



Minutes for Mount Rainier Mayor and Council

Vacant Building Forum

Special Council Meeting

Special Work Session

Date: December 13, 2011

Place: One Municipal Place

Presiding officer: Mayor Malinda Miles

Councilmember's present: Ivy Thompson, William Updike, Jimmy Tarlau and Brent Bolin

Pledge of Allegiance

Staff present: City Manager Jeannelle Wallace, Assistant City Manager Michael Jackson and Chief Scott.

Agenda

Motion to approve agenda

Councilman Tarlau

Second Councilman Updike

Vote 4-0

Called to order Vacant Building Forum

City Manager Jeannelle Wallace gives a fair summary.

Councilman Tarlau suggests the city hold a forum to address some of the complaints from residents and help them to understand the process.

Jeannelle Wallace:

The city has an extensive code and when the property is vacant the owner must file a plan with the city and their intentions for the property. Also, a vacant building fee can be applied. Nuisance properties are addressed and the problems it causes the city.

Mayor Miles feels it is mandatory we have someone from the county and state to speak on vacant properties and have a meaningful dialogue.

Mayor Miles wants to know the process for vacant buildings and what is the first thing that happens once it burns down?

City Manager:

Once we determine a vacancy our code officers check the property database. The database is not properly maintained and it's normally months behind.

1. A letter is sent to property owner
2. The owner must register the vacant property with the city and plans for the property
3. Must give the property owner 60 days to comply with the city and if not done then a citation is issued from Code Enforcement.
4. Code Enforcement must go to court and defend the citation written asking the court to rule in favor of the city in terms of a judgment.
5. Problems occur when the property is not maintained or the property owner is not communicating with the city or they ignore the notice of violation and that's when fines occur.

Councilman Tarlau:

At what point do we make the decision to abate the conditions of a property? And do we bill the owner?

City Manager:

We bill the owner and give them 30 days. When the citation is ignored then we start the process.

Councilman Tarlau:

Once we do a notice of violation how long do we wait before Public Works or contractors abate the conditions? And why do we condemn some and the county condemns some?

City Manager:

When the city condemns the property the property has to sit for one year and then we go back to court and ask the court to adjudicate meaning that they will give the city the authority to raise the property or renovate and charge back to the owner.

The Code Officer asks the Department of Environmental Resources code officer to come out and walk with him to look at the properties. Their code enforcement makes the decision to condemn. The county has limited inspectors and they don't follow up. D.E.R. gives the property owner about 40 days to demolish the property. The process is different for commercial properties.

Councilman Tarlau:

The Willoughby property located at 3705 Eastern Ave. have we condemned it and if not why?

Mayor Miles:

How many vacant properties are in the city?

City Manager:

WE have 40 vacant properties

1. 25 residential
2. 10 Vacant lot
3. 10 commercial

We also have 3501 and 3503 Eastern Ave.

Mr. Jackson:

DER will not condemn those properties. We have condemned one Willoughby property and DER condemned another Willoughby property and the Singer building is condemned.

Mayor Miles is requesting the property of Willoughby on 30th Street be raised and wants the papers processed.

Councilman Updike:

If we do the demolition does that become a lien on the property?

City Manager:

Yes, if they give us the authority to do it.

Mr. Jackson:

We post the lien and it goes up for tax sale.

Mayor Miles is asking to move forward on the 30th Street property.

City Manager:

The other D.E.R. condemnation is on 34th Street and they requested the owner to demolish it.

Councilman Tarlau:

The one on Eastern Ave. what happens with that one?

City Manager :

It has to sit condemned for one year.

Councilman Tarlau:

How long has it been?

City Manager:

We condemned it in August 2011.

Mayor Miles:

Is the Singer building condemned by the city and what is the status?

City Manager:

The current status is we have a court date to follow up on vacant building violations.

Deni Taveras representing Senator Ramirez:

We follow up if the person is not stable and they have a person in hospice at present and might be coming back to the property. In that case a court guardian would need to be appointed.

Joel Kelty 3400 block of Varnum Street:

Mr. Kelty feels it wouldn't be wise for the city to demolish the Singer building. He thinks the city should focus on rebuilding and not demolition.

Kevin Simpson Code Officer:

He states there is a vacant property in his area and says that foreclosure signs are a good indicator that the property is vacant. The state database is not up to date.

Mayor Miles:

Do the banks notify the city of vacancies?

City Manager:

Not always

Alex Brown Code Enforcement Officer:

I have 25 vacant properties from Eastern Ave. up to Bunker Hill Road and Eastern Ave. on the other side.

Councilman Tarlau:

In what shape are the properties? People in town are upset about the vacant properties that are in disrepair. How many of the 40 properties have violations against them?

