

CITY COUNCIL MINUTES

City Council Chambers
April 27, 1982

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

Present on roll call: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege and Mayor Sutherland.

The Flag Salute was led by Councilman Strege.

CONSENT AGENDA

Approval of the minutes of the regular meeting of April 20, 1982.

PETITION:

Richard Leone requesting the rezoning of the property located on the northwest corner of South 73rd and Alaska Streets from an "R-4L" District to a "C-1" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 27397

Setting Tuesday, June 1, 1982 at 6:00 p.m. as the date for a public hearing on proposed amendments to Chapter 13 of the Official Code to increase certain land use permit fees.

Resolution No. 27398

Setting Tuesday, June 15, 1982 at 10:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate the east side of "K" Street in the vicinity of vacated South 4th Street. (Consolidated Hospitals)

Resolution No. 27399

Setting Tuesday, June 15, 1982 at 1:30 p.m. as the date for hearing by the Hearings Examiner the request to vacate unused portions of the right-of-way of Narrows Drive, north of 26th Street. (Philip C. Wooding)

Resolution No. 27400

Setting Tuesday, June 22, 1982 at 9:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate a portion of the alley between East "E" and "F" Streets north of the Tacoma Dome and south of East 26th Street. (Evergreen Motels)

Resolution No. 27401

Authorizing the submission of grant applications and all subsequent documentation required for such applications to the Washington State Department of Ecology for the construction of a Fuel/Thermophilic Dual Digestion System at the Central Treatment Plant and the installation of an oxyozonation sludge treatment process at the North End Treatment Plant.

APPEAL:

Lawrence E. and Linda L. Dahl appealing the supplemental decision of the Hearings Examiner regarding a reconsideration request for a 5 1/2 foot side yard variance to permit an existing garage located approximately 145 feet west of the northwest corner of South 64th and "K" Streets to remain in its present location for use as a garage as requested by Trans American Builders.

Setting Tuesday, May 11, 1982 at 6:00 p.m. as the date for hearing.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner's agenda for April 27, 1982.
- b. Minutes of the meeting of the Tacoma '84 Committee, April 7, 1982.
- c. Minutes of the meeting of the Human Relations Commission, March 18, 1982.
- d. Minutes of the meeting of the City Charter Review Committee, March 22, 1982.
- e. The City of Tacoma 1982 Annual Program Budget, and the 1982 City of Tacoma Detail Budget.

Councilwoman Bichsel moved that the Consent Agenda, including Resolution Nos. 27397, 27398, 27999, 27400 and 27401, be approved. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The Consent Agenda was declared approved.

Mayor Sutherland stated that the County Council has passed a resolution declaring the month of May, "Older Americans Month in Pierce County," and they ask that the City Council concur in this resolution.

Councilman Hawkins moved to concur with the resolution adopted by the County Council and proclaim May, 1982, as "Older Americans Month in Pierce County." Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

COMMUNICATIONS:

- a. Hearings Examiner recommending approval of the request of Totem Boat Haven, Inc. for a one year extension to the five year completion date for Shoreline Management Substantial Development Permit No. 141.140 for the rehabilitation of the old Municipal Dock Building located at the easterly side of Dock Street, adjacent to and beneath the 11th Street Bridge, into a restaurant and other retail commercial purposes. (Continued from the meeting of April 20, 1982)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Councilman Hawkins. Roll call vote was taken, resulting as follows: Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege and Mayor Sutherland. Nays: 0.

- b. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.276 of McCarver Square Associates to allow property located within the "S-6" Ruston Way Shoreline District to be used as parking for a proposed restaurant facility currently under construction. In addition, alley improvements and a rock retaining wall are proposed to provide access to an existing three-unit condominium structure.

Councilman Rasmussen stated that he has worked with some of the principals involved in this project prior to this however, he does not feel that this would influence him in anyway and he'll be able to deal with this fairly and impartially.

Mayor Sutherland stated that he is currently working with the principal on this particular restaurant in a relatively minor manner and feels that that manner has no way in influencing his decision one way or the other on this particular facility. He feels that his judgement is not colored by his involvement with the principals involved.

