

CITY COUNCIL MINUTES

City Council Chambers
October 24, 1989

The meeting was called to order at 5:05 p.m.

Present on roll call: 8 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, and Mayor Sutherland. Absent: 1 - Council Member Warnick. (Council Member Warnick arrived at 5:06 p.m.)

The Flag Salute was led by Council Member Moss.

CONSENT AGENDA

Approval of the minutes of the regular meeting of October 17, 1989.

RESOLUTIONS:

Resolution No. 30617

Setting Tuesday, November 28, 1989, at approximately 5:30 p.m. as the date for a public hearing by the City Council concerning the proposed "Tacoma Solar Access Ordinance."

APPEALS:

Samuel and Helen Hansen, appealing the denial of the renewal of their Restaurant-Mobile License by the Director of Tax & License. (Samuel Hansen; File No. T-44845)

Setting Thursday, November 16, 1989, at 9:00 a.m. as the date for hearing by the Hearing Examiner.

American Sharecom, Inc. and Altcom Corporation, appealing the denial of refund applications by the Department of Tax & License. (American Sharecom, Inc.; File No. T-53862; and Altcom Corporation; File No. T-53861)

Setting Thursday, January 18, 1990, at 9:00 a.m. as the date for hearing by the Hearing Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, October 24, 1989.
- b. Minutes of the meeting of the Tacoma Arts Commission, September 11, 1989.

- c. Minutes of the meetings of the Urban Waterfront Committee, August 9, and September 13, 1989.
- d. Minutes of the meeting of the Public Utility Board, September 27, 1989.
- e. Tacoma-Pierce County Humane Society Total Work Reports for July and August 1989.
- f. Findings of Fact, Conclusions of Law, and Order regarding the Terrence N. Turner appeal.

Council Member Nielsen moved that the Consent Agenda, including Resolution No. 30617, be approved. Seconded by Council Member Moss. Voice vote was taken and carried. The Consent Agenda was declared approved.

Council Member Warnick arrived at 5:06 p.m.

R E G U L A R A G E N D A

FINAL READING OF ORDINANCES:

Ordinance No. 23990

Amending Chapter 13.06 of the Official Code to reclassify the property located in the northeast quadrant of South 72nd Street and Interstate 5 from a "R-2" One-Family Dwelling District to a "C-P-C" Planned Community Shopping Center District to allow an approximately 4,800 square feet of a previously-approved shopping center. (Nomen Development Corporation; File No. 120.1228)

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Moss, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 1.- Mykland.

The Ordinance was declared passed.

Ordinance No. 24447

Amending the Official Code to add Chapter 5.29 which prohibits the keeping of unlicensed Pit Bull dogs in the City of Tacoma; and establishing regulations for the keeping of licensed Pit Bull dogs.

Mayor Sutherland moved to table Ordinance No. 24447. Seconded by Council Member Moss. Voice vote was taken and carried, with Council Member Stenger voting nay. The motion was declared adopted.

Ordinance No. 24447 was tabled.

Ordinance No. 24456

Authorizing the acceptance of a sculpture donated to the City of Tacoma by our Sister City of Kunsan, Korea, for placement at Marine View Park on Ruston Way.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24457

Accepting donations totaling \$3,126.00 from various businesses and agencies; and depositing in and appropriating said sum from the General Fund for expenses associated with Senior Citizens Awareness Day (SCAD).

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24458

Authorizing the execution of an amendment to the 1989-1990 (15th Year) Community Development Final Statement of Objectives and Use of Funds and appropriating \$48,977.27 in Community Development Block Grant program income to eligible Community Development Block Grant activities.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24459

Accepting a donation of \$2,500.00 from the Wagner Fund; and depositing in the Miscellaneous Grants Summary Fund; and authorizing the transfer of \$2,500.00 from the General Fund to the Miscellaneous Grants Summary Fund; and appropriating the sum of \$5,000.00 from the Miscellaneous Grants Summary Fund for the Tacoma Philharmonic's concert presenting the Seattle Symphony.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24460

Approving and confirming the assessment roll for L.I.D. No. 2605 for the grading, ballast, and placement of 2-inch asphalt surface with storm drainage in Bismark Street from East "B" to East "D" Streets.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 24461

Authorizing the execution of a grant award amendment with the U.S. Equal Employment Opportunity Commission in the amount of \$4,000.00; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund, for increasing the number of Title VII charges for intake services.

The Ordinance was set over for final reading next week.

Ordinance No. 24462

Amending Chapter 5.27 of the Official Code to add Section 5.27.045 relating to potentially dangerous dogs.

Mayor Sutherland moved to suspend the rules to consider Substitute Ordinance No. 24462. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved to amend Substitute Ordinance No. 24462, Page 4, Section 5.27.020D subsections 1, 2 and 3 following the word "Director" with "or the Director's designee." Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

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Mayor Sutherland requested that staff include, in the City of Tacoma's legislative issues recommended to the state, language which would make it a felony to utilize any dangerous dog in the commission of a crime.

