

MINUTES OF GIG HARBOR CITY COUNCIL MEETING – February 10, 2014

PRESENT: Councilmembers Arbenz, Perrow, Payne, Kadzik and Mayor Guernsey. Councilmembers Ekberg and Malich were absent.

CALL TO ORDER: 5:32 p.m.

PLEDGE OF ALLEGIANCE:

MOTION: To amend the agenda to add a brief Executive Session to the end of the meeting in order to discuss pending litigation per RCW 42.30.110. **Perrow / Kadzik** – unanimously approved.

SWEARING IN CEREMONY: Mayor Guernsey asked Rahna Lovrovich to come forward to be sworn in as the city's newest Councilmember, Position No. 4. When the ceremony completed, Councilmember Lovrovich took her seat at the dais.

CONSENT AGENDA:

1. Approval of City Council Minutes Jan. 13, 2014.
2. Liquor License Action: a) Renewals: El Pueblito, Discovery Village, Finholm's Grocery Deli, 7 Seas Brewing, Gig Harbor Liquor & Wine, Domo Sushi, and Blazing Onion.
3. Receive and File: a) Tacoma Narrows Airport Advisory Commission Minutes: September 26th and November 14th, 2013; b) Lodging Tax Advisory Committee Minutes Jan. 9, 2014; c) Boards and Candidate Review Minutes Jan. 21, 2014; d) Finance December Quarterly Report.
4. Appointments to Parks Commission.
5. Re-Appointments to Lodging Tax Advisory Committee.
6. Second Reading of Ordinance No. 1283 – Expiration of Utility Capacity Reservation Certificates for Utility Service Outside City Limits.
7. Tourism Promotion Activities Contracts: Tacoma Regional Convention Visitors Bureau; Kitsap Convention Bureau, and Tacoma South Sound Sports.
8. Maritime Pier – Dept. of Natural Resources (DNR) Aquatic Lands Lease Amendments.
9. Public Works Operations Center Geotechnical Study – Consultant Services Contract.
10. Resolution No. 950 – Equipment Purchase Reimbursement Obligation.
11. General Facilities and Rate Analysis – Consultant Services Contract.
12. Point Fosdick Drive Sidewalk Extension – Consultant Services Contract.
13. Critical Area Review – Amendment to Consultant Services Contract.
14. Cushman Trail Phase 3 - Constructability Review Assistance / Consultant Services Contract.
15. WWTP Phase 2 Habitat and Stream Buffer Mitigation Plan – Consultant Services Contract Amendment #1.
16. Approval of Payment of Bills Jan. 27, 2014: Checks #74462 through #74567 in the amount of \$685,308.36.

- 17. Approval of Payment of Bills Feb 10, 2013: Checks #74568 through #74724 in the amount of \$801,119.86/
- 18. Approval of Payroll for the month of January: Checks #7106 through #7126 and direct deposits in the amount of: \$347,850.69.

Councilmember Perrow said he would abstain from voting on the consent agenda as he is related to one of the appointees to the Parks Commission. City Attorney Angela Summerfield clarified that it isn't necessary for him to abstain.

MOTION: Move to adopt the Consent Agenda as presented.
Kadzik / Payne - unanimously approved.

Mayor Guernsey announced the appointments to the Parks Commission of Christine Hewitson, who was present in the audience, and Sara McDaniel, who couldn't attend the meeting.

OLD BUSINESS:

1. Second Reading of Ordinance – Waterfront Millville (WM) Residential Setback and Height Regulations. Planning Director Jennifer Kester presented a summary of this ordinance that would allow homes to be built closer to the sidewalk and to allow the building height to be measured at the property line. She said that after deliberation, Council could either adopt the ordinance as written, adopt with portions removed, deny the amendments, or direct staff to bring back all or a portion of the ordinance for a third reading.

MOTION: Move to adopt Ordinance No. 1284.
Kadzik / Payne –

Councilmember Kadzik explained that he is in support of this amendment because it is more residential friendly than past amendments to the Millville area. He said that he lives on the uphill side of Harborview Drive and is one of those who will be most affected by this amendment. He added that it will mostly affect views from the second story of these houses, and that when standing on the street, this is not going to make much difference. He commented that in the early 90's, a group of residents approached the city to help keep the Waterfront Millville zone as residential friendly as possible. He said that this current amendment "evens the playing field," and that he hopes it will be enough incentive for a property owner to keep it residential rather than going commercial. There is no question that the vacant lots will be developed, he added. The question is how they will be developed, and if this makes it easier for someone to remodel or rebuild, then he is in favor of it.

