

CITY COUNCIL MINUTES

City Council Chambers  
June 12, 1990

The meeting was called to order at 5:02 p.m.

Present on roll call: 6 - Evans, Moss, Mykland, Nielsen, Warnick, and Deputy Mayor Stenger. Absent: 3 - McElliott, Miller, and Mayor Vialle. (Council Member McElliott arrived at 5:03 p.m. and Council Member Miller arrived at 5:05 p.m.)

The Flag Salute was led by Council Member Warnick.

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C O N S E N T   A G E N D A

Approval of the minutes of the meeting of June 5, 1990.

RESOLUTIONS:

Resolution No. 30928

Authorizing the submittal of a grant application to the Washington State Interagency Committee for Outdoor Recreation and the preparation of required documents to acquire various shoreline properties for open space purposes.

APPEALS:

Michael Carroll, William L. Peters and Thomas Bryne, appealing the decision of the Hearing Examiner to allow the development and use of a 20-stall, off-street parking area in a "R-4" Multiple-Family Residential District to serve as accessory parking for an existing restaurant/tavern located on the west side of North Pine Street between Sixth Avenue and North 7th Street. (Dusty Trail; File No. 121.1177)

Setting Tuesday, June 26, 1990, at approximately 5:30 p.m. as the date for a hearing by the City Council.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, June 12, 1990.
- b. Minutes of the meeting of the Public Utility Board, May 9, 1990.
- c. Minutes of the meeting of the Municipal Authority, May 16, 1990.

- d. Minutes of the meeting of the Tacoma Planning Commission, May 21, 1990.
- e. Findings of Fact, Conclusions of Law, and Decision of the Hearing Examiner regarding Container Storage, Inc.; File No. AD 5843 and T-50442.

Council Member Nielsen moved that the Consent Agenda, including adopting Substitute Resolution No. 30928, be approved. Seconded by Council Member Warnick. Voice vote was taken and carried. The Consent Agenda was declared approved.

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R E G U L A R   A G E N D A

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Resolution No. 30929

Appointing members to various committees, boards and commissions.

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

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KID'S SPORTS ART EXHIBIT AWARDS PRESENTATION.

Deputy Mayor Stenger called on Ms. Dorothy McCuiston of the Tacoma Arts Commission to present awards to the young artists from Tacoma's public elementary schools who participated in the International Sports Art Exhibit in support of the 1990 Goodwill Games.

Ms. McCuiston presented a proclamation from the Mayor and called on each student in turn to be recognized.

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Deputy Mayor Stenger moved to suspend the rules to allow Washington State Representative Brian Ebersole to speak to the Council regarding the special legislation session. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

State Representative Ebersole gave a report to the Council on the special legislative session then introduced John Ladenburg, Pierce County Prosecutor.

John Ladenburg spoke regarding city and county efforts to enact legislation to provide more funding for the criminal justice system.

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COMMUNICATIONS:

- a. Hearing Examiner submitting Shoreline Management Substantial Development Permit No. 141.468 to allow the construction of a storm water drainage, collection and treatment system and two outfalls at the property located on the easterly side of Hylebos Waterway at 1902 Marine View Drive. (General Metals of Tacoma, Inc.; File No. 141.468)

Council Member Nielsen moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Moss. Roll call vote was taken, resulting as follows: Ayes: 8 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Warnick, and Deputy Mayor Stenger. Nays: 0. Absent: 1-Mayor Vialle. The motion was declared adopted.

- b. Hearing Examiner submitting Shoreline Management Substantial Development Permit and Shoreline Management Substantial Development/Conditional Use Permit No. 141.469 to allow moorage for 113 additional boats, the expansion of an existing off-street parking area and the modification, relocation and expansion of an existing floating breakwater system on the property located on the southerly side of Marine View Drive, approximately 1.75 miles northwesterly of East 11th Street (5618 Marine View Drive, Tyee Marina). (Tyee Associates; File No. 141.469)

Council Member Moss moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Evans. Roll call vote was taken, resulting as follows: Ayes: 8 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Warnick, and Deputy Mayor Stenger. Nays: 0. Absent: 1-Mayor Vialle. The motion was declared adopted.

