

MINUTES OF GIG HARBOR CITY COUNCIL MEETING – September 23, 2013

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

CALL TO ORDER: 5:30 p.m.

PLEDGE OF ALLEGIANCE:

EXECUTIVE SESSION: To discuss property acquisition per RCW 42.30.110(1)(b)

MOTION: Move to go into Executive Session at 5:32 p.m. for approximately twenty minutes to discuss property acquisition.
Kadzik / Malich – unanimously approved.

City Administrator Denny Richards returned to the Council Chambers at 5:55 p.m. to announce that the Executive Session had been extended another ten minutes.

MOTION: Move to go return to regular session at 6:09 p.m.
Kadzik / Young – unanimously approved.

CONSENT AGENDA:

1. Approval of City Council Minutes Sep 9, 2013.
2. Liquor License Action: Renewals: Gourmet Burger Shop, Moctezuma's, Java & Clay Cafe, and Blue Agave Mexican Grill & Tequila Bar.
3. Receive and File: a) Parks Commission Minutes August 13, 2013; b) Lodging Tax Advisory Committee Minutes September 12, 2013; c) Gig Harbor Arts Commission Request for Funding.
4. Correspondence / Proclamations: a) Dept. of Ecology – No Further Action Approval for Eddon Boat Sediment Remediation Project; b) Note from former Mayor Gretchen Wilbert regarding Senior Center Activities; c) Comcast Foundation Grant Letter.
5. Second Reading of Ordinance No. 1269 – Budget Amendment Correcting 2013 Salary Schedule.
6. Second Reading of Ordinance No. 1270 – North Harborview Drive Right of Way Vacation/Dedication.
7. Resolution No. 936 – Applying Ordinance No. 1244 to the Harbor Hill Development Agreement.
8. Skansie Net Shed Pier Replacement – Public Works Construction Contract Award.
9. Franchise Agreement Renewal – Sewer Franchise with Pierce County.
10. Maritime Pier Pump Out – Public Works Construction Contract Award.
11. RCO Grant Agreement – Eddon Boat Park Expansion Project.
12. Approval of Payment of Bills Sep 23, 2013: Checks #73455 through #73602 in the amount of \$710,002.74.

MOTION: Move to adopt the Consent Agenda as presented.
Ekberg / Perrow – five approved. Councilmembers Guernsey and Perrow abstained from the vote due to a conflict of interest.

OLD BUSINESS:

1. Second Reading of Ordinance No. 1271 – Marijuana Related Uses. Senior Planner Lindsey Sehmel presented the background for this ordinance. Using an update map, she gave an overview of the areas showing the 1,000 foot buffer requirement in the zones where this use might be permitted. She addressed Council's questions.

Before the vote was finalized, Councilmember Guernsey commented that she isn't in favor of this, but without the limitation on where retail marijuana retail stores could locate, the city runs the risk of having them anywhere.

MOTION: Move to adopt Ordinance No. 1271.
Kadzik / Payne – unanimously approved.

NEW BUSINESS:

1. Resolution No. 937 – 2015 GMA Periodic Review and Commerce Grant Acceptance. Senior Planner Lindsey Sehmel explained that this resolution would authorize the execution of an \$18,000 grant to assist in the state mandated 2015 Comprehensive Plan periodic review. It would also combine any 2014 amendments into the 2015 review period.

Councilmember Young asked how much of staff time that the grant would cover; then voiced his dislike of unfunded state mandates. Ms. Sehmel responded that the grant would cover approximately 10% of the staff time required for the review process.

MOTION: Move to adopt Resolution No. 937.
Kadzik / Payne – unanimously approved.

STAFF REPORT:

1. Land Use Permit Extensions. Planning Director Jennifer Kester explained that in 2009 and 2011 Council adopted ordinances that allowed extensions of certain land use permits due to the poor economy. Currently pending are six permits that expire in November, 2013. One of the applicants, Mr. Ritter, has asked Council to consider another extension, she said, and staff recommends extending only current, valid permits that have previously received extensions. Ms. Kester added that Council would also need to consider how long an extension should be granted, explaining that all these permits were vested under the previous stormwater manual and most are vested to previous critical area standards.

Councilmember Guernsey spoke in favor of another extension, saying she hopes any applicant will take a serious look at preventing flooding issues no matter what regulations they have been vested.

Councilmembers further discussed the appropriate length of another extension and

possible issues with stormwater requirements. Staff was directed to come back with an ordinance that will authorize a two-year extension conditioned upon the ability to show that there are no public safety concerns with continued vesting.

Ms. Kester addressed Councilmember Malich's concerns and clarified what is required for a permit to remain active.

