

CITY COUNCIL MINUTES

City Council Chambers
June 5, 1984

The meeting was called to order at 5:06 p.m.

Present on roll call: 7 - Hyde, Kirby, Ladenburg, Stenger, Stroege, Warnick, and Mayor Sutherland. Absent: 2 - Bichsel and Rasmussen. (Council Member Bichsel arrived at 5:07 p.m.; Council Member Rasmussen arrived at 5:13 p.m.)

The Flag Salute was led by Council Member Kirby.

CONSENT AGENDA

Approval of the minutes of the regular meeting of May 29, 1984.

RESOLUTIONS:

Resolution No. 28376

Authorizing the submittal of grant applications to the Department of Ecology for shoreline administration and inspection programs.

Resolution No. 23877

Authorizing the submittal of a grant application to the Department of Housing and Urban Development for the implementation of a rental rehabilitation program.

APPEALS:

- a. Dennis Anderson appealing the denial of his application for a For-Hire Vehicle Drivers License by the Department of Tax & License.

Setting Wednesday, June 13, 1984 at 10:00 a.m. as the date for hearing by the Hearings Examiner.

- b. Clifford E. Holland, Jr. appealing the denial of his application for a For-Hire Vehicle Drivers License by the Department of Tax & License.

Setting Wednesday, June 13, 1984 at 10:30 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 Agendas for Monday, June 4 and Tuesday, June 5, 1984.
- b. Public Utility Board Agenda for Tuesday, June 5, 1984.
- c. Minutes of the meeting of the Municipal Authority, May 17, 1984.
- d. Minutes of the meeting of the Tacoma Planning Commission, May 21, 1984.
- e. Minutes of the meeting of the Public Utility Board, May 9, 1984.
- f. Tacoma-Pierce County Humane Society & S.P.C.A. Total Work Report, February through April, 1984.
- g. Monthly Financial Reports of the Belt Line Division, Data Processing Division, Light Division, Self-Insurance Claim Fund, and the Water Division, April 1984.
- h. Revised State Environmental Policy Act Rules.

Deputy Mayor Strege moved that the Consent Agenda, including Resolution Nos. 28376 and 28377, be approved. Seconded by Council Member Bichsel. Voice vote was taken and carried. The Consent Agenda was declared approved.

REGULAR AGENDA

Mayor Sutherland proclaimed the month of June, 1984, to be "Zoo and Aquarium Month," and presented the proclamation to Mr. Jim Thomas, of the Metropolitan Park Board, and Mr. Tom Galdabini, President of the Tacoma Zoological Society, and also introduced the Llana, Pastor.

Council Member Rasmussen arrived at 5:13 p.m.

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Resolution No. 28378

Appointing members to various boards, committees and commissions.

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

Mayor Sutherland introduced the 1984 Ms. Downtown Tacoma candidates.

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COMMUNICATIONS:

- a. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.323 of the City of Tacoma to allow the construction of arterial street improvements to Ruston Way from 1,300 feet northerly of Alder Street to North 49th Street.

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

- b. City Clerk advising that the Pierce County auditor has verified the sufficiency of signatures on petitions regarding neon art in the Tacoma Dome.

Mayor Sutherland advised that this is informational only and no action is required.

Mayor Sutherland announced that three sections (South 19th Street, Grandview Drive to Jackson Avenue and Alder Street; Sixth Avenue to North 21st Street; and South 19th Street, Seashore Drive to Grandview Drive) were deleted from the Supplemental Urban Arterial Project section of the Six Year Comprehensive Street program.

FINAL READING OF ORDINANCES:

Ordinance No. 23174

Amending Chapter 13.06 of the Official Code to reclassify the property located at the southwest corner of South 47th and Warner Streets from an "R-3" Two-Family Dwelling District to an "R-4L" Low Density Multiple-Family Dwelling District. (Suncrest Builders; File No. 120.1078)

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strege, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23194

Providing for the formation of L.I.D. 2587 for the placement of two-inch asphalt surface treatment on East 51st Street from East 'E' Street to McKinley Avenue; East 'K' Street from East 61st to East 62nd Streets; and on other nearby streets.