Speaking to the Council was:

Peter Kram

Tacoma area resident

The Substitute Ordinance, as amended, was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 30618

Awarding contracts to:

1. Tucci & Sons, Inc., on their bid of \$269,109.10 for a two-inch asphalt pavement and storm drainage construction, L.I.D. No. 2608 - Specification No. G-244-89;
2. Golf Landscaping, on their bid of \$55,193.82 for the Lincoln Avenue Wetlands Project - Specification No. G-248-89;
3. R T & T Construction Company, on their bid of \$244,488.00 for storm relief line - South Mullen Street from South 58th Street to South 64th Street - Specification No. G-251-89; and
4. Ronald C. & Patricia Jones (Span Deli), for the Tacoma Narrows Airport Restaurant Lease - Specification No. G-054-89.

Deputy Mayor Hyde moved that the Purchase Resolution be adopted.
Seconded by Council Member Nielsen.

Speaking to the Council were:

Bob Rovai

Attorney for the Blue Sky
Restaurant

Mike Salatino

Friend of the Blue Sky
Restaurant

Bill Barker, City Attorney, requested that the record show that Council Member Moss had removed himself from the Council Chambers and would be abstaining on this matter since he has business dealings with Mr. Rovai.

Mayor Sutherland stated that the record would reflect this.

Speaking to the Council was:

Ron Jones

Owner of the Span Deli

Voice vote was taken and carried on the Purchase Item Nos. 1, 2 and 3. Purchase Item Nos. 1, 2 and 3 were declared adopted.

Roll Call vote was taken on Purchase Item No. 4 resulting as follows:

Ayes: 5 - Hyde, McElliott, Nielsen, Stenger and Vialle.

Nays: 3 - Mykland, Warnick and Mayor Sutherland.

Abstaining: 1 - Moss.

Purchase Item No. 4 was declared adopted.

The Purchase Resolution was declared adopted.

Resolution No. 30619

Ordering the abatement of health or fire hazard conditions of the following properties:

1. 1523 Tacoma Avenue South
2. 2418 South "I" Street
3. 3604 South Mason Avenue
4. 3575 East "T" Street
5. 1539 Tacoma Avenue South
6. 2106 South "J" Street
7. 203 - 209 South "G" Street
8. 611 South "K" Street
9. 623 South "K" Street
10. 609 South "K" Street
11. 3510 East Roosevelt
12. Vacant Lots South of 1935 South "I" Street; and
13. 2212 East Harrison.

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

Mayor Sutherland stated that Item No. 5, the property at 1539 Tacoma Avenue South and Item No. 7, the property at 203 - 209 South G Street had been cleaned up by the owners and needed to be removed by motion from the Resolution.

Mayor Sutherland moved to remove Item Nos. 5 and 7 from the Resolution. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Item Nos. 5 and 7 were removed from the Resolution.

Speaking to the Council was:

Bob Pailca

Owner of 1523 Tacoma Avenue South

Voice vote was taken and carried on the Resolution as amended. The Resolution, as amended, was declared adopted.

Resolution No. 30620

Authorizing the execution of a grant award agreement with the Washington State Department of Community Development in the amount of \$159,407.00 for security planning for the 1990 Goodwill Games activities.

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

Resolution No. 30621

Approving the amended Electric Rate Policy for the City of Tacoma, Department of Public Utilities, Light Division.

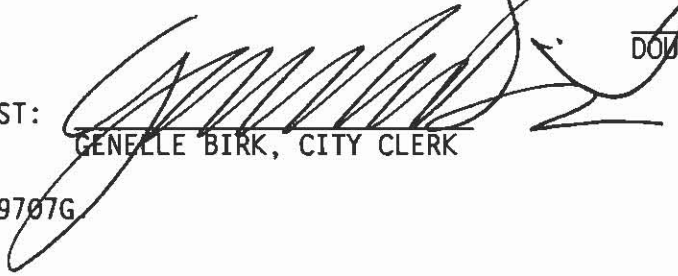
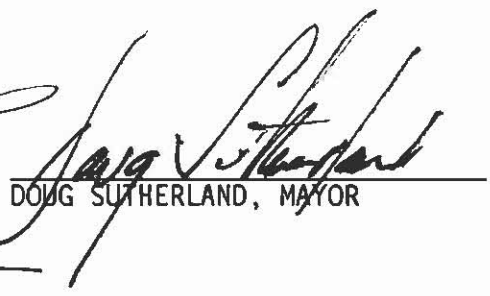
Council Member Nielsen moved that the Resolution be adopted. Seconded by Council Member Warnick. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 30622

Authorizing the execution of an agreement with the Tacoma Rescue Mission in the amount of \$8,000.00 to provide shelter and food for the homeless.

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

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

ATTEST:  

GENELLE BIRK, CITY CLERK

DOUG SUTHERLAND, MAYOR

WPC.9707G