

CITY COUNCIL MINUTES

City Council Chambers  
August 25, 1987

The meeting was called to order at 5:09 p.m.

Present on roll call: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Harnick, and Mayor Sutherland.

The Flag Salute was led by Council Member Harnick.

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CONSENT AGENDA

Approval of the minutes of the regular meeting of August 18, 1987.

PETITIONS:

Pacific Centers, Inc., requesting the reclassification of the property located at the east side of McKinley Avenue approximately 120 feet south of East 38th Street from an "R-2" to a "C-1" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 29729

Setting Tuesday, October 13, 1987 at 1:30 p.m. as the date for hearing by the Hearings Examiner the request to vacate a portion of South 72nd Street at the southwesterly corner of South 72nd and Hosmer Streets. (Atlantic Richfield Company; File No. 124.851)

APPEALS:

- a. Gail Dunn appealing the decision of the Hearings Examiner relative to the request for a Conditional Use Permit to allow an existing restaurant located at 2704 North 21st Street to provide for consumption of beer, wine, or liquor by the drink. (Judy G. Nay; File No. 121.1086)

Setting Tuesday, October 6, 1987 at approximately 5:30 p.m. as the date for hearing by the City Council.

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- b. Blue Cross of Washington and Alaska (File No. T-55661) appealing Audit-Assessment Notice No. AD 5537 by the Department of Tax and License.

Setting Thursday, October 29, 1987 at 9:30 a.m. as the date for hearing by the Hearings Examiner.

- c. David Vicente Jr. appealing the denial of his application for a Security Officer license by the Department of Tax and License.

Setting Thursday, September 24, 1987 at 9:30 a.m. as the date for hearing by the Hearings Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, August 25, 1987.
- b. Minutes of the meetings of the Civil Service Board, July 20, 1987 and August 3, 1987.
- c. Minutes of the meeting of the Landmarks Preservation Commission, August 12, 1987.
- d. Minutes of the meeting of the Public Utility Board, July 22, 1987.
- e. Minutes of the meeting of the Tacoma Planning Commission, July 20, 1987.
- f. Citizens' Petition relative to the removal of vacant buildings on South 35th Street between Sprague Avenue and Pine Street. August 18, 1987.
- g. Financial Statement for TCI Cablevision of Washington, Inc., 1986.
- h. Budget Analysis, Department of Public Utilities, Second Quarter 1987.

Council Member Nielsen moved that the Consent Agenda, including Resolution No. 29729, be approved. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The Consent Agenda was declared approved.

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REGULAR AGENDA

COMMUNICATIONS:

- a. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.415 to allow construction of a public observation tower from which cargo handling activities can be viewed at the southern end of Sitcum Waterway at the Port of Tacoma administrative office building on the northwesterly side of East 11th Street. (Port of Tacoma; File No. 141.415)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Mykland. Roll call vote was taken, resulting as follows: Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Warrnick, and Mayor Sutherland. Nays: 0. The motion was declared adopted.

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- b. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.411 to allow expansion of an intermodal yard including storm drainage, rail trackage, paving, and riprap for bank protection adjacent to Commencement Bay between the Port of Tacoma Road extended and Berth D, Terminal 7 in Sitcum Waterway. (Port of Tacoma; File No. 141.411)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Moss. Roll call vote was taken, resulting as follows: Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Warrick, and Mayor Sutherland. Nays: 0. The motion was declared adopted.

- c. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.396 and a Shoreline Management Substantial Development Permit/Variance to allow construction of a restaurant with associated parking and landscaping in the vicinity of Sixth Avenue extended and the Burlington Northern Railroad right-of-ways, west of Seashore Drive. (Michael Ebert; File No. 141.396)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Mykland. Roll call vote was taken, resulting as follows: Ayes: 7 - McElliott, Moss, Mykland, Nielsen, Stenger, Warrick, and Mayor Sutherland. Nays: 0. Abstaining: 2 - Hyde and Rasmussen. The motion was declared adopted.