Councilmember Perrow said that he mainly supports the ordinance because with the recent adoption of the Shoreline Master Program updates, the city took 35 feet of property rights. This ordinance is a small way to give some of that back and still respects the neighborhood. He voiced disappointment that this isn't being done in the other areas along the harbor affected by the SMP.

Councilmember Payne said that he has been supportive of these amendments throughout the process because of the state-mandated taking of citizens' property. Anyone who owns property can understand the burden if they were to have a percentage of their back yard taken away. This requirement was imposed by the city because it was imposed by the state, and so this is a minor "give-back." This will allow houses to be pushed forward eight feet towards the street in a neighborhood where many homes are already fairly close to the street. And, this will have minimum impact to the public, or the look, feel, and culture of the neighborhood, but will allow something reasonable for the property owners. He addressed the concern voiced by Councilmember Perrow by saying that instructions were given to the Planning Commission to address solutions for the other waterfront areas outside Millville. Councilmember Payne continued to say that these recommendations are reasonable options resulting from a volunteer Planning Commission and their extensive public process and public input. He also shared that the Planning Director has said the impact of this amendment will be between one and two feet height increase for existing homes. For the rare existing empty lots, it would not increase the allowed height, but the impact from the street of the view. He shared a comment from former Mayor and resident of Millville, Jake Bujacich, when he said if you are looking at a 16, 18, or 20 foot high building from the street, it doesn't make much of a difference. Because this won't cause a substantive change in the view he will support this ordinance to give something back to property owners and to help the potential rehabilitation of existing homes.

Councilmember Arbenz said that he too, will support the amendment. He explained that although he wasn't on the Council during the debate on this issue, he has paid close attention and attended most of the meetings and the open house. He said that in listening to a lot of the citizens, this is ultimately a very minor change, and it gets to the core of the issue, which is the role of the Government and where it can give relief to the citizens as it relates to their own property. This is a minor change that gives back to people who lost. This is an important issue and echoing what Councilmember Payne stated, he just can't see where it is going to be a major change that is going to disrupt anybody's view. If it were, he continued to say, he might feel differently.

Councilmember Lovrovich said she has attended most all of the council meetings and the open houses in regards to these amendments. Originally, she explained, she was on the fence and because it's affecting so few properties you could say why bother passing this, or you could say go ahead because it only affects a couple. What has tipped her in favor of voting yes on this is that Soundview Drive is a designated parkway which means the wide- range of non-residential uses in the Millville area can build 0-10 feet. This will now allow a little wiggle room to allow residential properties to remain. This is in keeping with what most of the public wants to see there; a mix of residence and business. The law currently tips it towards non-residential uses and so personally, she would rather look at a house when walking down the sidewalk. That is what she has been hearing from some of the people she has been talking to, and so she is in support of it.

Mayor Guernsey asked if there were any further comments from Council. Seeing none, she called for the vote.

RESTATED MOTION: Move to adopt Ordinance No. 1284.
Kadzik / Payne – unanimously approved.

NEW BUSINESS:

1. Public Hearing and First Reading of Ordinance – Adoption of Interim Regulations re: Separation of Marijuana Retail Establishments. Senior Planner Lindsey Sehmel presented the background information for this 12-month ordinance to adopt interim regulations for a 2,500 ft. separation requirement for marijuana retailers licensed by the state.

Mayor Guernsey opened the public hearing at 5:59 p.m. No one came forward to speak and so the hearing closed. This will return on the agenda on February 24th for a second reading.

2. Initiation of Amendment No. 2 of Harbor Hill Development Agreement. Planning Director Jennifer Kester presented the background to this second proposed amendment that would allow the expansion of the M-2 parcel in support of Emerald Communities' Heron's Key project, update the infrastructure construction sequencing, and allow model homes to begin construction prior to completion of infrastructure improvements provided that necessary improvements are completed before occupancy.

MOTION: Move to initiate further processing of the proposed Amendment #2 to the development agreement with Harbor Hill LLC.
Kadzik / Payne – four voted in favor. Councilmember Perrow abstained due to a conflict of interest.

3. Gig Harbor Arts Commission Recommendation for Bogue Viewing Platform. Special Projects Coordinator Lita Dawn Stanton provided the background for this recommendation from the Gig Harbor Arts Commission for artwork that honors the Scandinavian heritage of the Finholm District, and to be located at the Bogue Viewing Platform. She said that there were eight proposals submitted and reviewed by the Arts Commission; Stuart Nakamira's "*Memory Vessel and Shield*" was chosen.