- c. Hearing Examiner recommending that L.I.D. No. 5687 for the construction of water mains and fire hydrants in 128th Street East from 67th Avenue East to 68th Avenue Court East, 67th Avenue East from 125th Street Court East to 128th Street East, and in 125th Street Court East from 67th Avenue East not be formed.

Council Member Mykland moved to concur in the recommendations of the Hearing Examiner. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

- d. Hearing Examiner recommending that L.I.D. No. 8539 for the installation of permanent pavement, curbs and gutters with storm drainage on East "T" Street from Fairbanks Street to East 37th Street not be formed.

Council Member Mykland moved to concur in the recommendations of the Hearing Examiner. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

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Council Member Mykland moved that the Council consider public hearings and appeals. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

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PUBLIC HEARINGS AND APPEALS: (Will began at 5:30 p.m.)

- a. This is the date set for hearing the appeal of Gray Lumber Company regarding the denial of the request for reclassification of the property located on the west side of South "M" Street between South 30th and 40th Streets from a "C-1" Commercial District to a "M-1" Light Industrial District to allow expansion of a lumber yard including parking and truck loading areas. (Gray Lumber Company; File No. 120.1275)

Deputy Mayor Stenger reviewed the procedures for appeals before the City Council.

Council Member Mykland declared that he was a casual acquaintance of the Gray family; however, he stated that this would not have any effect on his decision tonight.

Council Member Miller stated that he was a customer of Gray Lumber Company, but this would not impact his decision on this matter.

Council Member Warnick stated as President of his company, he is a customer of Gray Lumber Company, but that it would not affect his decision on this matter.

Rod Kerslake, Hearing Examiner made a presentation regarding his Findings, Conclusions and Recommendations.

Deputy Mayor Stenger requested anyone representing the neighborhood to speak on this appeal.

Marianne Kelley and Mabel Mikelson stated they would be sharing the ten minutes between them to represent the neighborhood.

William Lynn, attorney representing Gray Lumber Company, gave the reasons for the appeal. Mr. Gray of Gray Lumber Company, spoke briefly regarding the fence line on M Street.

Marianne Kelley, 4015 South M Street, spoke in opposition to the appeal.

Mabel Mikelson, 4020 South Sheridan, also spoke in opposition to the appeal.

William Lynn spoke in rebuttal to the comments made by Ms. Kelley and Ms. Mikelson.

Ms. Kelley used her remaining time for rebuttal comments.

Ms. Mikelson used her remaining time for rebuttal comments.

Council Member Mykland moved to uphold the appeal and grant the reclassification according to the conditions listed on pages 10 through 14 of the Hearing Examiner's report. Seconded by Council Member Moss.

Council Member Miller moved to amend the main motion to add to the language of the Hearing Examiner's condition number 10.h., "All loading and unloading operations in conjunction with this use would occur within the boundaries of the applicant's property." Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Council Member Miller moved to amend Council Member Mykland's motion to uphold the appeal only as to that portion of the expansion property in rezoning to "M-1," thus leaving the existing non-conforming use as a "C-1" zoning. Seconded by Council Member Nielsen.

Roll call vote was taken resulting as follows:

Ayes: 3 - Miller, Nielsen, and Deputy Mayor Stenger.

Nays: 5 - Evans, McElliott, Moss, Mykland, and Warnick.

Absent: 1 - Mayor Vialle.

The motion was declared failed.

Council Member Evans moved that the permission to construct a driveway and parallel parking on South 40th Street be removed from Hearing Examiner's conditions 10.j and 10.n. Seconded by Council Member McElliott.

Voice vote was taken, with Council Members Miller, Moss, Mykland, Nielsen, and Warnick voting nay. The motion was declared failed.

Roll call vote was taken on Council Member Mykland's main motion, resulting as follows:

Ayes: 5 - Miller, Moss, Mykland, Nielsen, and Warnick.

