

CITY COUNCIL MINUTES

City Council Chambers
August 11, 1987

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

Present on roll call: 8 - McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Marnick, and Mayor Sutherland. Absent: 1 - Hyde.

The Flag Salute was led by Council Member Stenger.

CONSENT AGENDA

Approval of the minutes of the regular meeting of August 4, 1987.

APPEALS:

Dr. Michael L. and Joan L. Milasich, appealing the decision of the Hearings Examiner relative to the request for a front yard variance to allow construction of portions of a residence to come within eight to nine feet of the property line. (David and Ann Olsen; File No. 130.2809)

Setting Tuesday, September 29, 1987 at approximately 5:30 p.m. as the date for hearing by the City Council.

ASSESSMENT ROLLS:

The Director of Public Utilities presents the Assessment Roll for the following:

L.I.D. No. 5671 for the construction of water mains in 162nd Street East from 62nd Avenue East to approximately 650 feet west.

L.I.D. No. 1013 for the construction of fire hydrants in the area bounded by Jackson Avenue, Sixth Avenue, South 12th Street and Mountain View Avenue.

Setting Monday, September 14, 1987 at 5:00 p.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 11, 1987.
- b. Minutes of the meeting of the Landmarks Preservation Commission, June 24, 1987.

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- c. Corrected minutes of the meeting of the Tacoma Arts Commission, June 16, 1987.
- d. Minutes of the meeting of the Tacoma-Pierce County Board of Health, July 1, 1987.
- e. Minutes of the meeting of the Urban Policy Committee, July 30, 1987.
- f. Report of the Director of Finance, June 1987.
- g. Department of Finance Economic Status Report, January through June 1987.

Deputy Mayor Rasmussen moved that the Consent Agenda be approved. Seconded by Council Member Moss. Voice vote was taken and carried. The Consent Agenda was declared approved.

REGULAR AGENDA

COMMUNICATIONS

Hearings Examiner recommending denial of the request for reconsideration by the City of Tacoma relative to the appeal of South Tacoma Nissan Inc., Audit Assessment Notice AD 5510 and Northwestern Automotive Inc., dba Tacoma Subaru, Audit Assessment Notice AD 5509.

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

FINAL READING OF ORDINANCES:

Ordinance No. 23577

Amending Chapter 13.06 of the Official Code to reclassify the property located north of North 51st Street between Mildred Street and Park Way from an "R-1-PRD" Planned Residential Development District to an "R-2-PRD" Planned Residential Development District to allow development of a 225-unit retirement housing project. (Collins Condominium Corporation and Crossings Corporation; File No. 120.1139)

Roll call vote was taken, resulting as follows:

Ayes: 6 - Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Sutherland.

Nays: 1 - McElliott.

Absent: 1 - Hyde.

Abstaining: 1 - Rasmussen.

The Ordinance was declared passed.

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2

Ordinance No. 23832

Amending Chapter 13.06 of the Official Code to reclassify the property located at the east side of Madison Street extended south approximately 815 feet south of South 74th Street from an "R-2" One-Family Dwelling District to an "M-1" Light Industrial District. (Kenn Triebelhorne; File No. 120.1199)

Roll call vote was taken, resulting as follows:

Ayes: 7 - McElliott, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Hyde.

Abstaining: 1 - Rasmussen.

The Ordinance was declared passed.

Ordinance No. 23847

Amending Chapter 13.06 of the Official Code to reclassify the property located at the southeast corner of South 60th Street and Sprague Avenue from an "R-2" One-Family Dwelling District to an "R-2-T" Residential - Commercial Transitional District to remodel an existing single-family dwelling. (Don Helton; File No. 120.1192)

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Hyde.

The Ordinance was declared passed.

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" Low-Density Multiple-Family Dwelling District to construct an apartment complex on the site. (Allenmore Glen Partnership; File No. 120.1203)

Roll call vote was taken, resulting as follows:

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

Nays: 0.

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Absent: 1 - Hyde.

The Ordinance was declared passed.

Ordinance No. 23895

Amending Chapter 13.06 of the Official Code to reclassify the property located on the east side of South "G" Street approximately 65 feet north 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)

Roll call vote was taken, resulting as follows:

Ayes: 8 - McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Warrick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Hyde.

The Ordinance was declared passed.

Ordinance No. 23912

Amending Ordinance No. 23849 to authorize execution of a grant award contract with the State of Washington Department of Social and Health Services in the amount of \$5,180.00; depositing said sum in the Miscellaneous Grants Summary Fund, and appropriating \$5,180.00 from the Miscellaneous Grants Summary Fund to design and implement a Child Care Resource and Referral System.

