

**PLANNING COMMISSION REGULAR MEETING
AUGUST 12, 2014 AT 6:30 PM
LIBRARY MEETING ROOM
MINUTES**

1. CALL TO ORDER

Acting Chairman *John Greenwood* called the Planning Commission Regular Meeting to order at 6:30 PM on August 12, 2014 in the Library Meeting Room.

2. ROLL CALL

Present for roll call were Acting Chairman *John Greenwood* and Commissioners *Tom McGann, Scott Pegau, John Baenen*, and *Allen Roemhildt*. Commissioner *David Reggiani* was absent. Chairman *Tom Bailer* arrived late at 6:41 PM.

Also present were City Planner, *Samantha Greenwood*, and Assistant Planner, *Leif Stavig*.

7 people were in the audience.

3. APPROVAL OF AGENDA

M/Pegau S/Baenen to approve the Agenda.

Upon voice vote, motion passed 5-0.

Yea: *Greenwood, McGann, Pegau, Baenen, Roemhildt*

Nay: None

Absent: *Bailer, Reggiani*

4. APPROVAL OF MINUTES

M/Pegau S/Baenen to approve the Minutes.

Upon voice vote, motion passed 5-0.

Yea: *Greenwood, McGann, Pegau, Baenen, Roemhildt*

Nay: None

Absent: *Bailer, Reggiani*

5. DISCLOSURES OF CONFLICTS OF INTEREST

Pegau said he had a conflict of interest with new item "Disposal for 'Old Sea Grant Office.'" *Greenwood* acknowledged the conflict of interest.

6. CORRESPONDENCE

Greenwood acknowledged the added correspondence provided by staff after the packet went out.

7. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

Seawan Gehlbach, 707 Railroad Ave., has a business at 133 Harbor Loop Rd. *Gehlbach* said her correspondence is in the packet, if the Commissioners read it they would know how she felt about the issue. She stressed that she talked to a lot of people and that even if they didn't sign the letter they were all of the opinion that the transfer site was going to go away.

8. PLANNER'S REPORT

McGann asked for more information about 4.5 Mile. *S. Greenwood* explained that in that neighborhood it's a narrow street, and they are trying to get the Right of Way clean for emergency access and snow plowing. They sent them letters asking them to remove their private property from the Right of Way.

McGann thanked staff for the dates on the leases.

S. Greenwood reminded *McGann* and *Pegau* that their terms were up and if they wanted to stay on they needed to send a letter of interest to *Susan Bourgeois*.

Rich Rogers, Public Works Director, 605 Council Ave., wanted to give an update on a project that *S. Greenwood*, *Stavig*, and he had been working on with Dangerous Abatement. The one property they are dealing with, 117 Sawmill Ave., is a warehouse owned by *Martha* and *Chris Cochran*. The City has worked cooperatively with the owners, in seeking to make progress with this property to reduce its dangerousness. They have received a verbal and written plan from the owners and a sketch with some details on their temporary construction measures over the next 18 months. Staff will work with them on the details. 2015 will be used to clear out the contents of the building. In 2016 the intention is to use a contractor to finish the roof. The end date is October 1, 2016. Mainly it is the two gable ends and the one side end that are a danger in extreme weather conditions. The owners' temporary plan is to provide a plywood sloped roof with the gable ends, with two-by-six as joists and vertical supports, and with a tarp on top with wood strips securing the tarp.

9. NEW/MISCELLANEOUS BUSINESS

a. "5.22 DISPOSAL OF CITY REAL PROPERTY" – Discussion

Pegau verified that since the Chamber of Commerce lease is less than six months out that will be coming to the Commission. He said that he liked the additions to the language that verify what happens when a lease reaches its end. *Bailer* said it was addressed. He asked if there was anything else in 5.22 that was giving them problems. *S. Greenwood* said she might bring it forward at a later time, but that she wanted to get this done because there was a lease coming up. *McGann* said that he liked the change in the wording. He wanted to verify that when a lease ended the property became available to everyone. He asked about the Chamber of Commerce and if previous lessees have a preference because of improvements. *S. Greenwood* said that a good example would be Fish and Game. Staff's recommendation would be direct negotiation. Others could submit a letter of interest, but it is the City Council that makes the final call. *Baenen* verified that it doesn't matter whether the lease is short or long this is the process. He asked if there needed to be a motion. *S. Greenwood* said no as this is just staff's policy; it's not Code.

b. Land Disposal for Lot 2, Block 7, North Fill Development Park

Bailer suggested a conflict of interest for this item. *Greenwood* acknowledged the conflict of interest.

M/McGann S/Pegau to recommend to City Council disposal of Lot 2, Block 7, North Fill Development Park by requesting sealed proposals to lease or purchase the property.

McGann said that the leases come up and they need to move on. *Roemhildt* said to make it equal for everyone they have to get sealed proposals on it. He asked if there has been an exception to that. *S. Greenwood* clarified the four options that they have, but said that this is the staff's suggested motion. *Pegau* said that the existing lessee and another both asked for that to be made available for that purpose; he said they are running out of land and he wants to make sure they have enough for City purposes. Because this lot has been occupied for a while he doesn't think they need to reserve it. *Greenwood* said he agreed with everyone else; they should move forward and get proposals.

Upon voice vote, main motion passed 5-0.