Nays: 3 - Evans, McElliott, and Deputy Mayor Stenger.

Absent: 1 - Mayor Vialle.

The appeal was upheld with modifications.

- b. This is the date set for a public hearing on the issuance of revenue bonds in the amount of \$4,000,000.00 by the Economic Development Corporation of Pierce County on behalf of Atlas Foundry and Machine Company for the acquisition of new manufacturing equipment and the construction of an expanded manufacturing facility at 3021 South Wilkeson Street, Tacoma, Washington. (began at 6:53 p.m.)

Jacki Skaught, Community Development Department, spoke to the Council regarding the proposed industrial revenue bonds.

Deputy Mayor Stenger called for public testimony.

No one came forth to testify.

There being no testimony, Deputy Mayor Stenger declared the public hearing closed at 6:55 p.m.

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FINAL READING OF ORDINANCES:

Ordinance No. 24656

Amending Chapter 6.07 of the Official Code relating to ambulances by repealing and reenacting seven sections to be known as 6.07.010 through 6.07.070 to establish the Tacoma Fire Department as the primary provider of emergency medical services as the first response Basic Life Support and Advanced Life Support levels.

Council Member Miller moved to suspend the rules to consider Substitute Ordinance No. 24656. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken on the Substitute Ordinance, resulting as follows:

Ayes: 6 - Evans, McElliott, Miller, Moss, Mykland, and Deputy Mayor Stenger.

Nays: 0.

Absent: 3 - Nielsen, Warnick, and Mayor Vialle.

The Substitute Ordinance was declared passed.

Ordinance No. 24657

Authorizing the execution of contracts with The Partnership Group, Frank Russell Company, and Baby Minder Finders, Inc. in the amount of \$22,000.00 and with various Pierce County employers in the amount of \$5,000.00; and depositing in and appropriating said sums from the Miscellaneous Grants Summary Fund to provide child care resource, referral and training services.

Roll call vote was taken, resulting as follows:

Ayes: 6 - Evans, McElliott, Miller, Moss, Mykland, and Deputy Mayor Stenger.

Nays: 0.

Absent: 3 - Nielsen, Warnick, and Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 24658

Authorizing the issuance and sale of Consolidated Local Improvement District Bond Issue No. 42.

Council Member Evans moved to continue Ordinance No. 24658 to the meeting of June 19, 1990. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance will be considered at the regular City Council meeting of June 19, 1990.

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FIRST READING OF ORDINANCES:

Ordinance No. 24659

Amending Chapter 9.12 of the Official Code by adding a new section regarding posting address numbers at the entrance to a private road or driveway.

The Ordinance was set over for final reading next week.

Ordinance No. 24660

Amending Chapter 1.06 of the Official Code to authorize the establishment of a biennial budget for 1991-1992 and for each biennium thereafter.

The Ordinance was set over for final reading next week.

Ordinance No. 24661

Transferring \$2,214,728.00 from the General Fund to the Miscellaneous Grants Summary Fund; appropriating said sum from the Miscellaneous Grants Summary fund to pay for Police security, Fire Department, transportation and other miscellaneous costs associated with the 1990 Goodwill Games; and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Purchase Resolution No. 30930

Awarding contracts to:

1. Tucci & Sons, Inc., on their bid of \$28,550.00 for cleaning the East 34th and "T" Street inlet structure - Emergency Purchase No. E-37524;
2. David L. Sack Construction Co., Inc., on their bid of \$29,475.00 for structural sidewalk replacement - Specification No. G-207-90;
3. Truck Center Corporation, on their bid of \$56,114.71 for two hose reel trucks, Vehicle Nos. W-5150 & W-5151, Specification No. G-041-90; and
4. J.J. Sprague, Inc., on their bid of \$106,684.40 for sidewalk and transit landing construction in the vicinity of the Tacoma Dome - Specification No. G-222-90.

Council Member Nielsen moved that the Purchase Resolution be adopted, including waiving the formal bidding procedures on Item No. 1. Seconded by Council Member Warnick.

Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution was declared adopted.

Resolution No. 30931

Endorsing the Tacoma-Pierce County Local Hazardous Waste Management Plan which provides for the management of hazardous wastes generated in small quantities by households and businesses and stating the intent of the City Council to adopt said plan for the satisfaction of the requirements of the State Environmental Policy Act.

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

Resolution No. 30932

Adopting the Tacoma-Pierce County Solid Waste Management Plan to guide solid waste management within the City of Tacoma.

Council Member Mykland moved that the Resolution be adopted. Seconded by Council Member Nielsen.

Speaking to the Council was:

Cheryl Miller

3303 North 36th Street

After discussion, Council Member Mykland moved to continue Resolution No. 30932 to a date to be determined. Seconded by Council Member Evans.

Council Member Evans moved to amend Council Member Mykland's motion that in the process of setting over the resolution and addressing the questions raised, that this City also require the appropriate public hearing before the City Council before this resolution is adopted by the City Council. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.



Council Member Miller requested of staff if there were any deadlines the City is working against.

The answer was negative.

Council Member Warnick requested that the Environmental Commission provide the Council with any backup as to their endorsement of the plan.

Council Member McElliott expressed concerns that citizens comments were not included in the process.

Deputy Mayor Stenger asked staff to also provide Cheryl Miller with a copy of the reply that will be given to Council. He requested this be provided to her in a timely fashion (at least one week before the public hearing) so she could review and comment on that response.

Voice vote was taken and carried on the main motion. The motion was declared adopted.

Resolution No. 30932 was continued to a date to be determined.

Resolution No. 30933

Rejecting all bids for Taylor Way Railroad Crossing Signals at Lincoln Avenue and East/West Road.

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

Resolution No. 30934

Authorizing the execution of an amendment to the agreement with Robert E. Mack in the amount of \$20,250.00 to coordinate legislative liaison and other related activities in 1990.

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

Resolution No. 30935

Authorizing the terms and conditions of sale of Local Improvement Guaranty Fund property.

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

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UNFINISHED BUSINESS:

Council Member Moss moved that the public hearing to consider the adoption of the Six-Year Comprehensive Street Program for 1991 through 1996 and the amended 1990 Street Program be continued from June 19 to June 26, 1990 at approximately 5:30 p.m. in accordance with the City Council's directions at the Friday, June 8, 1990 study session and further that the City Clerk be directed to give appropriate notice of this continuation. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

Council Member Moss stated that in the Friday letter there was a response to the citizens' complaints as a result of the May 10 community meeting at the Portland Avenue Center.

Council Member McElliott reported on a recent Metropolitan Park Board meeting.

Council Member Evans stated that there was a recent meeting at the Pantages to show support for the National Endowment for the Arts. He requested that there be a resolution on next Tuesday's council agenda showing full and unrestricted congressional support for the National Endowment for the Arts.

Council Member McElliott expressed her concerns regarding recent federal proposals regarding railroads on the I-5 corridor.

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REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., City Manager, stated that due to scheduling conflicts, the budget workshop tentatively set for June would have to take place subsequent to the July 10 Council meeting. Possibly a two-day workshop would be needed the second week in July.

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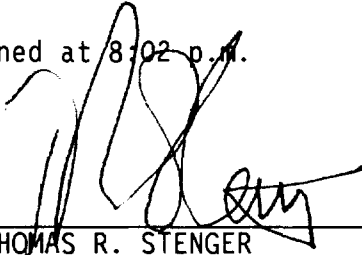
COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Warnick stated that the City's Municipal Channel (CC 12) had recently begun providing Tacoma Tigers' baseball scores for the public.

Council Member Mykland stated that he would provide a future report to the Council on the "Motley Crue" concert that he and Council Member Miller attended.

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On proper motion, the meeting was adjourned at 8:02 p.m.

  
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THOMAS R. STENGER  
DEPUTY MAYOR  
ATTEST: \_\_\_\_\_  
GENELLE BIRK, CITY CLERK

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