Charlee Glock Jackson, Vice-chair of the Gig Harbor Arts Commission, explained that it was a tough decision, and in the process the commission learned a lot about the Scandinavian heritage and its art.

MOTION: Move to approve and authorize the Mayor to execute a contract (project agreement) with artist Stuart Nakamira for Public Art at the Bogue Viewing Platform in an amount not to exceed \$25,000.
Payne / Kadzik – unanimously approved.

4. Resolution No. 951 Setting a Public Hearing Date – Rust Street Vacation / Colvos Trust. Public Works Director Jeff Langhelm presented this request to vacate a portion of Rust Street which falls under the non-users statute. He clarified that this is the last section of Rust Street to be vacated and that the city doesn't own the property; this just clears the title. This resolution sets the public hearing date in accordance with Chapter 12.14.002 of the municipal code.

MOTION: Move to adopt Resolution No. 951 setting Monday, March 10, 2014 at 5:30 p.m. as the date for the public hearing on the proposed street vacation for a portion of Rust Street at the intersection of Rust Street and North Harborview Drive.

Arbenz / Perrow – unanimously approved.

STAFF REPORT:

Public Works Director Jeff Langhelm reported on the crew's snow-removal efforts during the recent storm. He complimented Superintendent Marco Malich's efforts to get the crew out early with plows and sanders, adding that the worst section of town was Sehmel Drive and Bujacich Road due to traffic unable to navigate the slick roads.

PUBLIC COMMENT: None.

MAYOR'S REPORT / COUNCIL COMMENTS:

Mayor Guernsey presented these updates:

1. Maritime Pier Extension / Fuel Facility Update. There is a committee looking at extending the Maritime Pier with transient moorage for visitors, and a fuel facility. It's not far along, but something we are looking at.

2. Ancich Waterfront Park Committee Update. The committee is working on conceptual design. Councilmember Lovrovich is on the committee, which is coming along.

3. Boat Show Update. The city's first-time booth at the nine-day boat show had a tremendous amount of visitors. Karen Scott and Lita Dawn Stanton put in a lot of time and did an incredible job on the booth. Staff, along with other members of the community put in a lot of hours manning the booth. There were a lot of people that came through. During the three days she worked, everyone was more encouraging than imaginable. People love Gig Harbor, she stressed, and boaters want to see more amenities such as a grocery store, a fuel facility, and more reserved moorage.

Councilmember Payne reported that he attended the bi-monthly Flood Control Zone District Advisory Committee. He said that he and Mr. Langhelm are working on an Interlocal agreement with Pierce County to make sure we are eligible for the Opportunity Fund, although it isn't much. Most of the flooding problems lie in the east, which can have an economic impact on us here, and so he continues to be supportive and represent our interests.

Councilmember Payne then announced the upcoming educational presentation by West Sound Wildlife Shelter on co-existing with coyotes. There are at least two coyote populations in the downtown core and this group has tips on how to ease the coyotes out of the community.

Councilmember Perrow said that he attended his first employee Wellness Committee meeting. He explained that if the city complies with the guidelines to become a "Well City" we can realize a 2% discount on our health insurance premiums. He complimented Mary Ann McCool and Shawna Wise for their work on the program.

Councilmember Kadzik explained that he is on the Board of Directors for the Downtown Waterfront Alliance / Mainstreet Program, and last week they had a tremendous event. A consultant came in for three days to work with the shop owners on window-dressing and how to encourage customers to enter the store and spend money. Around 50 people attended the talk she gave the first evening. The next day she performed seven "mini-makeovers" giving hints towards what works and what doesn't. The final day she did an all-day makeover for one store. He said that this program shows city dollars at work with very productive results.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Boards and Candidate Review: Tue. Feb. 18th at 4:00 p.m.
2. Operations Committee Meeting: Thur. Feb. 20th at 3:00 p.m.
3. Council Retreat – Saturday, February 22nd 8:00 a.m. – 12:00 p.m.
4. See City Website for other meeting information.

EXECUTIVE SESSION:

At 6:22 p.m. Council adjourned to executive session for approximately 10 minutes to discuss pending litigation per RCW 42.30.110.

They returned to regular session at 6:35 p.m. The Mayor asked to adjourn the meeting and introduced Bruce Kendall from the Economic Board Pierce County.

ADJOURN TO WORKSTUDY SESSION: Tacoma Pierce County Economic Development Board.

MOTION: Move to adjourn to a workstudy session at 6:35 p.m.
Kadzik / Payne – unanimously approved.

CD recorder utilized: Tracks 1004 – 1030



Jill Guernsey, Mayor



Molly Towslee, City Clerk