Councilman Hyde moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Councilman Hawkins. Roll call vote was taken, resulting as follows: Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege and Mayor Sutherland. Nays: 0.

- c. Hearings Examiner submitting Shoreline Management/Conditional Use Permit No. 141.277 of the Ram Corporation to allow Phase I construction of a two-story, over-water restaurant and banquet facility, which will include the required off-street parking, a public fishing and moorage facility, viewing areas and a bicycle/pedestrian path, located on the northerly side of Ruston Way, abutting the west line of North Junett Street.

Councilman Strege moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Councilman Hyde. Roll call vote was taken, resulting as follows: Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege and Mayor Sutherland. Nays: 0.

- d. Hearings Examiner recommending approval of the request of Robert Rovai for reconsideration of a previously issued recommendation by the Hearings Examiner to rezone the site located at the southwest corner of South 19th and Washington Streets from an "R-2" to an "R-2T" District.

Councilman Strege moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Councilman Hyde. Voice vote was taken and carried.

- e. Hearings Examiner recommending approval of a modification of condition of Reclassification No. 120.1023 as requested by George Barber.

Deputy Mayor Nielsen moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Councilman Hawkins. Voice vote was taken and carried.

- f. City Attorney recommending that the files on the request of Simon Williams to reclassify the property located approximately 120 feet east of Pacific Avenue at 88th Street, and the request of John Fister to reclassify the property located at the southeast corner of South 45th and Lawrence Streets be terminated.

Mayor Sutherland moved to concur in the recommendation of the City Attorney. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

PROCLAMATION:

Mayor Sutherland proclaimed the week of May 1 - 10, 1982 as "Asian Pacific American Heritage Week" and presented the proclamation to Carl Shu, Director of Asian Alliance.

FINAL READING OF ORDINANCES:

Ordinance No. 22678

Submitting to the qualified electorate of the City of Tacoma at a special municipal election on November 2, 1982 a proposition to levy an additional property tax levy for the operation, maintenance and enhancement of emergency medical care and services in the City of Tacoma.

A

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege and Mayor Sutherland.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 22679

Providing for the formation of L.I.D. No. 3844 for sanitary sewer construction in the alley between South Pine and Junett Streets from South 45th to South 47th Streets.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege and Mayor Sutherland.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 22680

Providing for the formation of L.I.D. No. 5630 for the construction of water mains and fire hydrants in South Steele Street from South 39th to South 43rd Streets, in South 40th Street from Steele Street to Ferry Street and in other nearby streets.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege and Mayor Sutherland.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 22681

Approving and confirming the Assessment Roll for L.I.D. No. 2546 for sidewalk construction in South Prospect Street from South 72nd to South 74th Streets.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege and Mayor Sutherland.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 22682

Approving and confirming the Assessment Roll for L.I.D. No. 8328 for permanent pavement on South Prospect Street from South 72nd to South 74th Streets.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege and Mayor Sutherland.

Nays: 0

The Ordinance was declared passed.

PROCLAMATION:

Mayor Sutherland proclaimed the week of May 1 - 7, 1982, as "Consumer Credit Education Week" and presented the proclamation to Jane Garl and Steve Lawson.

FIRST READING OF ORDINANCES:

Ordinance No. 22686

Accepting contributions from Pacific Northwest Bell and the Weyerhaeuser Company Foundation in the total sum of \$3,000.00 and depositing said amount in the Miscellaneous Grants Summary Fund; authorizing the transfer of \$1,500.00 from the General Fund Non-Departmental Account to the Miscellaneous Grants Summary Fund; and appropriating \$4,500.00, or so much thereof as may be necessary, from said fund for the 1982 Summer Pops! and Joint Sponsorship Programs.

The Ordinance was set over for final reading next week.

Ordinance No. 22687

Amending Chapter 13.06 of the Official Code regarding nonconforming uses.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 27404

Awarding contracts to:

1. Life Moving and Storage on their bid of \$5,831.00 for moving office furniture - Specification No. G-59-82;
2. Sunset Northwest on their bid of \$13,627.74 for two (2) economy vehicles (scooters) - Specification No. G-18-82;
3. Topping Motors, Inc. on their bid of \$76,136.89 for eleven (11) small pickup trucks - Specification No. G-41-82;
4. Motorola, Inc. on their bid of \$106,595.33 for radio replacement; and
5. Motorola, Inc. on their bid of \$231,719.28 for radio replacement.