Roll call vote was taken, resulting as follows:

Ayes: 8 - McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Warrick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Hyde.

The Ordinance was declared passed.

Substitute Ordinance No. 23913

Creating and establishing the Union Station Renovation Fund; authorizing a temporary interest-bearing loan in the amount of \$325,000.00 from the UDAG Grant Trust Fund to the Union Station Renovation Fund; transferring \$175,000.00 from the Capital Improvement Fund to the Union Station Renovation Fund; and appropriating \$500,000.00 from the Union Station Renovation Fund for preliminary work for the Union Station Renovation Project.

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Roll call vote was taken, resulting as follows:

Ayes: 7 - McElliott, Moss, Mykland, Nielsen, Stenger, Warrick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Hyde.

Abstaining: 1 - Rasmussen.

The Ordinance was declared passed.

Ordinance No. 23914

Authorizing the execution of a contract amendment with the Pierce County Area Agency on Aging to provide reimbursement for services rendered to senior citizen case management clients; accepting \$18,500.00 from the Pierce County Area Agency on Aging; depositing said sum in the Miscellaneous Grants Summary Fund; and appropriating \$18,500.00 from the Miscellaneous Grants Summary Fund for said purpose.

Mayor Sutherland moved to continue Ordinance No. 23914 to the meeting of August 18, 1987. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance will be considered at the regular City Council meeting of August 18, 1987.

FIRST READING OF ORDINANCES:

Ordinance No. 23915

Amending Ordinance No. 23809 and fixing certain terms of the City of Tacoma Sewer Revenue Refunding bonds authorized therein.

The Ordinance was set over for final reading next week.

Ordinance No. 23916

Amending Chapter 10.22 of the Official Code relative to barricade procedures for construction and maintenance work sites.

The Ordinance was set over for final reading next week.

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Ordinance No. 23917

Amending Chapter 11.18 and 11.32 of the Official Code relative to vehicle licenses, size, weight and load.

The Ordinance was set over for final reading next week.

Ordinance No. 23918

Accepting donations of \$5,300.00 from Pacific Northwest Bell, Rainier Bancorporation, Sam's Tire, Seafirst Bank, Pedersen's Farms, Pierce County Medical Bureau, Inc., Puget Sound National Bank, Roman Meal Company, the Tacoma News Tribune, Olympic Savings Bank and Sunrise Rotary, depositing said sum in and appropriating from the Miscellaneous Grants Summary Fund for Senior Citizens Awareness Day; and accepting a donation of \$25.00 from the estate of Nora Hushagen, depositing said sum in and appropriating from the General Fund for the Senior Citizens Red Cross Emergency Fund.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 29686 (Continued from the meeting of July 28, 1987.)

Authorizing the execution of an agreement with Entranco Engineers, Inc., in the amount of \$88,285.00 to prepare an environmental impact statement for the Tacoma Union Station Renovation Project.

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

Purchase Resolution No. 29715

Awarding Contracts to:

1. J. J. Sprague Inc., on their bid of \$214,638.50 for relief line from Hards Lake to the gravel pit holding basin - Specification No. G-241-87;
2. Golf Landscaping Inc., on their bid of \$99,091.92 for Cloverdale Park renovation and STRIC Tot Lot - Specification No. G-055-87;
3. Griffin Galbraith Fuel Company, to increase their contract by \$6,500.00 for diesel fuel - Specification No. PT-19-86;
4. Rejecting all bids submitted on the chip seal aggregates - Specification No. G-059-87; and
5. Northwest Aggregates in the amount of \$44,407.08 for chip seal aggregates - Emergency Contract.

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Deputy Mayor Rasmussen moved that the Purchase Resolution be adopted. Seconded by Council Member Mykland.

Mayor Sutherland moved to waive the formal bidding procedures on Purchase Item No. 5. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

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

Resolution No. 29716

Authorizing the execution of an agreement with Roberts and Shefelman for bond counsel services; and with Harper, McLean & Company and Grigsby, Brandford and Company for financial advisory services for the Union Station Renovation Project.

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

Resolution No. 29717

Expressing the intent of the Tacoma City Council to allocate \$8,000.00 as a local match for a Homeless Families Assistance grant.

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

Resolution No. 29718

Requesting that the Washington State Legislature give highest priority to explore alternatives and take actions needed to ease bonding requirements for companies bidding on State ferry contracts.

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

Resolution No. 29719

Creating an advisory committee to be known as the Tacoma Area Task Force on Disabilities to assist the City of Tacoma relative to planning, programming and policies related to the issues of the disabled.

