

CITY COUNCIL MINUTES

City Council Chambers
July 7, 1987

The meeting was called to order at 5:07 p.m.

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

Absent: 1 - Moss (Council Member Moss arrived at 5:07 p.m.)

The Flag Salute was led by Council Member Hyde.

CONSENT AGENDA

Approval of the minutes of the regular meeting of June 30, 1987.

RESOLUTIONS:

Resolution No. 29669

Setting Tuesday, September 15, 1987 at 10:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate portions of South 13th and Villard Streets and the adjacent alley. (Tacoma Central S.D.A. Church; File No. 124.847)

Resolution No. 29670

Setting Tuesday, September 1, 1987 at 9:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate Steele Street south of South 24th Street in Tribune Business Park. (Puget Sound National Bank; File No. 124.845)

Resolution No. 29671

Setting Tuesday, August 11, 1987 at 6:00 p.m. as the date for a public hearing by the City Council concerning Chapter 13.06 of the Official Code relative to "B" Business Districts.

APPEALS:

Cascade Timber Company, (File No. T-29355) appealing Audit Assessment Notice No. AD5531 by the Department of Tax and License.

Setting Thursday, October 1, 1987 at 9:30 a.m. as the date for hearing by the Hearings Examiner.

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ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, July 7, 1987.
- b. Minutes of the meetings of the Policy Review Committee, May 18, May 26, June 1, June 4, June 8, and June 22, 1987.
- c. Minutes of the meeting of the Public Utility Board, June 10, 1987.

Deputy Mayor Rasmussen moved that the Consent Agenda, including Resolution Nos. 29669, 29670, and 29671, be approved. Seconded by Council Member Hyde. Voice vote was taken and carried. The Consent Agenda was declared approved.

REGULAR AGENDA

ANNOUNCEMENTS, PRESENTATIONS, AND APPOINTMENTS:

Resolution No. 29672

Appointing Jack Eric Carlson to the Public Utility Board for a five-year term to expire on June 30, 1992.

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

Resolution No. 29673

Appointing members to various committees, boards, and commissions.

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

Council Member Moss arrived at 5:07 p.m.

FINAL READING OF ORDINANCES:

Ordinance No. 23884

Authorizing the execution of a grant agreement with the State of Washington Department of Ecology in the amount of \$25,000.00 for a Critical Issue Review and Analysis Report concerning the City's three urban shoreline districts;

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depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund; and authorizing a temporary loan in the amount of \$25,000.00 from the General Fund to the Miscellaneous Grants Summary Fund.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23885

Authorizing acceptance of a grant and the execution of an agreement with the National Trust for Historic Preservation in the amount of \$18,000.00; accepting \$8,000.00 from the Union Station Historic District Association, the State of Washington, or other sources; depositing said sums in the Miscellaneous Grants Summary Fund; transferring \$9,500.00 from the General Fund to the Miscellaneous Grants Summary Fund; and appropriating \$35,500.00 from the Miscellaneous Grants Summary Fund to conduct a study of the Union Depot Historic District.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Abstain: 1 - Rasmussen.

The Ordinance was declared passed.

Ordinance No. 23886

Transferring \$39,312.80 from the UDAG Grant Summary Fund to the Community Development Grants Summary Fund; appropriating \$97,994.95 from the Community Development Grants Summary Fund to complete the Transit Center Hillclimb Project, and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

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Ordinance No. 23887

Authorizing the execution of a grant and funding agreement with the U.S. Department of Housing and Urban Development in the amount of \$2,453,000.00; depositing said sum in the Community Development Grants Summary Fund; and appropriating \$2,453,000.00 from the Community Development Grants Summary Fund to undertake and carry out certain programs for the Thirteenth Year Community Development Block Grant Program.

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.

Ordinance No. 23888

Approving and confirming the assessment roll for L.I.D. 2600 for the placement of two-inch asphalt surface treatment on South Verde Street from Sixth Avenue to South 7th Street, North 48th Street from North Mullen to North Ferdinand Street, and North Tyler Street from North 22nd to North 24th Street.

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.

Ordinance No. 23889

Approving and confirming the assessment roll for L.I.D. 2601 for the placement of two-inch asphalt surface treatment on various streets in Tacoma.

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.