Councilwoman Bichsel moved that the Resolution be adopted. Seconded by Councilman Rasmussen. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 27402

Authorizing the execution of an agreement in the amount of \$50,500 with Tacoma School District No. 19 and the Metropolitan Park District of Tacoma for the construction and joint use of recreational improvements at Meeker Junior High School.

Councilwoman Bichsel moved that the Resolution be adopted. Seconded by Councilman Rasmussen. Voice vote was taken and carried. The Resolution was declared adopted.

Mayor Sutherland moved to suspend the rules to consider Public Hearings and Appeals at this time. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

PUBLIC HEARINGS AND APPEALS: (5:55 p.m.)

- a. This is the date set for hearing the appeals of Thomas Heerema regarding the recommendations of the Hearings Examiner to approve the request of William T. Ostruske for a Shoreline Management Substantial Development Permit to allow an addition to an over-water single-family residence located on the westerly side of Wilton Road approximately 250 feet southerly of 6th Avenue and to amend a pending Shoreline Management Substantial Development Permit to include an existing 2nd story addition constructed in 1978. (File Nos. 141.270 and 141.270A) (Continued from the meeting of April 13, 1982.)

Bob Backstein, Hearings Examiner, gave a presentation regarding this appeal.

Councilman Ladenburg moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner and deny the appeal. Seconded by Councilman Kirby. Roll call vote was taken, resulting as follows: Ayes: 8 - Bichsel, Hawkins, Kirby, Ladenburg, Nielsen, Rasmussen, Strege and Mayor Sutherland. Nays: 1 - Hyde. The motion was adopted.

- b. This is the date set for a public hearing to consider proposed amendments to Chapter 13.06 of the Official Code regarding the revision of parking space standards.

Dennis Crumbley, Traffic Engineer, Department of Public Works, stated that this has been heard by the Planning Commission and the Council has their report.

There being no one present wishing to speak, Mayor Sutherland declared the hearing closed at 6:01 p.m.

- c. This is the date set for a public hearing to consider proposed amendments to Chapter 13.06 of the Official Code to revise the expiration period for site approvals in planned districts.

Tom Dolan, Planning Department, stated that the proposed ordinance amendment before the Council would extend the expiration period for site plan approvals for planned zoning districts in the City from the current 18 months to 36 months; it will bring the zoning ordinance into conformity with the State plating statues and will allow developers a little more time to put together large projects.

There being no one present wishing to speak, Mayor Sutherland declared the hearing closed at 6:03 p.m.

Resolution No. 27403

Expressing the intent of the City Council to commission Stephen Antonakos for the design, fabrication, and installation of a work of art for the Tacoma Dome.

Councilman Hawkins moved that the Resolution be adopted. Seconded by Councilman Rasmussen.

Fred Pritchard, Spokesperson for the Sports and Convention Jury, presented the recommendation of the Jury regarding the proposed art for the Tacoma Dome.

Mayor Sutherland introduced a videotape of his interviews with Dianne Vanderlip and Ira Licht, Tacoma Dome Art Selection Panel members.

Ed Wundram, Consultant to the City on the Tacoma Dome, discussed the proposed art for the Tacoma Dome.

Councilman Rasmussen moved to amend the Resolution on Line 23 by adding "provided technical consideration of the roof and related warranty can be satisfied to the satisfaction of Tacoma Dome Associates, the artist and the proper officials of the City of Tacoma with final approval of the City Council." Seconded by Councilman Hawkins. Vote was deferred until after public testimony had been received on Resolution No. 27403.