City Manager:

We will have to get back to you on that but, as a guess I would say 10 or 15% are in bad shape. Some are not that bad but quite a few present blighted conditions.

Alex Brown Code Enforcement Officer:

4121 34th Street, the owner has been working with the county officials and Mr. Holden. They gave him 30 days for condemnation and it expired on November 23rd 2011 and now they gave him a two week extension. After two weeks they will file with the court. The extension begins two weeks from December 12th 2011.

Councilman Bolin: apologizes for being late.

Councilman Tarlau:

What's going on with the house in the 3400 block of 33rd Street?

City Manager:

We receive the order to take it down however; the daughter of the owners asks for more time in order to sell the land.

Mayor Miles:

Is there still a need to hold an open forum with the county and state as a follow up to this meeting?

Councilman Tarlau:

I feel a work-session will be best because clarity is needed on what they want to ask. I feel that that we should take what was learned today and articulate questions that we would like answers to.

Councilman Updike:

I have heard two discrepancies in the time period with the county versus the city to condemn and the other is the county has said they don't have enough staff to stay on top of this so I'm for a follow up meeting but I agree with Councilman Tarlau that we should be prepared.

Councilman Bolin:

I would like to see us doing more like other jurisdictions.

Mayor Miles:

Please put this on the January Work-Session

Move to adjourn Vacant Building Forum

Councilman Tarlau

Second Councilman Updike

Vote 4-0

Special Meeting Session

We have to vote on canceling Decmeber20th 2011 Work-Session

Councilman Tarlau moves to cancel the December 20, 2011 meeting Work-Session

Second Councilman Updike

Vote 4-0

Motion to adjourn Special Meeting

Councilwoman Thompson

Second Councilman Tarlau

Vote 4-0

Work-Session

Mayor Miles:

Would you like to add to the agenda Development Criteria for proposals for the 3200 block of Rhode Island Avenue?

Motion failed of adding the above to the agenda

Please put on the Work-Session January 2012.

Agenda

Review of the implementation report and recommendations

Councilman Updike:

This is the first time seeing this and I would like to spend time with it before discussing it.

Councilman Updike moves to remove from agenda

Second Councilman Tarlau

Vote 3-0

Motion to take a five minute break

Councilman Updike

Second Councilman Tarlau

Vote 4-0

This is General discussion on the Development Criteria for Proposals of the 3200 block of Rhode Island Ave.

Councilman Tarlau:

Alonzo Washington gave me a call to that Street Sense developers are coming up with a proposal because of numbers they want to discuss with the Council.

Permanent barrier on Perry Street

Councilman Bolin feels the barrier has made a big difference and the residents would like for it to become a permanent fixture. The city made a commitment for a permanent barrier and should begin the process.

Councilman Updike:

We have funding for planting trees we could use that and put trees in the barrier.

Chief Scott:

Some of the citizens concerns were that they didn't have egress. Whatever keeps the traffic off of 30th and 31st Streets is a good idea.

Councilman Bolin:

Maybe Bill and the Environmental Protection Board can come up with some recommendations.

Chief Scott:

The street and bio-retention on Buchanan Street might be an option.

Mayor Miles:

Jan Townsend of Neighborhood Design might have some ideas.

Councilman Bolin:

Ask Vijay if it could be used as public safety funds?

Mayor Miles:

It is public safety funds and asks Jeannelle to speak with Jan Townsend on planter or whatever.

Brent will now speak with Jan Townsend instead of Jeannelle.

Larry Solomon: Business Owner

If you fix things in the alley you may have to extend the pavement because of the wide turns trucks make coming through there.

Mayor Miles wants timelines on projects taken on by the Council.

Mayor Miles:

Street-Sense wants to give numbers but doesn't want the city to take numbers and information they provide to use it as negotiating strategy with other competing groups.

Councilwoman Thompson goes on record that County Councilman Will Campos has not spoken to any Council person other than Councilman Tarlau regarding Street Sense.

Street-Sense wants a letter of confidentiality from this Council.

Councilman Updike:

I am fine with signing a confidentially letter if it means we move forward.

Councilman Bolin:

Since the RFP has expired let's make it clear what the ground rules are. If we hear two different proposals what will the frame work will we use so it's clear and fair to everyone.

Mayor Miles wants to have a closed session about the negotiations so we can make some good decisions and how do we move forward from here?

Councilman Tarlau:

We should give the developers a date of February 1 2012 to get prepared and present to the Council.

Councilwoman Thompson:

Justin Thornton and Chris Hutchins with the Holiday Corporation will get back with Councilwoman Thompson on when they can present.

Councilman Bolin:

We owe it to the citizens to look at all proposals and give the second developer the same opportunity, and then set a date for the deadline.