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Ordinance No. 23890

Approving and confirming the assessment roll for L.I.D. 2602 for the cost of renovation and/or replacement of sidewalks abutting the west side of Commerce Street, from Jefferson Avenue north 125 feet; the west side of Jefferson Avenue, from South 17th Street to Commerce Street; and the east side of Broadway, from South 17th Street north 227 feet.

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.

Ordinance No. 23891

Approving and confirming the assessment roll for L.I.D. 8440 for the replacement of permanent pavement and street lighting on South 78th Street from South Sprague Avenue to South Trafton Street.

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. 23892

Vacating the south 30 feet of South 11th Street between Monroe and Tyler Streets to construct a new home on the existing substandard-size lot where the original dwelling burned. (Alfred A. Pasquale; File No. 124.839)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Moss. 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.

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Ordinance No. 23893

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northeast corner of South 19th and Prospect Streets from an "R-2" One-Family Dwelling District to an "R-T-2" Residential-Commercial Transitional District to allow development of a two story office building. (Michael Rabstaff; File No. 120.1207)

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, with Council Member Mykland voting nay. The motion was declared adopted.

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

Ordinance No. 23894

Amending Chapter 13.06 of the Official Code to reclassify the property located on the north side of South 23rd Street approximately 250 feet east of South Adams Street from an "R-2" One-Family Dwelling District to an "R-4-L" Low-Density Multiple-Family Dwelling District to construct an apartment complex on the site. (Allenmore Glen Partnership; File No. 120.1203)

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. 23895

Amending Chapter 13.06 of the Official Code to reclassify the property located on the easterly side of South "G" Street approximately 65 feet northerly of South Fifth Street from an "R-5" Multiple-Family Dwelling District to an "R-5-T" Residential-Commercial Transitional District to remodel the existing residential structure into office space. (David W. and Judith Ann Murdach; File No. 120.1208)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Warrick. 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. 23896

Authorizing the transfer \$6,747.00 from the General Fund to the Miscellaneous Grants Summary Fund, and appropriating said sum from the Miscellaneous Grants Summary Fund for the Beacon/Lighthouse renovations and Senior Citizens Awareness Day (SCAD).

The Ordinance was set over for final reading next week.

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Ordinance No. 23897

Appropriating \$20,139.60 from the Community Development Block Grant Summary Fund to implement approved Community Development Block Grant activities.

The Ordinance was set over for final reading next week.

Ordinance No. 23898

Authorizing the acceptance of donations from the Puget Sound National Bank and Merrill, Lynch, Pierce, Fenner and Smith, Inc.; depositing said funds in the Miscellaneous Grants Summary Fund, and appropriating \$8,000.00 from the Miscellaneous Grants Summary Fund for free public performances of the Tacoma Symphony; and further authorizing the payment of \$2,700.00 to the Pierce County Arts Commission for concerts of the Tacoma Symphony in Spanaway Park.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 29674

Awarding Contracts to:

1. Pacific Northwest Collections, Inc. on their bid of 25% of all funds collected for the collection of Municipal Court fines - Specification No. G-022-87; and
2. Centrico, Inc. on their bid of \$11,900.00 plus sales tax & shipping for continuous flow centrifuge for the Sewer Utility Laboratory.

Council Member Nielsen moved to adopt Purchase Resolution No. 29674, including Substitute Exhibit "A." Seconded by Council Member Stenger.

Purchase Resolution No. 29674 - Substitute Exhibit "A"

Awarding Contracts to:

1. Pacific Northwest Collections, Inc. on their bid of 25% of all funds collected for the collection of Municipal Court fines - Specification No. G-022-87; and
2. Centrico, Inc. on their bid of \$11,900.00 plus sales tax & shipping for continuous flow centrifuge for the Sewer Utility Laboratory; and
3. Boddie's Building Construction, Inc., on their bid of \$406,180.33 for the Tacoma Hillclimb - Specification No. G-244-87.

Mayor Sutherland moved to waive formal bidding procedures on Item No. 2. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

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

Mayor Sutherland stated that, it was his request to have Council proceed although it was now 5:30 p.m., with the Public Hearings and Appeals.

Robert Backstein, City Attorney, advised Council to call for the parties involved in the Sharon Guest Home appeal.

Mayor Sutherland noted that David Akana, Hearings Examiner, was not present.

Council Member Mykland requested that the Council delay hearing of the appeal of Sharon Guest Home until 6:00 p.m.

Council Member Mykland moved to recess for a period of 25 minutes. Seconded by Council Member Nielsen. Voice vote was taken and carried, with Council Member Hyde voting nay. The motion was declared adopted.