PUBLIC COMMENT:

Kathy Moss – 2815 43rd St. NW. Ms. Moss presented the history of their neighborhood's request for sidewalks on Point Fosdick since their first request in 2007. She explained that the only traffic remediation required of the high density apartments adjacent to their neighborhood was bike hooks in the garage and sidewalks within the development, but nothing along Point Fosdick. She talked about the safety issues along that stretch of roadway and urged the city not to wait for an accident to happen before something is done. She said that this should be a priority.

Suzanne Wayland – 2819 42nd Street. Ms. Wayland backed what Ms. Moss said, commenting that she walks along Point Fosdick and it has become very scary. She said that the city wants this to be a walking community, and people do walk along that stretch, but it's dangerous. She commented that it's a small section that goes to Quail Run and if the city could help, she would appreciate it. She responded to a question from Councilmember Malich by saying it's difficult to cross the street in this location because the people coming out of the round- about speed through there. She mentioned the school buses and children present, saying that perhaps a crosswalk or boardwalk is needed.

Jo West – Fircrest. Ms. West said she is trying to find out why the city doesn't support the Farmer's Market downtown. She explained that she has participated in this program for five years and her business has continued to grow. She talked about how busy it is on Wednesdays and Sundays, and about the kids that are there on Wednesdays for the Harbor Wildwatch program. She said she doesn't understand why the city doesn't think it's a good thing to have it there.

Mayor Hunter said that no such decision has been made; the only issue is parking on the lawn. Ms. West said that parking on the lawn was discontinued this year because there were problems with a broken sprinkler head and puddles; which she doesn't think is their fault. She added that this is a beautiful location and a natural spot for this event.

Councilmember Kadzik said that his understanding is that there has been no decision by the city to discontinue the market, just a strong position against vehicles on the grass. He added that the decision to pull out was made by the market people, not the city.

Ms. West said that this is encouraging and suggested a compromise to allow the market to continue. Councilmember Perrow said that Councilmembers are all supporters of the

market, and she was advised to have the Board work with the City Administrator to work through the issues. He commented the large tents blocking views of the historic netshed and working together on a presence at this historic site.

Jeff Langhelm asked if the Parks Commission should also be developing a policy for use of city parks along with the private structures policy they are currently working on. Councilmember Malich, Perrow, and Ekberg agreed on the need for a policy for commercial use on city property.

Paula Wheeler – Board member, Farmer’s Market. Ms. Wheeler explained that she has participated in the farmers market for 20 years, and how much they love it downtown. She stressed how much the market does to act as a voice for the city by directing tourists and answering questions. She talked about the people that come from all over because of the articles in the Smithsonian and LA Times, adding that she doesn’t understand why this city doesn’t support the market. She then said that there are only two trucks that park on the lawn because they need to be close to their products. She also talked about how muddy the park is because the lawn that is over-watered and has a sprinkler head that has been broken for three years.

Councilmember Payne again recommended that the Board sit down with the City Administrator to work this through.

Joseph Keenan – 5503 70th Avenue. Mr. Keenan, a student at Gig Harbor High School, asked if Gig Harbor has a curfew like the one in San Diego. He said a curfew would make it difficult for him coming home after dark from his classes at T.C.C.

Mr. Keenan was advised that Gig Harbor doesn’t have a curfew and was directed to ask the Police Department about questions of this nature, rather than the City Council.

MAYOR’S REPORT / COUNCIL COMMENTS:

Councilmember Young reported positively about the trolley meeting with the CEO of Pierce Transit. He said that their staff has recommended that this become a permanent program, and Pierce Transit has gone out to bid to purchase two buses for this purpose. He explained that the trolley route will be redone to fit with the 100 route and that the fare may be raised to \$1; saying that the final vote will take place at the next meeting.

Councilmember Ekberg referred to the “No further action” letter from the Department of Ecology for the Eddon Boatyard Property, and complimented City Engineer Steven Misiurak and staff for doing an excellent job on this project.

Councilmember Malich reported that he would be attending the Tacoma Narrows Airport Committee meeting on Thursday, and asked everyone to e-mail him with agenda topics.

ANNOUNCEMENT OF OTHER MEETINGS:

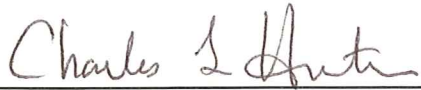
1. Open House – Downtown Waterfront Building Size and Height Amendments –

Monday, October 14th from 3:30 - 5:00 p.m. in Community Rooms A & B.

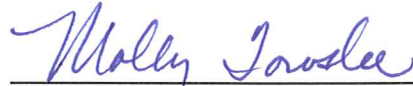
ADJOURN TO WORKSTUDY SESSION: Downtown Waterfront Alliance
Accomplishments – Community Rooms A & B.

MOTION: Move to adjourn at 7:00 p.m.
Young / Malich – unanimously approved.

CD recorder utilized: Tracks 1002 – 1018



Charles L. Hunter, Mayor



Molly Towslee, City Clerk