

CITY COUNCIL MINUTES

City Council Chambers  
October 7, 1986

The meeting was called to order at 5:01 p.m.

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

The Flag Salute was led by Council Member Hyde.

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CONSENT AGENDA

Approval of the minutes of the regular meeting of September 30, 1986.

FIRST READING OF ORDINANCES:

Ordinance No. 23615

Authorizing the acceptance of the donation of a street clock from Simon J. Rose and George and Linda Brain, and further authorizing LeRoy Jewelers to restore the clock at no cost to the City.

APPEALS:

- a. Jerry Nelson appealing the decision of the Hearings Examiner relative to a variance request to build a deck on the property located at 4302 North 19th Street.

Setting Wednesday, November 12, 1986 at 6:00 p.m. as the date for hearing by the City Council.

- b. O'Neil's Marketing, Inc. appealing the decision of the Hearings Examiner relative to a request for a convenience store and gasoline station by Time Oil Company in the vicinity of East 40th Street and Portland Avenue.

Setting Tuesday, October 28, 1986 at 6:00 p.m. as the date for hearing by the City Council.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, October 7, 1986.
- b. Minutes of the meeting of the Human Rights Commission, August 21, 1986.
- c. Minutes of the meeting of the Landmarks Preservation Commission, September 24, 1986.

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- d. Minutes of the meetings of the Natural Systems Citizens Advisory Committee, July 10, 1986 and August 19, 1986.
- e. Minutes of the meeting of the Public Utility Board, September 10, 1986.
- f. Minutes of the meeting of the Tacoma-Pierce County Board of Health, September 3, 1986.
- g. Department of Finance Economic Status Report, January through August 1986.
- h. Police Department Report for the month of August 1986.
- i. Report of the Director of Finance, August 1986.
- j. Monthly Financial Reports for the Belt Line Division, Data Processing Division, Fleet Services Fund, Light Division, Self-Insurance Claim Fund, and Water Division, August 1986.

Deputy Mayor Rasmussen stated that Ordinance No. 23615 had been removed from the Agenda on May 20, 1986. He stated that it had been revised and brought back for consideration and that the revision adds the names of George and Linda Brain to the Ordinance.

Deputy Mayor Rasmussen noted that the Jerry Nelson appeal on the Consent Agenda was set for Wednesday, November 12, 1986. He stated that the City Council Rules indicate that if the Tuesday of any week should be a legal holiday, the regular meeting of that week shall be held at 5:00 p.m. on the first business day following the holiday.

Deputy Mayor Rasmussen moved that the Consent Agenda, including the first reading of Ordinance No. 23615, as revised, be approved. Seconded by Council Member Nielsen. Voice vote was taken and carried. The Consent Agenda was declared approved.

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## REGULAR AGENDA

### ANNOUNCEMENTS, PRESENTATIONS, AND APPOINTMENTS:

#### Resolution No. 29351

Appointing members to various committees, boards, and commissions.

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

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### FINAL READING OF ORDINANCES:

#### Ordinance No. 23679

Amending Chapter 13.06 of the Official Code to reclassify the property located at the southeast corner of South 56th Street and Orchard Street West from an "R-2" One-Family Dwelling District to a "C-1" Commercial District and an "R-4-LT" Low Density Multiple-Family Residential-Commercial Transitional District to allow construction of a convenience store and a 26-unit apartment complex. (Dominion Development; File No. 120.1164)

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Roll call vote was taken, resulting as follows:

Ayes: 6 - Hyde, McElliott, Nielsen, Stenger, Warnick, and Deputy Mayor Rasmussen.

Nays: 2 - Ladenburg and Mykland.

Absent: 1 - Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 23702

Approving the sale of the stock of Group W Cable, Inc., to five buyers, the assignment and transfer of the franchise to a wholly-owned affiliate of Group W Cable, Inc., and the change of control of said affiliate to TCI Cablevision of Washington, Inc.

Deputy Mayor Rasmussen stated that the first reading of this Ordinance occurred on September 16, 1986, and the Ordinance had been set over for final reading to October 7, 1986, as required by the City Charter.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Stenger, Warnick, and Deputy Mayor Rasmussen.

Nays: 0.

Absent: 1 - Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 23712

Appropriating \$40,000.00 from the Radio and Communication Revolving Fund to pay the increased costs of servicing communication equipment used by Fire, Public Works and Police Departments during the balance of 1986, and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Stenger, Warnick, and Deputy Mayor Rasmussen.

Nays: 0.

Absent: 1 - Mayor Sutherland.

The Ordinance was declared passed.

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Ordinance No. 23713

Accepting a donation from the Ben B. Cheney Foundation in the amount of \$2,588.00; depositing said sum in the Miscellaneous Grants Summary Fund; transferring \$2,588.00 from the General Fund to the Miscellaneous Grants Summary Fund; and appropriating \$5,176.00 from this fund to support the Children's Design Exhibition at the Tacoma Dome on November 28, 29 and 30, 1986.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Stenger, Warnick, and Deputy Mayor Rasmussen.

Nays: 0.

Absent: 1 - Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 23714

Authorizing the execution of a contract amendment with the Washington State Energy Office in the amount of \$9,538.00; and depositing and appropriating \$9,538.00 from the Miscellaneous Grants Summary Fund for further implementation of the Tacoma-Pierce County Energy Information Center.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Stenger, Warnick, and Deputy Mayor Rasmussen.

Nays: 0.