- d. Hearings Examiner recommending denial of the request for the reclassification of the property located in the vicinity of the northeast corner of 33rd Street N.E. and 49th Avenue N.E. from an "R-2" One-Family Dwelling District to an "R-3PRD" Planned Residential Development to allow a 24-unit apartment complex on the property. (Park Ryker; File No. 120.1209)

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

- e. Hearings Examiner recommending denial of the request for reclassification of the property located on the southerly side of South 48th Street between Mason Avenue and Stevens Street from an "R-2" One-Family Dwelling District and an "R-3" Two- and Three-Family Dwelling District to an "R-2PRD" Planned Residential Development District. (Don Bishop; File No. 120.1195)

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

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FINAL READING OF ORDINANCES:

Ordinance No. 23923

Creating the Parking Garages Enterprise Fund, depositing \$258,000.00 in and appropriating from the Parking Garages Enterprise Fund to operate the three Downtown parking garages.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Warrick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Mayor Sutherland moved to suspend the rules to consider Ordinance No. 23920 and its substitute. Seconded by Council Member Hyde. Voice vote was taken and carried.

Ordinance No. 23920

Amending Chapter 13.06 of the Official Code to reclassify the property located in the area bounded by White and Steel Streets on the west, the alley between North 29th and North 30th Streets on the south, Ruston Way on the north, and Starr Street on the east, from a "C-2" Commercial District to a "C-2-SRD" Commercial Special Review District. (City of Tacoma; File No. 120.1212).

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Warrick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 23924

Amending Chapter 13.06 of the Official Code relative to the "B" Business District to revise uses permitted in the district and to amend parking, loading and height standards to achieve high density development in the Central Business District.

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Speaking to the Ordinance was:

Jim McDonald  
Chief Financial Officer

Frank Russell Company

The Ordinance was set over for final reading next week.

Ordinance No. 23925

Authorizing the execution of a grant award contract with the Department of Housing and Urban Development in the amount of \$34,500.00; depositing said sum in the Miscellaneous Grants Summary Fund; and appropriating \$34,500.00 from the Miscellaneous Grants Summary Fund to eliminate duplicative administrative processing of Title VIII housing complaints and provide housing services for potential complainants and respondents.

The Ordinance was set over for final reading next week.

Ordinance No. 23926

Appropriating \$23,000.00 from the Capital Improvement Fund to provide additional funds necessary for the Tacoma Dome Parking Lot Fund; and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 29639 (Continued from the meeting of June 9, 1987.)

Expressing the intent of the City Council to demolish the Municipal Dock Building and authorizing the proper officers of the City to proceed with steps toward such demolition.

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

Council Member Mykland moved to continue the Resolution to the meeting of September 22, 1987. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried.

The Resolution was continued to the meeting of September 22, 1987.

Purchase Resolution No. 29730

Awarding contracts to:

1. G. K. Equipment Company, Inc., on their bid of \$11,422.93 for one 15-cubic yard self-contained compactor type refuse container - Specification No. G-064-87;

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2. Sound Battery Company Inc., on their bid of \$13,854.73 for automotive batteries - Specification No. G-068-87;
3. Tucci and Sons, Inc., on their bid of \$427,401.48 for Pacific Avenue sanitary sewer improvements - Specification No. G-249-87; and
4. Robison Construction, Inc., on their bid of \$450,961.29 for sanitary sewer replacement - Snake Lake Nature Park - Specification No. G-223-87.

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

**Resolution No. 29731**

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

1. N.E. corner of 12th and North I Streets;
2. Parcel No. 02-21-26-1-043 located south of North 37th Street, between Pearl and Shirley Streets;
3. 9415 South "K" Street;
4. Vacant lot south of 4654 North Vassault;
5. Vacant lot south of 4609 Darien Drive;
6. 4526 North Ferdinand; and
7. 9411 South "K" Street.