Yea: *Greenwood, McGann, Baenen, Roemhildt, Pegau*

Nay: None

Absent: *Reggiani*

Conflict of Interest: *Bailer*

c. Refuse Transfer Station at Lot 10A, Block 2, South Fill Development Park

M/Bailer S/Pegau to approve the use of Lot 10A, Block 2, South Fill Development Park as a transfer station.

Bailer thinks there is no discussion as it shouldn't belong there. *Pegau* agreed. He said it was a temporary measure; its usefulness has come and gone. *Baenen* said they need to get rid of it as soon as possible. He thinks they should move it to the baler; in front of the baler by moving the fence back. He doesn't think it should be manned and people shouldn't be charged. *Roemhildt* echoes the other Commissioners. *McGann* said he thought there were good things happening down there, but move it to the baler. *Greenwood* echoed what *McGann* said. He thinks that it is the wrong location. There are options at the baler facility. *Bailer* said it's a good program; it's just in the wrong place. He said to take what they've learned and move forward.

Upon voice vote, main motion failed 0-6.

Yea: None

Nay: *Bailer, Greenwood, McGann, Baenen, Roemhildt, Pegau*

Absent: *Reggiani*

10. UNFINISHED BUSINESS

a. Disposal for "Old Sea Grant Office"

M/Bailer S/McGann to recommend to City Council disposal by lease of a building locally known as the "Old Sea Grant Office" located on a portion of Lot 3, Block 7A, and Tidewater Development Park by negotiating an agreement (Method 1) with the Prince William Sound Science Center.

Bailer said he agreed with the motion. *McGann* said it was good to see the input from the Harbor Commission and it clarified that aspect of it that was in question last time. *Roemhildt* agreed. *Baenen* said he was in favor. *Greenwood* they gave it to the Harbor Commission to get their say in it and they got that back and so he is in favor.

Bailer verified that in the lease the lessee is responsible for maintaining that building. He is not aware of any documentation of how the building was before they started leasing; is it time to fix that building up and start from scratch? *S. Greenwood* said that she will work on getting a policy in place for how to do that in the future; it's never been done in the past. She said that they wanted to move forward with getting documentation. *Bailer* asked how they could get it weatherized before it gets to the point of being unusable. *S. Greenwood* said that she talked to *Tony Schinella* (Harbormaster) and *Rogers* about how they could fund repairs. They could make it part of the negotiation with the Science Center. *McGann* verified that the lease was only the building and that the pilings and dock were the City's responsibility. *Baenen* verified that the Science Center had leased the building for 15 years. He said that there was a possibility that the building was in better shape back when they first started leasing. *Bailer* said that they shouldn't just do the lease again and walk away from it. *Greenwood* asked if they needed to put a recommendation for this in the motion or if it was something staff could negotiate with. *S. Greenwood* said that staff could take it back to the City Manager.

Upon voice vote, main motion passed 5-0.

Yea: *Bailer, Greenwood, McGann, Baenen, Roemhildt*

Nay: None

Absent: *Reggiani*

11. PENDING CALENDAR

Bailer referred to Page 28, Attachment C, the South Fill Commercial Area Plan goals. He saw some goals that he thought were supposed to be there that weren't there, and some that were there he didn't think were there. He asked if it was a summary or if they sat down as a group and decided. **S. Greenwood** said that the Commission approved that document and it is on the webpage and the memo was cut-and-pasted out from that. **Baenen** said they had talked about fill off the end (of the South Fill), with consensus if there was fill it was going to be filled. **S. Greenwood** said that these aren't the projects, these are the goals of what they want the South Fill to be like. **Bailer** said the goal was to expand the area. He said he wanted a discussion on the goals. **Pegau** said he was wondering what they were doing as the report was a public process and it was a report of what the process provided. He said it sounds like they're trying to modify the process after the fact. **Bailer** said he was trying to clarify it. He said it was very definite that they had a plan to expand the fill. **Pegau** said his remembering of the meetings was that the recommendation was not to fill, and that the fill recommendation was low on the list and the goals were long-term. This is the report based on this series of meetings. **S. Greenwood** said that the Commission has already approved that plan. That document is done. It has been approved by the Commission and the public consensus. **Bailer** said his request was a discussion on the South Fill Commercial Area Plan goals for the next agenda. He asked for a second. **Baenen** seconded **Bailer's** request (there was no motion).

McGann said that they need to finalize the Building Code chapter (in the City Code). He said that they have modified it to their liking but it has not been codified.

Pegau noted that with the Chamber of Commerce lease six months out are they expecting it on the next agenda?

12. AUDIENCE PARTICIPATION

None.

13. COMMISSION COMMENTS

Pegau verified that the new CTC cell tower was in compliance with the Conditional Use Permit.

Bailer followed up with what **McGann** said about getting the Code updated and said that the building on Second Street had multiple infractions.

McGann said he would like to thank the Public Works or Refuse Department or whoever is in charge of the burn pile. He said it was considerably better than it used to be; it is plowed every day, it's kept on fire.

14. ADJOURNMENT

M/Bailer S/Baenen to adjourn the Regular Meeting at 7:10 PM; with no objection, the meeting was adjourned.

Approved:



Tom Bailer, Chairman



Leif Stavig, Assistant Planner