed as a separate system to assess future repair costs.

Wastewater Treatment Plant Supervisory Darrell Winans said it has been made clear to the property owners that it would be their responsibility. City Engineer Steve Misiurak added that the system has been evaluated and deemed to be in good shape with adequate reserve capacity.

Annette Spadoni Bannon – 7722 84th Ave. Ct. NW. Ms. Bannon explained that her property overlooks Ray Nash drive and was the second sold in the Shorecrest Development in 1970 before it was re-developed as Rosedale Estates. She said she is one of the three interested parties in hooking up to the system, and that she did attend the February 6th meeting.

RESTATED MOTION: Move to adopt Ordinance No. 1230.
Malich / Guernsey – unanimously approved.

NEW BUSINESS:

1. Public Hearing and First Reading of Ordinance – Downtown Parking Amendments.
Senior Planner Jennifer Kester presented the background information and recommendations by the Planning Commission for proposed amendments to the downtown parking regulations.

Mayor Hunter opened the public hearing at 7:14 p.m.

John Moist – 3323 Harborview Drive. Mr. Moist thanked Council for considering updates to the parking standards which he said would provide an even playing field for all downtown businesses. He responded to questions from Councilmember Malich by saying that they have no plans on changing uses for any of their properties. He also said that there is no ordinance prohibiting gated parking for retail, further explaining that the only street access to Ship to Shore is through the marina lot which is filled with general public during city-endorsed, non-economic events which leaves limited parking for their tenants. He suggested city signage to direct people to authorized parking. His last comment was in response to the question of whether they plan to increasing density without creating more parking. He said no, they don't.

Jim Franich – 3702 Harborview Drive. Mr. Franich requested that Council keep this narrowly focused; to first try it downtown to gauge any repercussions to the residents. He offered several examples of employees using off-site parking which he said restricts parking for others. He questioned the 500' distance, then said at least it would require clear signage demarking it as business parking. He addressed the low level of service at downtown intersections, voicing concern that a change of business use could create the need for a traffic analysis. He asked for clarification on the Planning Commission discussion on a threshold to prevent parking from extending into the residential areas.

Ms. Kester responded that in later meetings they talked about distance limitation for how far away off-street should be allowed, but it was mostly brain-storming; no specific limits were identified.

Bob Frisbie – 9720 Woodworth and property owner at 3721 Harborview. Mr. Frisbie had several comments. 1) Remove Waterfront Millville from the parking changes; apply the changes to the other zones to see what happens. 2) Track sales tax to see if the parking changes affect business. 3) Waterfront Millville has the most restrictive parking requirements of all; it's a good mix so leave it alone until you see how it works elsewhere. 4) 500' rule: there has always been an opportunity for people to build parking lots, but to be viable, the city needs to change the buffering and setback regulations. 5) Downtown, the city should buy property for parking.

Mary DesMarais – 3311 Harborview Drive. Ms. DesMarais reinforced that the Gig Harbor Historic Waterfront Association is in favor of the changes. She said that in the 2nd quarter this year, they would be looking at the parking impacts downtown.

There were no further public comments and the Mayor closed the public hearing at 7:25 p.m. Ms. Kester responded to comments made during the public hearing and Council questions on the proposed amendments. After further discussion on removal of areas from the ordinance, Councilmember Young offered a motion.

MOTION: Move to direct staff to remove reference to Waterfront Millville from Item 1, page 2 of 36.
Young / Kadzik – unanimously approved.

Ms. Kester clarified that this means that reference to Waterfront Millville would be removed from Section 17.72.075 of the Ordinance before it comes back for a second reading. City Administrator Rob Karlinsey reminded Council that they will be asked for direction on two other Planning Commission recommendations that are not currently part of the ordinance at the next meeting.

There was brief discussion on other areas of the city where there could be parking restraints and expanding provisions to allow joint use of parking spaces in the downtown area.

2. Naming of City Pier. City Administrator Rob Karlinsey gave a brief update on construction of the restroom and pier, the background for the interest on what the pier is to be named. He said the Parks Commission solicited input from several interested parties and have forwarded a recommendation for City Council to consider the names of "Fishermen's Pier" (1st choice) and "People's Dock" (2nd choice).

Councilmembers weighed in on their preferred choice. Councilmember Ekberg said his first choice is Maritime Pier.

Councilmember Payne called the name "Maritime Pier" redundant, but he would be okay with any of the three. He said the most historically accurate name would be Peoples' Warf, Dock or Pier. He said without the Fishermen's help, there wouldn't be a pier, and the committee came up with Maritime Pier to reflect its multi-use.

Councilmember Young didn't want to limit the name to just one industry because it will be used by so many. He said he was leaning toward the Maritime Pier, something the Fishermen's Club came up with, but now because of the historic and inclusive name Peoples' Dock.