Absent: 1 - Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 23715

Amending Section 1.30.550 of the Official Code relating to the refund of contributions to allow the repayment of previously withdrawn contributions to the Tacoma Employees' Retirement System.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Stenger, Warnick, and Deputy Mayor Rasmussen.

Nays: 0.

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Absent: 1 - Mayor Sutherland.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 23717

Authorizing the execution of a grant award contract with the Department of Housing and Urban Development in the amount of \$88,000.00; and depositing and appropriating \$88,000.00 from the Miscellaneous Trust Summary Fund to continue the Rental Rehabilitation Program.

The Ordinance was set over for final reading next week.

Ordinance No. 23718

Amending Ordinance No. 23690 relative to interim zoning provisions in the Old Town area by adding a new Section 3 to provide for a procedure to permit the height of buildings to exceed 35 feet subject to certain criteria.

Speaking to the Council were:

John Heaver  
Catherine Ursich  
Thomas Krilich

635 North Carr Street, Tacoma  
2721 North Starr Street, Tacoma  
Attorney, representing a local  
developer

Mozella Pooley

8041 East Sherwood, Tacoma

The Ordinance was set over for final reading next week.

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Council Member Ladenburg moved to suspend the rules to consider a double emergency ordinance, Ordinance No. 23719. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Rasmussen stated for the record that the vote on the motion to suspend the rules to consider Ordinance No. 23719 was eight in favor and none opposed (with one absent).

Ordinance No. 23719

Amending Sections 13.06.010 and 13.06.310 of the Official Code relative to zoning and platting to add adult cabarets to each of the sections, and declaring an emergency making necessary the immediate passage of this ordinance and its taking effect immediately upon publication.

Council Member Stenger moved to amend Ordinance No. 23719 on page 1, line 11, to strike the word "is" and to replace it with the words: "may be." Seconded by Council Member Nielsen.

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After discussion, Council Member Stenger withdrew his motion.

Council Member Stenger moved to amend Ordinance No. 23719 on page 1, line 11, to delete the words "to serve food and/or alcoholic beverages." Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Council Member Mykland moved to amend Ordinance No. 23719 on page 2, line 4, to strike the words "date of April 31" and insert the date of "October 7." Seconded by Council Member Harnick. Voice vote was taken and carried. The motion was declared adopted.

Council Member Harnick expressed his concerns regarding suspending the Council Rules and introducing this ordinance for first and final reading during the same meeting.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Stenger, and Deputy Mayor Rasmussen.

Nays: 1 - Harnick.

Absent: 1 - Mayor Sutherland.

The Ordinance was declared passed.

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**RESOLUTIONS:**

**Purchase Resolution No. 29352**

Awarding contracts to:

1. Increasing the contract for Motorola Communications and Electronics, Inc. by \$40,000.00 for communication equipment used by the Fire, Public Works, and Police Departments; Specification No. G-218-83;
2. Konica Royal Business Machines on their bid of \$24,000.00 for a maintenance and supply agreement for Royal Copiers - Single Source;
3. Active Erectors and Installers, Inc. on their bid of \$20,713.77 for repairs to permanent and portable seating sections and railings at the Tacoma Dome;
4. E. J. Rody & Sons, Inc. on their bid of \$46,943.69 for water main extensions at the Tacoma Narrows Airport (Change Order No. 1); Specification No. G-244-86; and
5. Increasing the open purchase order for 1986 to \$40,000.00 for Smith Tractor and Equipment to maintain the uninterrupted operation of the Refuse Utility Division.

Council Member Stenger moved that the Purchase Resolution be adopted, including waiving the formal bidding procedures on Purchase Item Nos. 2 and 3. Seconded by Council Member Harnick.

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

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Resolution No. 29353

Authorizing the execution of an extension agreement with McLean and Company for underwriting services for Local Improvement District bonds.

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

Resolution No. 29354

Authorizing the execution of a Memorandum of Understanding with the Washington State Energy Office to conduct a feasibility study of the potential for a District Heating and Cooling System in the Port of Tacoma area and part of the Central Business District.

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

Resolution No. 29355

Authorizing the execution of an Airspace Lease Agreement with the State of Washington relative to the construction of the SR-705 Tacoma Spur.

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

Resolution No. 29356

Authorizing the acquisition of property located southerly of South 25th Street and Fawcett and Jefferson Avenues for a fueling station to be used by City vehicles.

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

Resolution No. 29357

Authorizing the execution of an amendment to the letter agreement with the Metropolitan Park District relative to the expenditure of additional funds for the swimming pool at the Peoples Center.

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

Resolution No. 29358

Authorizing the Municipal Authority to execute an agreement with Pacific First Federal Savings Bank for the continued implementation of the Demonstration Rental Rehabilitation loan program.

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

Resolution No. 29359

Authorizing the execution of Amendment No. 35 to the Neighborhood Preservation Program Agreement with the Municipal Authority to allow for an increase in the funding allocation for the Neighborhood Preservation Program.

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

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COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Hyde stated that Council had received a letter from the Finance Director outlining the Police staffing expenditures for the \$400,000.00 allocated for 1986. He expressed concerns regarding the fact that the additional \$200,000.00 allocated in mid 1986 had not, and would not be, expended in 1986 for additional patrol officers. He stated that this allocation would be budgeted for 1987 and that he would be supporting an increase in patrol strength for the Police Department in 1987.

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On proper motion, the meeting was adjourned at 5:57 p.m.

ATTEST:

  
BENELLE BIRK, CITY CLERK

WPC 8630.G

  
PETER T. S. RASMUSSEN, DEPUTY MAYOR

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