

CITY COUNCIL MINUTES

City Council Chambers
October 28, 1986

The meeting was called to order at 5:03 p.m.

Present on roll call: 8 - Hyde, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warrick, and Mayor Sutherland. Absent: 1 - Ladenburg.

The Flag Salute was led by Council Member Stenger.

CONSENT AGENDA

Approval of the minutes of the regular meeting of October 21, 1986.

PETITIONS:

Don Bishop requesting the reclassification of the property located at the south side of South 48th Street between Mason Avenue and Stevens Street from an "R-2" and "R-3" to an "R-3-PRD" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 29369

Setting Tuesday, December 9, 1986 at 9:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate various streets and alleys in Puget Gulch. (Metropolitan Park District; File No. 124.826)

Resolution No. 29370

Setting Tuesday, December 9, 1986 at 6:00 p.m. as the date for public hearing by the City Council to consider a proposed amendment to Chapter 13.06 of the Official Code to establish a new zoning classification for certain commercial districts.

APPEALS:

- a. Charlie Sharp, Jr., T. C. Used Appliances, appealing the decision of the Department of Tax and License relative to the suspension of his Miscellaneous Secondhand Goods License.

Setting Tuesday, November 4, 1986 at 9:30 a.m. as the date for hearing by the Hearings Examiner.

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- b. Bernard R. Pinckney, D.V.M., Central Veterinary Hospital, appealing the decision of the Hearings Examiner relative to a rear yard variance to allow a single family dwelling to be located at the south side of South 35th Street between Lewis Place and Chelan Place.

Setting Tuesday, December 2, 1986 at 6:00 p.m. as the date for hearing by the City Council.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agendas for Tuesday, October 28, 1986 and Thursday, October 30, 1986.
b. Minutes of the meeting of the Human Rights Commission, September 18, 1986.
c. Minutes of the meeting of the Tacoma Beautification Committee, September 17, 1986.
d. Minutes of the investment committee meeting of the Tacoma Employees' Retirement System, September 11, 1986.
e. Minutes of the meetings of the Tacoma Planning Commission, September 15, 1986 and October 6, 1986.
f. Citizens petition concerning disturbances in the vicinity of South 17th and "M" Streets.
g. Housing Action Plan, Community Development Department, October 1, 1985 through September 30, 1986.

Council Member Nielsen moved that the Consent Agenda, including Resolution Nos. 29369 and 29370, be approved. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The Consent Agenda was declared approved.

Mayor Sutherland moved to reschedule the appeal of O'Neil's Marketing, Inc., which was originally set for tonight's meeting, to December 16, 1986. He stated that this new date is acceptable to both sides in the appeal. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

REGULAR AGENDA

COMMUNICATIONS:

- a. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.393 to allow for construction of a second-story addition and an addition to the width of the existing single-story structure on an existing over-water single-family residence located at Salmon Beach, Lot 43. (Mary (Molly) McCarty; File No. 141.393)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Deputy Mayor Rasmussen. Roll call vote was taken, resulting as follows: Ayes: 8 - Hyde, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warrick, and Mayor Sutherland. Nays: 0. Absent: 1 - Ladenburg. The motion was declared adopted.

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- b. Hearings Examiner recommending site plan modification to allow a one-story building instead of a two-story building and reduce the building square footage and parking for a project to be located on the west side of South Steele Street between South 92nd and South 93rd Streets extended east. (Oscar Hokold; File No. 120.1131)

Mayor Sutherland moved to concur in the recommendations of the Hearings Examiner. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

- c. Hearings Examiner submitting his recommendation regarding the appeal of Tax and License Audit Assessment No. AD5418 by Mr. Rob Davis of Rob Enterprises.

Mayor Sutherland moved to concur in the recommendations of the Hearings Examiner. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland acknowledged the presence of the Student Council from Lyon Elementary School in the audience.

FINAL READING OF ORDINANCES:

Ordinance No. 23723

Approving and confirming the assessment roll for L.I.D. No. 5664 for the construction of water mains in South 85th Street from a point 135 feet west to approximately 230 feet east of South "J" Street.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Ladenburg.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 23724

Vacating a portion of Eldon Street west of South Tyler Street. (Department of Public Utilities; File No. 124.824)

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Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

Final reading of the Ordinance was set over to a date to be determined.

Ordinance No. 23725

Authorizing the execution of Modification No. 5 to the grant award contract with the U.S. Equal Employment Opportunity Commission in the amount of \$5,936.00 and depositing and appropriating \$5,936.00 from the Miscellaneous Grants Summary Fund to process additional discrimination cases in the City of Tacoma.

The Ordinance was set over for final reading next week.

Ordinance No. 23726

Authorizing the execution of grant agreements with the Bonneville Power Administration in the amounts of \$45,000.00 and \$7,800.00 and depositing and appropriating \$52,800.00 from the Miscellaneous Grants Summary Fund to implement the K/J Street Business Neighborhood Energy Management Plan and the Energy Management Program for United Way.

The Ordinance was set over for final reading next week.