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Mayor Sutherland moved to delete on page 1, line 3, the words "East 51st Street from East "E" Street to McKinley Avenue," and also delete line 18; and, further, to correct the legal description as appropriate on page 2. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

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

Ayes: 9 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strege, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance, as amended, was declared passed.

Ordinance No. 23195

Providing for the formation of L.I.D. 8386 for the placement of permanent paving on North Gove Street from North 37th to North 38th Street, and on South Bell Street from South 72nd to South 74th Streets.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strege, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Mayor Sutherland proclaimed the day of Sunday, the 24th of June, 1984, to be "Associated Ministries Sunday," and presented the proclamation to Ms. Janet Lenz, Associate Director of Associated Ministries.

FIRST READING OF ORDINANCES:

Ordinance No. 23196

Amending Title 9 of the Official Code by adding a new chapter to be titled Chapter 9.40 relative to the vending of food, flowers and non-alcoholic beverages on certain sidewalks and public streets of the City.

The Ordinance was set over for final reading next week.

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Ordinance No. 23197

Authorizing the execution of a Grant and Funding Agreement with the Department of Housing and Urban Development for the Tenth Year Community Development Block Grant Program, and appropriating \$2,808,000.00 from the Community Development Grants Summary Fund for the provision of specified programs within the City of Tacoma, and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 28379

Awarding contracts to:

1. Byron Rockstad Construction on their bid of \$454,790.09 for the Broadway Plaza Street Renovation - L.I.D. 8396 - Specification No. G-038-84; and
2. Snyder Industries, Inc. on their bid of \$149,333.18 for plastic refuse containers - Specification No. G-039-84.

Council Member Bichsel moved that the Purchase Resolution be adopted. Seconded by Council Member Hyde.

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

Mayor Sutherland again announced again that three sections (South 19th Street, Grandview Drive to Jackson Avenue and Alder Street' Sixth Avenue to North 21st Street; and South 19th Street, Seashore Drive to Grandview Drive) were deleted from the Supplemental Urban Arterial Project section of the Six Year Comprehensive Street Program.

Resolution No. 28380

Approving the preliminary plat for Vista Ridge located at East 36th and East 'B' Streets. (Lloyd Silver; File No. 125.273)

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

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Resolution No. 28381

Authorizing the execution of an amendment to the Urban Development Action Grant agreement with Cornerstone Development Company relative to the transfer of the Tacoma Sheraton Hotel project to Tacoma Center Hotel Associates Limited Partnership.

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

Mayor Sutherland proclaimed the week of June 3-9, 1984, to be "Theater Week," and presented the proclamation to Ms. Ruth Kors, president of Tacoma Actors Guild.

Resolution No. 28382

Authorizing a special municipal election to allow an advisory vote on the question of displaying neon art in the Tacoma Dome.

Council Member Kirby moved that the Resolution be adopted. Seconded by Deputy Mayor Strege.

Council Member Stenger requested that staff investigate and report back to the Council on the costs of holding a special municipal election and the cost of removing the art work after it is installed.

Mayor Sutherland moved to continue Resolution No. 28382 to the meeting of July 10, 1984. Seconded by Council Member Warnick.

Speaking to the Council were:

Beth Jensen	President of the Civic Arts Commission
Virginia Shackelford	Former Civic Arts Commission member
Paul Meyer	Human Rights Commission member
Don Newman	"No Neon in the Dome"
Elodie Vandever	Civic Arts Commission member
David Stillman	Civic Arts Commission member
Ron Hale	1516 South 52nd Street

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

Ayes: 5 - Bichsel, Rasmussen, Stenger, Warnick, and Mayor Sutherland.

Nays: 4 - Hyde, Kirby, Ladenburg, and Strege.

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The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting of July 10, 1984.

PUBLIC HEARINGS AND APPEALS: (Began at 7:00 p.m.)

- a. This is the date set for a public hearing on the Six Year Comprehensive Street Program for 1985 - 1990 and the amended 1984 Street Program.

Mr. Lynn Price, Public Works Department, made a presentation to the Council on this matter.

Mayor Sutherland called for public testimony on this matter.