Speaking in favor of the resolution were the following:

- Catherine Egan, 7606 South "I" Street,
- Dennis Flannigan, 1521 North 5th,
- Carla Carroll, 5006 North Winnifred,
- Bob Rieck, 210 Brandywine, DuPont, Wa.,
- Mike Croman, Washington State Arts Commission,
- Al Skinner, 1110 North 28th,
- Nancy Mendoza, 517 South Sheridan,
- Jim King, Jr., 4902 North 16th,
- Tammis Greene, 1785 North Harmon,
- Liza Morado, 1212 North "J" Street,
- Rick Gotta, 3716 North Washington,
- Richard Moe, 304 No. Stadium Way,
- Elodie Vandevent, 414 North "C" Street,
- Larry Dahl, 3001 South "D" Street,
- Ilse Flannigan, 1521 North 5th, and
- Betty Franco, 305 Barksdale, DuPont, Wa.,

Speaking in opposition of the resolution were the following:

- Mike Sombarano, 3121 East "K" Street,
- Chet Deuel, 3411 McKinley Avenue,
- Tom Colvin, 6491 South "I" Street,
- Hector Diaz, 14314 - 106th Avenue Ct. E, Puyallup,
- Stan Naccarato, 1 Stadium Way No.,
- Doug McArthur, 4037 No. Whitman,
- Wendell Rossman, Phoenix,
- Eldon E. Barnes, 3519 East 57th,
- Andy Berg, 1825 North Bennett,
- Jim McGranahan, 950 Fawcett,
- Marshall Turner, Beaverton, Or., and
- Floyd Oles, 1018 South 60th.

Councilman Rasmussen withdrew his amendment. Councilman Hawkins withdrew his second.

Councilman Hawkins moved to consider Substitute Resolution No. 27403. Seconded by Councilman Rasmussen.

Substitute Resolution No. 27403

Deferring pending further analysis and recommendations, the decision of the City Council with reference to an appropriate work or works of art for the Tacoma Dome, and directing the proper officers of the City to allocate the sum of \$235,000, and deposit said sum in appropriate investment accounts so that the Council, upon reaching its ultimate decision with reference to selection of work or works of art for the Tacoma Dome, will have available said principal amount, together with interest earned thereon, to expend for such works of art as the Council in such amounts and may deem appropriate.

Councilman Hawkins moved to amend Line 15, in place of the dollar figure \$235,000, replace that with the following phrase "remaining monies from the account." Seconded by Councilman Rasmussen.

Councilman Hawkins moved to amend his amendment on Line 15, in place of the dollar figure \$235,000, replace it with "approximately \$255,000." Seconded by Mayor Sutherland. Voice vote was taken and carried.

Roll call vote was taken on Substitute Resolution No. 27403, as amended, resulting as follows: Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strége and Mayor Sutherland. Nays: 0. The Substitute Resolution, as amended, was declared adopted.

Mayor Sutherland declared a five minute recess. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. Council recessed at 9:40 p.m. and reconvened at 9:46 p.m.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

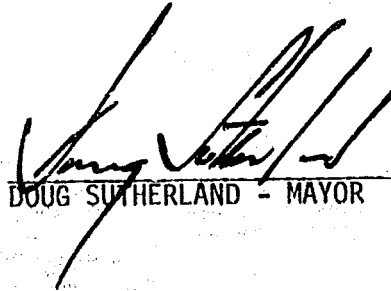
Councilman Hyde asked City staff to look into the possibility of incorporating the Dome on the City emblem.

Councilman Hawkins moved to excuse Councilwoman Bichsel from next weeks' meeting. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

Mayor Sutherland asked for a report from the City Manager regarding a problem on Pacific Avenue, 1502 Jefferson, with respect to providing a facility for indigent individuals who have no other place that they might be able to stay. He would like staff to see whether or not all of the permits have been issued properly; see if there is something that the Council could look at to see if that facility may not be allowed to proceed.

Deputy Mayor Nielsen stated that he has received letters from virtually every business within the area of that proposed facility. He stated that he has done some investigation and found that appropriate permits have been issued; that the potential use is now a permitted use in that zoning classification. He stated that the facility is proposed to be licensed by the Department of Social and Health Services. He requested that the Department of Health contact the proposed operating agency to determine the level of sanitary standards and health standards that would be applied in the use; and make a written report and recommendation to the Department of Social and Health Services who is charged with the issuance of license.

On proper motion the meeting adjourned at 9:52 p.m.


DOUG SUTHERLAND - MAYOR

Attest: 
H. B. BOND - CITY CLERK