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

Speaking to the Resolution were:

|              |  |
|--------------|--|
| Bill Udall   | Part owner of vacant lot south of<br>4654 North Vassault |
| Ralph Reinke | 4522 North Ferdinand                                     |

Council Member Nielsen moved to delete Item 5 from the Resolution. Seconded by Council Member Warrick. Voice vote was taken and carried, with Council Members McElliott and Stenger voting Nay. The motion was declared adopted.

Council Member Hyde moved to delete Item 4 and to have Mr. Udall work with appropriate parties of the City to remove trash and debris to make the lot safe. Seconded by Council Member Warrick. Voice vote was taken and carried with Council Members McElliott, Mykland and Stenger voting Nay. The motion was declared adopted.

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

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Resolution No. 29732

Authorizing the submission of a grant application in the amount of \$19,100.00 to the State Department of Ecology for construction of Secondary Treatment Facilities at the North End Treatment Plant and further authorizing the execution of the final application and related contracts for this project.

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. 29733

Authorizing the execution of project prospectuses and agreements with the State of Washington Urban Arterial Board for the South 74th Street, South Tacoma Way to Lakewood Drive SW and the Orchard Street at Center Street projects, and further authorizing an agreement with Pierce County for its portion of the construction work related to the South 74th Street project.

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

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

- a. This is the date set for hearing the appeal of Robert W. MacDiken of the decision of the Hearings Examiner relative to the request of Oscar Hokold for reclassification of the property located at the northeast corner of Pacific Avenue and Wright Avenue from an "R-4" Multiple-Family Dwelling District to an "R-5" Multiple-Family Dwelling District. (Oscar Hokold; File No. 120.1200)

Mayor Sutherland stated that this appeal has been withdrawn by Mr. MacDiken and no action is needed by the Council.

Mayor Sutherland moved to accept the withdrawal of the appeal. Seconded by Council Member Moss. Voice vote was taken and carried.

- b. This is the date set for hearing the appeal of REIL, Real Estate Information, Ltd., on the decision of the Hearings Examiner relative to Audit-Assessment Notice No. AD 5494 by the Department of Tax and License. (REIL, Real Estate Information, Ltd.; File No. T-41905)

Mayor Sutherland stated that the appellant has been called out of town and has requested that the appeal be continued until October 27, 1987, and he so moved. Seconded by Council Member Warrick. Voice vote was taken and carried. The appeal will be rescheduled to the Council meeting of October 27, 1987.

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COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Stenger stated that Council Member Mykland had requested that he inform the Council with regard to the demolition of Municipal Dock Building they had spoken with Mr. Ben Thompson of the Public Works Department to consider a possible contract with people who have already looked into the building. Apparently we would be able to have a consulting contract finished by the meeting of September 22, 1987.

Council Member Hyde said he has not seen any information with regard to the hazardous waste bill and testimony given before the select legislative committee. He stated he didn't think that a member of the Council had the right to express an opinion as though it were the consensus of the whole Council.

Mayor Sutherland said he would provide Council Member Hyde with the information he requested.

Council Member Hyde asked that the Mayor send out a letter tomorrow stating that the statement was not the official position of the City of Tacoma. The Mayor said he was not willing to do that unless the whole Council sat and discussed it and insisted that that be the position of the Council.

Mayor Sutherland stated that on the abatement issues he would like them to be identified on the attachment to the Resolution by item number under normal addresses. Council Member Moss said that it would also be helpful if they would identify them by item or address on the video tapes.

Council Member McElliott said that fire hazards do recur in the same areas year after year and the same people are uneasy. Just because a property has been there a long time doesn't necessarily make it a forgiving issue -- the hazard is still there. Everything is wonderful once the rain comes but the problem recurs during the dry season. She stated that she wanted to go on record that when the staff goes through the proper motions she didn't think it was correct to delete numerous items.

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Mayor Sutherland moved to recess to Executive Session to discuss litigation, the session not to exceed 30 minutes. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 6:31 p.m. and reconvened at 7:01 p.m.

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On proper motion, the meeting was adjourned at 7:02 p.m.

ATTEST:

GENELLE BIRK, CITY CLERK

DOUG SUTHERLAND, MAYOR

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