

# 2002 02 04 Regular Mtg

## LAKWOOD CITY COUNCIL MINUTES

Monday, February 4, 2002

City of Lakewood

City Council Chambers

6000 Main Street SW

Lakewood, WA 98499

### CALL TO ORDER

Mayor Harrison called the meeting to order at 7:01 p.m.

### ROLL CALL

Councilmembers Present: 7 - Mayor Bill Harrison; Deputy Mayor Claudia Thomas; Councilmembers Pad Finnigan; Larry Humphrey; Helen McGovern; JosÃ© Palmas and Doug Richardson.

Staff Present: City Manager D. Scott Rohlfs; Assistant City Manager Jeff Butzlaff; Acting City Attorney Mike McKenzie; Finance and Systems Director Galen Kidd; Community Development Director David Bugher; Public Works Director Bill Larkin; Police Chief Larry Saunders; Human Resources & Services Director Debi Young; General Services Director/City Clerk Alice Bush; Community Relations Manager Candice Bock and Parks Manager Mary Dodsworth.

### FLAG SALUTE

The Pledge of Allegiance was led by Mr. Ed Starbird by request of Mayor Harrison.

### REPORTS BY THE CITY MANAGER

City Manager Rohlfs reported that the Western State Hospital mitigation impacts relative to Lakewood have been scheduled in the Senate and the House. He requested Councilmembers to let him know if they are interested in testifying before the legislature.

### PROCLAMATIONS AND PRESENTATIONS

Youth Advisors' Report.

Youth Advisors reported on the work they are doing on the Daffodil Float design for the 2002 Daffodil Float parade. They reported that the subtheme for the float is called "Gardens of Smiles."

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Proclamation declaring February 1 - March 16, 2002 as "Bicentennial of the United States Military Academy."

Mayor Harrison presented a proclamation declaring February 1 - March 16, 2002 as "Bicentennial of the United States Military Academy" to Colonel Thomas Morgan, Pierce County Representative, West Point Society of Puget Sound.

Proclamation declaring February 12, 2002 as Arts Day 2002.

Deputy Mayor Thomas presented a proclamation declaring February 12, 2002 as Arts Day 2002 to Ms. Marlette Buchanan, Arts Manager, Pierce County Arts and Culture Division.

### PUBLIC COMMENTS

Speaking before the Council were:

*Richard Rabisa, #2 Thornewood Lane, spoke about the fire in Tillicum and an R.C.W. code to maintain smoke detectors. He then spoke about the Thornewood Castle's "Rose Red" filming debut at the Castle. He distributed copies of the revenues the filming of "Rose Red" brought to the State of Washington.*

*Deanna Robinson, 8601 N. Thorne Lane SW, spoke about the Thornewood Castle's website and its history. She spoke about complaints that have been brought before the City about the activities at the Castle.*

*Dennis Haugen, 6528 Mt. Tacoma Drive SW, thanked Councilmember Palmas for his help to facilitate the installation of a stop sign at 112th Street and Farwest Drive. He then spoke about the stop sign on Main Street and indicated that the integration to access the County's mapping system for stop sign maintenance is faulty.*

*Janna Derck, 12415 Lake City Boulevard, spoke about the need for handicapped access at Washington Boulevard and Vernon and that there was a \$1,500 permit fee to have a drive-through at the coffee shop at that location. He asked the Council for assistance on this matter.*

*Kenneth Severe, 9644 Bridgeport Way SW, spoke about the rezoning of Oak Park and the rezoning along Bridgeport Way SW. He requested that this area be zoned as a single-family residential.*

*Tom Losh, 42 Thunderbird Parkway, spoke about implementing an Americans with Disabilities Act (ADA) accessibility correction at City Hall. He spoke about correcting door swinging out of the Council Chambers and that the handrails installation was still incorrect. He indicated that there is no ADA Coordinator at City Hall to handle such matters.*

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*Wayne Robinson, 8601 W. Thorne Lane, spoke about letters of complaints filed against the Thornewood Castle and asked for consideration. He expressed concern as to why he could not obtain copies of these complaints.*

*Esther Miller, 14511 Woodbrook Drive SW, expressed her disappointment about The News Tribune negative article about ADA accessibility at City Hall. She spoke about the need for more handrails.*

#### C O N S E N T A G E N D A

( 1 ) A. Approval of the minutes of the City Council meeting of January 22, 2002.

( 7 ) B. Approval of the minutes of the City Council Study Session of January 28, 2002.

(11) C. Approval of payroll check numbers 104698 to 104722, in the amount of \$188,769.46, for the period January 1 - 15, 2002.

(16) D. Approval of claim voucher numbers 16772 to 16848, in the amount of \$596,866.69, for the period ending January 18, 2002.