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

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Mayor Sutherland moved to suspend the rules to consider Resolution No. 29720. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 29720

Appointing Hal Nielsen to the Economic Development Corporation of Pierce County for a three-year term beginning September 15, 1987.

Council Member Mykland moved to continue Resolution No. 29720 to the meeting of August 18, 1987. Seconded by Council Member McElliott.

Roll call vote was taken resulting as follows:

Ayes: 5 - McElliott, Moss, Mykland, Nielsen, and Stenger.

Nays: 3 - Rasmussen, Harnick and Mayor Sutherland.

Absent: 1 - Hyde.

The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting of August 18, 1987.

CITIZEN'S REQUEST TO BE HEARD: (Began at 5:29 p.m.)

Kevin McKim and Robert Gallucci, Upper Tacoma Concerned Citizens Committee, requesting to speak regarding crime, absentee landlords, neighborhood maintenance and alcohol problems in the Upper Tacoma Area.

Speaking to the Council were:

Max Massman	Upper Tacoma Concerned Citizens Committee
Kevin McKim	Upper Tacoma Concerned Citizens Committee
Bob Gallucci	Upper Tacoma Concerned Citizens Committee
Josephine McKay	802 South Grant
Marie Orange	702 South Cushman
Jeff Macaluso	952 South Ainsworth
Hermine Soler	927-1/2 South Sheridan

Mayor Sutherland moved to take a five-minute recess. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Council recessed at 6:15 p.m. and reconvened at 6:20 p.m.

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8

PUBLIC HEARINGS AND APPEALS: (Began at 6:23 p.m.)

- a. This is the date set for hearing the appeal of Francis J. Browne on the decision of the Hearings Examiner relative to a variance for a detached garage at the property located at 1219 Karl Johan Avenue. (Durston Builders, Inc.; File Nos. 130.2815 and 130.2815A)
- b. This is the date set for hearing the appeal of Terrence F. McCarthy on the decision of the Hearings Examiner relative to a variance for a detached garage at the property located at 1219 Karl Johan Avenue. (Durston Builders, Inc.; File Nos. 130.2815 and 130.2815A)

Mayor Sutherland asked the City Attorney if it was possible to combine both of these appeals into one appeal since the appellants were appealing the same matter.

Robert Backstein, City Attorney, stated that the Mayor could combine the two, however, that the Council would need to allow ten minutes for each appellant.

Marshall Adams, attorney representing Durston Builders, agreed to this procedure.

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

David Akana, Hearings Examiner, spoke regarding the matter before the Council.

James Mason, attorney representing Francis J. Browne, presented the reasons for the appeal.

Terrence F. McCarthy presented the reasons for his appeal.

Marshall Adams, attorney representing Durston Builders, spoke in support of the Hearings Examiner's decision.

Council Member Mykland moved to concur on the findings, conclusions, and recommendations of the Hearings Examiner and deny the appeals of Francis J. Browne and Terrence F. McCarthy. Seconded by Council Member Nielsen.

Roll call vote was taken resulting as follows:

Ayes: 6 - McElliott, Moss, Mykland, Nielsen, Rasmussen, and Mayor Sutherland.

Nays: 2 - Stenger and Warrnick.

Absent: 1 - Hyde.

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The motion was declared adopted.

The appeal was denied.

- c. This is the date set for a public hearing by the City Council concerning Chapter 13.06 of the Official Code relative to "B" Business District zoning amendments.

Karie Hayashi, Planning Department, spoke to the Council regarding the proposed amendments.

Mayor Sutherland called for public testimony.

There being no testimony, Mayor Sutherland declared the public hearing closed at 7:14 p.m.

UNFINISHED BUSINESS:

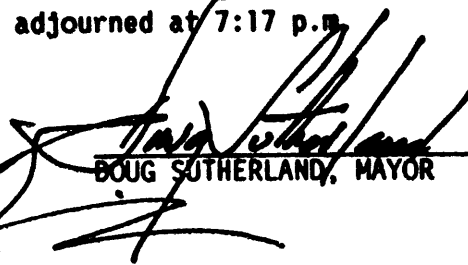
Council Member Nielsen moved to excuse Council Member Hyde from the Council meetings of August 4 and August 11, 1987. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

Robert Backstein, City Attorney, presented two recommendations for settlement to the Council.

Mayor Sutherland moved that settlement of the claim on behalf of Alec Fishburne be authorized in accordance with the recommendation of the City Attorney. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved that the City Attorney be authorized to resolve the Leach Creek judgment in accordance with the recommendations of the City Attorney. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 7:17 p.m.


 DOUG SUTHERLAND, MAYOR

ATTEST: 
 GENELLE BIRK, CITY CLERK

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