Councilmember Perrow said that he can't separate the Maritime Pier from the marketing tagline, *The Maritime City*. He said he settled on the Fishermen's Pier because it's what people identify with Gig Harbor. He added that Peoples' Pier is also something he is comfortable with.

After discussion on the difference between a wharf, a pier, and a dock, a motion was made.

MOTION: Move to name it "Peoples' Dock."
Young / Malich – five voted in favor. Councilmembers Guernsey and Perrow voted no.

STAFF REPORT:

1. Council Retreat. City Administrator Rob Karlinsey explained that a Councilmember won't be able to attend the retreat scheduled for April 27th and asked for an alternate date that would work for everyone. May 11th was suggested.

2. Tacoma Narrows Airport Advisory Commission. Mr. Karlinsey said that the city's representative, Harris Atkins had trouble receiving the invites for these meetings and so hasn't been attending. He said he would check with Harris to see if he wishes to continue as our representative and if not, Council would be asked for a representative.

3. Amendments to Parks Commission Ordinance and Bylaws. Rob Karlinsey presented three recommendations by the Parks Commission to: a) change their name from "Friends of the Parks" to "Parks Commission;" b) remove term limits; and c) include a provision to allow a commissioner to be removed after three consecutive, unexcused absences.

Councilmember Perrow said that the concern with term limits is there has been difficulty in recruiting members, and they have wanted to change the name for quite awhile. Council concurred with the recommendations and directed staff to draft the necessary ordinance for consideration.

4. Pierce County Regional Council Request. Ms. Kester presented the background on the request to identify Town Centers to help rank transportation projects for federal funding being passed down from Puget Sound Regional Council. She asked for support to add Gig Harbor North and potentially the Westside and for this and for future county-wide planning purposes.

Councilmember Young added that there have been a number of times that our projects have missed out by a point or two; identifying growth centers could help gain additional points for funding opportunities. He said that at this time there are no standards and no requirements to meet.

Council concurred with the effort to move forward with the recommendation.

PUBLIC COMMENT:

Krista Leathers – 6810 Cascade Avenue. Ms. Leathers, a resident for 31 years, spoke about the lousy resurfacing job done on Soundview Drive. She said it was a waste of the taxpayers' dollars and the city should have waited until they had the money to do it properly.

Michael Elwell – 9211 No. Harborview Drive. Mr. Elwell spoke about the moorings, boat permits, tickets, and boats scheduled to be towed tomorrow. He read a letter requesting to keep his son's boat anchored in front of his property until the proper permits can be obtained from DNR.

Council voiced reluctance at becoming involved in an enforcement action. City Attorney Angela Belbeck explained that this is not the proper venue for Mr. Elwell to ask for an extension, adding that there is a separate appeal process outlined in state law.

After additional conversation with Mr. Elwell, Councilmember Ken Malich offered to allow him to moor the boat at his dock until the issue could be resolved.

MAYOR'S REPORT / COUNCIL COMMENTS:

1. Downtown Historic Preservation and Planning. Mayor Hunter recommended that the city look at the downtown regulations before development resumes. He said he is proposing a Council Committee headed by Councilmember Jill Guernsey to facilitate the process.

Councilmember Guernsey thanked the Mayor and Staff for considering this committee to focus on several issues. She explained that during her campaign she heard quite a concern for the loss of services downtown. She said she is hoping that with the committee we can come up with a vision that would allow us all to be on the same page, pick up the pace, and to take action.

Councilmember Young added that he hopes that the obvious things can be done quickly rather than waiting for a package proposal.

Councilmember Perrow announced that April 21st is Parks Appreciation Day and coincides with Earth Day. He said that we are focusing on five parks to eradicate ivy and scotch broom, with an emphasis on the trees at Donkey Creek Park.

Councilmember Payne recognized Kyle Rohrbaugh, the newest appointee to the Parks Commission. He said that Kyle is a bright young guy who will be a welcome addition.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Operations Committee: Thu. Feb 16th at 3:00 p.m.
2. Civic Center Closed for President's Day – Mon. Feb. 20th.

EXECUTIVE SESSION: For the purpose of discussing guild negotiations per RCW 42.30.140(4)(a).

MOTION: Move to adjourn to Executive Session at 8:30 p.m. for approximately 30 minutes for the purpose of discussing guild negotiations per RCW 42.30.140(4)(a).
Kadzik / Payne – unanimously approved.

MOTION: Move to return to regular session at 9:00 p.m.
Kadzik / Payne – unanimously approved.

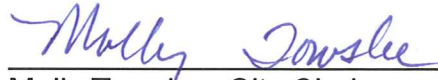
ADJOURN:

MOTION: Move to adjourn at 9:00 p.m.
Kadzik / Payne – unanimously approved.

CD recorder utilized: Tracks 1002 – 1033



Chuck Hunter, Mayor



Molly Towslee, City Clerk