(31) E. Approval of claim voucher numbers 16849 to 16855, in the amount of \$70,508.98, for the period ending January 24, 2002.

(34) F. Approval of claim voucher numbers 16856 to 16964, in the amount of \$1,452,062.17, for the period ending January 31, 2002.

(56) G. Items Filed in the Office of the City Clerk:

1. Parks and Recreation Advisory Board meeting minutes of October 23 and November 27, 2001.

2. City Events Committee meeting minutes of December 20, 2001.

3. Community Development Block Grant Citizens' Advisory Board meeting minutes of January 9 and 17, 2002.

(91) H. [Resolution No. 2002-02](#)

Declaring certain property as surplus and authorizing its disposal to public entities and charitable nonprofit organizations or otherwise available under the law.

**DEPUTY MAYOR THOMAS MOVED TO ADOPT THE CONSENT AGENDA AS PRESENTED. SECONDED BY COUNCILMEMBER RICHARDSON. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.**

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**R E G U L A R A G E N D A**

**PUBLIC HEARINGS AND APPEALS**

**This is the date set for a hearing before the City Council on the appeal of James and Kathleen Manza and Randall and Deborrah Bennett relative to a Shoreline Substantial Development Permit and Shoreline Variance to construct a dock system and retaining wall at 12761 Gravelly Lake Drive SW (James and Kathleen Manza; LU010048; LU010082, and LU010049).**

**Acting City Attorney McKenzie reviewed the Council's role relative to quasi-judicial hearings. Councilmember McGovern disclosed that she did visit the site but did not speak to any of the parties. Councilmember Humphrey disclosed that he is a resident on Gravelly Lake Drive.**

**Principal Planner Catron presented the facts, findings and conclusions of the Hearing Examiner's report.**

**Speaking before the Council were:**

**Ms. Annette Fitzsimmons, Attorney, representing appellants/applicants, James and Kathleen Manza, presented reasons for their appeal.**

**Discussion ensued on the newly-created residential land; the distance between the retaining walls and the bulkhead; bulkhead definition; the erosion of the water line; and the filling of the bulkhead.**

**\*\*\*\*\***

**Council recessed at 8:50 p.m. and reconvened at 9:00 p.m.**

**\*\*\*\*\***

**Ms. Leanne Bremer, attorney for appellant, Randall and Deborrah Bennett, presented reasons for their appeal. Dr. Bennett also presented reasons for their appeal.**

**Discussion ensued on Chapter 29.70 of the shoreline regulations; basis for including the Manza house as part of the SEPA review; definition of bulkhead; the location of the sewage tank; and the overflow of sewage tanks and their failures.**

**Ms. Fitzsimmons provided rebuttal comments.**

**Discussion ensued on the Pierce County Shoreline Management Regulation regarding the length of the dock and the erosion of the bulkhead.**

**Ms. Bremer and Dr. Bennett provided rebuttal comments.**

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**Discussion ensued on the filing of the stop work order; the length of the Bennett's dock; and the location of the sewage system.**

**Deputy Mayor Thomas requested to not take action tonight and continue the discussion of the appeal at the Council's February 11, 2002 Study Session.**

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At 10:25 p.m., Council recessed into Executive Session as a quasi-judicial body.

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It was the consensus of the Council to delay a decision on the issues of the appeal until after the Council had deliberated in closed session as a quasi-judicial body at the Council's Study Session of February 11, 2002.

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Council recessed at 10:25 p.m. and reconvened at 10:40 p.m.

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There being no further testimony, the hearing was declared closed.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

None.

None.

**BRIEFING BY THE CITY MANAGER**

City Manager Rohlfs distributed a copy of an e-mail relative to a Lakewood Historical Society quilt.

City Manager Rohlfs reported that City staff has requested the Attorney General's opinion on pursuing a National Pollution Discharge Elimination System (NPDES) permit for the treatment of lakes, specifically Lake Steilacoom.

**CITY COUNCIL COMMENTS**

Councilmember Humphrey asked about the Pierce County's contribution/budget for improvements to Ft. Steilacoom Park and Golf Course.

Councilmember Humphrey reported on the Keep Lakewood Beautiful Committee meeting he attended.

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Councilmember Richardson reported that Clover Park School District is interested in making a presentation before the Council on the school bond levy at the Council's February 11, 2002 Study Session.

Deputy Mayor Thomas reported that Sound Transit is in the process of reorganizing and that its projects are on schedule.

Mayor Harrison indicated that it is the consensus of the Council to continue discussion of the Manza and Bennett appeal at the Council's February 11, 2002 Study Session beginning with an executive session.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 11:10 p.m.

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**BILL HARRISON, MAYOR**

**ATTEST:**

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**ALICE M. BUSH, CMC**

**CITY CLERK**