Ordinance No. 23727

Authorizing the transfer of \$64,224.00 from the Contingency Fund; depositing \$49,239.00 to the General Fund and \$14,985.00 to the EMS Levy Fund; appropriating said sums to pay the costs of overtime in the Police and Fire Departments relating to the Tacoma Grand Prix Race; and declaring an emergency, making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 23728

Appropriating \$194,000.00 from the Vacated Street Right-of-Way Fund to pay for four parcels of land for park and open space purposes; transferring \$56,000.00 to the Miscellaneous Grants Summary Fund; appropriating said sum from the Miscellaneous Grants Summary Fund for development of Marine Park; and declaring an emergency, making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 29371

Authorizing a new schedule of rates for parking at the Tacoma Municipal Building Parking Lot at 728 Market Street.

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Mayor Sutherland moved that the Resolution be adopted. Seconded by Council Member Hyde. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 29372

Authorizing the execution of an agreement with Wilburn R. Burk in the amount of \$21,400.00 to manage and operate the Tacoma Municipal Building Parking Lot at 728 Market Street for a one year period beginning October 30, 1986.

Deputy Mayor Rasmussen moved that the Resolution be adopted. Seconded by Council Member Hyde. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 29373

Authorizing the release of a sewer easement in the vicinity of South 80th and Hosmer Streets that is no longer needed by the City.

Council Member Hyde moved that the Resolution be adopted. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 29374

Approving and adopting the City's Annual Housing Action Plan for the period October 1, 1985 through September 30, 1986 and authorizing submission of the plan to the U.S. Department of Housing and Urban Development.

Council Member Hyde moved that the Resolution be adopted. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 29375

Expressing the intent of the City Council to provide additional off-street parking in downtown Tacoma.

Council Member Hyde moved that the Resolution be adopted. Seconded by Council Member Nielsen. Voice vote was taken and carried. The Resolution was declared adopted.

Mayor Sutherland moved to suspend the rules to consider Resolution No. 29376. Seconded by Council Member Stenger. Voice vote was taken and carried.

Resolution No. 29376

Expressing the City Council support of the Pierce County-wide Comprehensive Land Use Plan text Ordinance No. 85.201 and support of Referendum No. 86-1.

Mayor Sutherland moved that the Resolution be adopted. Seconded by Council Member Stenger.

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Speaking to the Council were:

Randy Lewis

Tom Taylor, Jr.

Government Affairs Manager of
Tacoma Area Chamber of Commerce.
Chairman of Growth Management
Task Force

Roll call vote was taken on the Resolution, resulting as follows: Ayes: 7 - Hyde, Mykland, Nielsen, Rasmussen, Stenger, Warrick and Mayor Sutherland. Nays: 0. Abstaining: 1 - McElliott. Absent: 1 - Ladenburg. The Resolution was declared adopted.

PUBLIC HEARINGS AND APPEALS:

This is the date set for hearing the appeal of O'Neil's Marketing, Inc., relative to the request for a convenience store and gasoline station by Time Oil Company in the vicinity of East 40th Street and Portland Avenue.

This item was rescheduled earlier in the meeting. The new date for the hearing of this matter is the Council meeting of December 16, 1986.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Stenger referred to a memo which had been included in the Council's Friday packet. He said the memo from David Dow to Jim York, dated October 24, 1986, had answered a number of the Council's questions raised at a recent budget session; however, he felt that the Council needed additional information about one particular issue. He said he was referring to Council Member McElliott's question about why expenditures for consultants, engineers, attorneys, etc., is accounted for on an annual basis and regarding the Finance Department's response to this matter. He felt that the Council should have more information on this subject. After further discussion, the Council requested staff to prepare a report identifying General Fund money spent on consultants for the year 1985 and for 1986 to date.

Council Member Warrick commented on a letter the Council had received from citizens who are concerned about the problem of vandalism caused by young people in the neighborhood of South 17th and "M" streets. He said the same problem is going on in other neighborhoods in the city. He said the Police Department have dealt with the young people; however, the problem continues because as soon as the Police are gone the youths come back. There is nothing the Police can do as they cannot remove people from their own property as they would be liable for assault charges. He asked that the Council have a Study Session to discuss this problem to see what the individual citizen can do, what can the City Police or public agencies do, and what particular laws could be developed.

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Council Member Hyde said he agrees with Council Member Marnick's statements and it seems we need to look at developing some sort of ordinance that would approach involving a record in instances, number of complaints or nearby people, and a method to give the Police the authority to firmly handle this sort of situation.

Council Member Mykland said that without increased budget funds for the Police Department he doesn't see how we can go anywhere with regard to this problem; the Police Department only has so many people to handle these calls.

Mayor Sutherland reminded the Council that tomorrow night there is a Public Hearing on the Ewing Study at the Public Utilities Building at 6:00 p.m. He also reminded them of the Budget Workshop on Thursday evening at 6:00 p.m. on the Sixth Floor of the Tacoma Municipal Building. He also informed the Council that the Council meeting of November 11 will be held on November 12, 1986.

Mayor Sutherland moved to recess to Executive Session to discuss personnel and litigation matters, the session not to exceed thirty minutes. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 5:58 p.m. At 6:25 p.m. the Mayor announced that the Executive Session would continue for another ten minutes. Council reconvened at 6:37 p.m.

On proper motion, the meeting was adjourned at 6:38 p.m.


DOUG SUTHERLAND, MAYOR

ATTEST: 
GENELLE BIRK, CITY CLERK

WPO-8846G.

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