Council recessed at 5:35 p.m. and reconvened at 6:00 p.m.

Mayor Sutherland moved to instruct the City Clerk to indicate in the future that all public hearings and appeals will begin at approximately 5:30 p.m., but at no time later than 6:00 p.m. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

PUBLIC HEARINGS AND APPEALS: (Began at 6:02 p.m.)

- a. This is the date for hearing the appeal of the Sharon Guest Home regarding the decision of the Hearings Examiner relative to the request for a partial vacation of Washington Street near North 26th Street, and the definition of "retirement home." (Sharon Guest Home; File Nos. 121.1053, 122.385, 124.825a, and 150.20).

Mayor Sutherland noted that both parties to the appeal were present at this time.

Mayor Sutherland reviewed the procedure for appeals before the Tacoma City Council.

David Akana, Hearings Examiner, gave a presentation regarding his decision.

Patricia Schafer, attorney representing Sharon Guest Home, presented the reasons for the appeal.

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John Hickman, attorney representing the neighborhood, introduced Greg Able, attorney who spoke in support of the Hearings Examiner's decision.

Next, Gary Kucinski spoke in support of the Hearings Examiner's decision.

Greg Able again spoke and asked the neighbors to stand who were present and were in opposition to the appeal.

Patricia Schafer spoke in rebuttal and requested that the matter be remanded to the Hearings Examiner.

Council Member Mykland moved to concur in the Findings, Conclusions, and Recommendation of the Hearings Examiner and deny the appeal. Seconded by Council Member Stenger. Voice vote was taken and carried, with Deputy Mayor Rasmussen and Council Member Nielsen voting nay. The motion was declared adopted.

The appeal was denied.

- b. This is the date for hearing the appeal of John H. McCormick regarding the decision of the Hearings Examiner relative to the emergency vehicular exit at the property located in the vicinity of South 72nd and Alaska Streets. (Nomen Development Company; File Nos. 127.273 and 130.2870) (Began at 6:51 p.m.)

David Akana, Hearings Examiner, gave a presentation regarding the appeal and his decision.

John H. McCormick stated the reasons for the appeal.

William Lynn, attorney representing Nomen Development Company, spoke in support of the Hearings Examiner's decision.

John H. McCormick gave a rebuttal to Mr. Lynn's testimony.

Council Member Mykland moved to place an additional condition that the emergency vehicular exit be 20 feet wide with bollards. Seconded by Council Member Hyde.

Voice vote was taken and failed. The motion was declared failed.

Deputy Mayor Rasmussen moved to concur in the Findings, Conclusion, and Recommendation of the Hearings Examiner and deny the appeal. Seconded by Council Member Moss.

Voice vote was taken and carried, with Council Member Mykland and Council Member McElliott voting nay. The motion was declared adopted.

The appeal was denied.

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- c. This is the date set for a public hearing to consider the draft Pacific Avenue Design Study. (Began at 7:16 p.m.)

Bill Bailey, Planning Department, made a presentation to the Council regarding the draft Pacific Avenue Design Study.

Carl L. Scheurman, Chairman of the Pacific Avenue Advisory Committee, spoke regarding the draft study.

Mayor Sutherland called for testimony. Speaking to the Council was:

Jim Merritt	Architect
	1701 Commerce

There being no further testimony, Mayor Sutherland declared the hearing closed at 7:30 p.m.

- d. This is the date set for a public hearing to consider the draft 1987-1992 Capital Improvement Program. (Began at 7:31 p.m.)

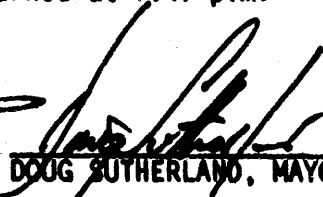
Bart Alford, Planning Department, gave a presentation regarding the draft Capital Improvement Program.

Mayor Sutherland called for public testimony. Speaking to the Council were:

David Nicandri, Director	Washington State Historical Society
Jeanne Werner	Tacoma-Pierce County Humane Society
Ken Cook	4405 North 45th Street

There being no further testimony, Mayor Sutherland declared the public hearing closed at 7:46 p.m.

On proper motion, the meeting was adjourned at 7:47 p.m.


DOUG SUTHERLAND, MAYOR

ATTEST: 
GENELLE BIRK, CITY CLERK

HPC. 1518.G

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