Speaking to the Council were:

Gerald Van Noy	7232 South Montgomery
Greg Mykland	6739 South Mason
Cheryl Miller	North 36th Street

There being no further testimony, Mayor Sutherland declared the Public Hearing closed at 7:26 p.m.

- b. This is the date set for hearing the appeal of Berry & Berry Associates on the decision of the Hearings Examiner regarding certain conditions related to the provision of a bus turnout and the widening of roads as requested for site plan approval and conditional approval for the proposed apartment and condominium project located at the northeast corner of North 37th and Pearl Streets.
(Began at 7:27 p.m.)

Ms. Michele McFadden, Hearings Examiner Pro Tem, made a presentation to the Council on this matter.

Council Member Bichsel moved to suspend the rules to reconsider Resolution No. 28382.

Mayor Sutherland ruled that Council Member Bichsel's motion was out of order.

Council Member Bichsel moved to overrule the ruling of the Chair.

Roll call vote was taken, resulting as follows: Ayes: 5 - Bichsel, Hyde, Kirby, Ladenburg, and Strege. Nays: 4 - Rasmussen, Stenger, Warnick, and Mayor Sutherland. The ruling of the Chair was overruled.

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Council Member Bichsel moved to suspend the rules to consider other matters. Roll call vote was taken, resulting as follows: Ayes: 6 - Bichsel, Hyde, Kirby, Ladenburg, Stenger, and Strege. Nays: 3 - Rasmussen, Warnick, and Mayor Sutherland.

Council Member Bichsel moved to reconsider Resolution No. 28382. Seconded by Council Member Hyde. Roll call vote was taken, resulting as follows: Ayes: 6 - Bichsel, Hyde, Kirby, Ladenburg, Stenger, and Strege. Nays: 3 - Rasmussen, Warnick, and Mayor Sutherland. The motion was declared adopted.

Resolution No. 28382

Authorizing a special municipal election to allow an advisory vote on the question of displaying neon art in the Tacoma Dome.

Council Member Bichsel changed her original vote from an "aye" to a "nay."

Roll call vote was taken on the Resolution, resulting as follows: Ayes: 7 - Bichsel, Hyde, Kirby, Ladenburg, Stenger, Strege, and Mayor Sutherland. Nays: 2 - Rasmussen and Warnick. The Resolution was declared adopted.

PUBLIC HEARINGS AND APPEALS:

- b. This is the date set for hearing the appeal of Berry & Berry Associates on the decision of the Hearings Examiner regarding certain conditions related to the provision of a bus turnout and the widening of roads as requested for site plan approval and conditional approval for the proposed apartment and condominium project located at the northeast corner of North 37th and Pearl Streets. (The Appeal procedures were resumed and continued.)

Mr. William Lynn, representing Berry & Berry Associates, presented the reasons for the appeal and then introduced Mr. George Berry, who made a presentation to the Council.

Council Member Kirby moved to overrule the Hearings Examiner and uphold the appeal. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

The appeal was upheld.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Deputy Mayor Strege moved to approve payment of expenses during Council Member Hyde's trip to Victoria, B.C., to attend the Northwest Public Power Association's annual membership meeting from May 30 to June 1, 1984. Seconded by Council Member Kirby. Voice vote was taken and carried. The motion was declared adopted.

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Council Member Hyde reported on the Northwest Public Power Association's annual membership meeting.

Council Member Hyde thanked City staff and Public Works staff, especially Mr. Lynn Price, Mr. Bill Larkin, and Mr. Ron Button, for their work on the Six Year Comprehensive Street Program.

Council Member Kirby requested verification of the City's policy of restoring a street to its original condition following any construction on that street.

Council Member Kirby stated that he had received a phone call from a resident of an apartment near the Bicentennial Pavilion where sound devices for the blind have been installed and suggested turning them off at night when people are in bed.

Mayor Sutherland requested that staff check on other areas where the noise may be bothersome during the day and possibly look for other sounds that are not as penetrating.

Council Member Ladenburg suggested that the noise be of lower volume at night.

On proper motion, the meeting adjourned at 8:15 p.m.


DOUG SUTHERLAND, MAYOR

ATTEST:


GENELLE BIRK, CITY CLERK

WPC.77186

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