Mayor Miles:

We have two potentials so give both of them until December 31st 2011 to get something to the Council.

Councilman Tarlau:

The deadline should be the end of January 2012.

Motion on the closing date for receiving proposals from the two developers is January 13th 2012 by the close of business either hand delivered or post marked.

Move Councilman Updike

Second Councilman Bolin

Vote 3-1

Abstain the motion is - Councilwoman Thompson on sending a letter of notification for proposals.

Both parties can deliver or request a meeting with the Mayor and Council by January 13th 2012 by close of business.

Councilman Bolin:

If there is a presentation it should be of a general nature.

Mayor Miles:

Are we ready to put on record that any proposals received with the numbers and data will be kept confidential and not used by Mayor and Council with other developers?

Councilwoman Thompson goes on record that she is offended by the actions of Street Sense.

Councilman Updike:

Moves that if asked we will sign a confidentiality agreement with the developers.

Second Councilman Tarlau

Vote 4-0

Councilwoman Thompson:

We paid someone to do the criteria and we should follow it. In order for us to fairly evaluate each proposal we are going to use the R.F.P. as our guide to review each proposal.

Mayor Miles:

Move Mayor and Council will enter into a confidentiality agreement with the two developers with respect to their bids for the project.

Vote 4-0

Mayor Miles:

What process are we using to evaluate the two proposals?

Councilman Tarlau:

I think the ownership piece is in the R.F.P.

Mayor Miles wants it typed in.

Council Liaison

Councilman Tarlau wants each councilmember to assign to a city department to get better educated about the way the department works.

Mayor Miles:

What would be the purpose? Our charter doesn't provide for that.

Councilwoman Thompson:

I suggest that we rotate work-sessions to discuss each department.

Councilman Bolin agrees with Councilwoman Thompson.

Councilman Updike feels the lack of knowledge is a good reason for this action but also agrees with Councilwoman Thompson.

Reports with the Council will go as stated below

1. Public Safety will report in March
2. MRTV will report in September
3. City Hall will report in December

Councilman Updike wants a report on staff and how their hours are spent over a monthly period or a two week period

Councilman Tarlau:

Speaking with the heads of departments instead of staff will suffice.

City Manager:

The Mayor and Council have no clarity on what is done daily in running the city and we welcome the idea of discussing it.

Councilmember Tarlau: Motions to meet with leadership and staff on a quarterly basis as outlined by the Mayor.

Second Councilman Updike

Vote 4-0

Skate Park

Councilman Tarlau:

There is money budgeted and we are concerned that if we don't do something with it we will lose the money.

Mayor Miles:

Park & Planning wants direction from the city on the skate park.

Councilman Updike:

I'm asking for a dome analysis and what would it cost to do a sound analysis.

Councilwoman Thompson:

The question is is the city willing to have that park not renovated and to make the formal request that the funding be used for the skate park. We have a noise issue and there has been no abatement of that noise issue. We have to decide what we want done. Park & Planning are not going to pay for a dome.

Mayor and Councilman Updike will meet with Park & Planning for decision making on the noise barrier and dome.

Councilman Updike wants to make a motion to spend money on sound study. Councilman Tarlau disagrees with spending that money and we already had a sound study done.

The Mayor will call and schedule a meeting with Park & Planning and send an e-mail requesting their availability.

Bunker Hill Fire Department

Councilman Tarlau wants the city to write a letter in support of the Bunker Hill Fire Department that opposes the legislation appointment of career fireman to a volunteer department.

Councilwoman Thompson:

What was reported last week is that the legislation was tabled and pulled by the county council?

Motion to send a support letter for the Fire Department in support of opposition to legislation submitted.

Motion Councilman Tarlau

Second Councilwoman Thompson

Vote 4-0

Standard Criteria for Evaluation

Motion Councilman Tarlau moves that the amended bullet point number 2 which is ownership structure be sent to the developers.

Second Councilwoman Thompson

Vote 4-0

Councilman Bolin:

Mr. Bolin is asking for a clear direction on what the Council wants and asking for a letter to both parties of interest asking for the bulleted points below.

1. Expressing a deadline.
2. A sealed bid with confidentiality from the city including an invitation to come to Council to discuss general concepts in a public forum and presenting with the evaluation criteria and post it on our website.

Mayor Miles agrees with Councilman Bolin's letter being sent.

Councilman Updike is asking for a timeline as to when the Council will respond to the proposals.

Mayor Miles:

Within 45 days of January 13th 2012 the developers will have a response from the Council. The 45 days will allow for public hearing and discussions.

Motion to adjourn

Councilwoman Thompson

Second Councilman Tarlau

Vote 4-0

