

CITY COUNCIL MINUTES

City Council Chambers
October 30, 1984

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

Present on roll call: 9 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strege, Warnick, and Mayor Sutherland.

The Flag Salute was led by Council Member Hyde.

CONSENT AGENDA

Approval of the minutes of the regular meeting of October 16, 1984.

PETITIONS:

First City Investments, Inc., requesting reclassification of the property located north of Titlow Park south of Sunset Drive, west of 6th Avenue, from an "R-3-PRD" to an "R-1" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 28529

Setting Tuesday, December 11, 1984 at 1:30 p.m. as the date for hearing by the Hearings Examiner the request to vacate a portion of the air rights over the westerly four feet of Stadium Way between Division Avenue and South 2nd Street. (William T. Good; File No. 124.779)

Resolution No. 28532

Setting Monday, November 26, 1984 at 5:00 p.m. as the date for a public hearing by the Hearings Examiner on L.I.D. No. 5659 for the construction of water mains adjacent to City of Tacoma's Pipeline No. 4 right-of-way and 96th Street East.

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ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, October 30, 1984.
- b. Minutes of the meeting of the Appointments Committee, October 15, 1984.
- c. Minutes of the meeting of the Human Rights Commission, September 20, 1984.
- d. Minutes of the meeting of the Landmarks Preservation Commission, October 10, 1984.
- e. Minutes of the meeting of the Public Utility Board, October 10, 1984.
- f. Minutes of the meeting of the Tacoma Employees' Retirement System Board, September 27, 1984.
- g. Minutes of the public hearing of the Urban Policy Committee, October 16, 1984.
- h. Tacoma Employees' Retirement System Report of Purchases and Sales of Investments, August 1984.

Council Member Rasmussen moved that the Consent Agenda, including Resolution Nos. 28529 and 28532, be approved. Seconded by Council Member Bichsel. Voice vote was taken and carried. The Consent Agenda was declared approved.

REGULAR AGENDA

COMMUNICATIONS:

- a. Hearings Examiner submitting the Stipulation and Order of Dismissal regarding the appeal of Audit Assessment Notice No. AD5215 of Tacoma Moving & Storage Company.

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

- b. Hearings Examiner advising that the final plat approval for Orchard Terrace, Division 2, has been dismissed. (Ron Crippen; File No. 125.271)

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

- c. City Attorney advising that Tacoma-Pierce County Blood Bank's request for street vacation has been withdrawn, and requesting that the hearing scheduled before the Hearings Examiner on Tuesday, November 13, 1984 be cancelled. (File No. 124.771)

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

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- d. City Attorney forwarding a letter from Group W Cable regarding its service charge for unnecessary service calls.

Speaking to the Council was:

Samuel J. Lloyd, Jr.

General Manager, Group W Cable

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

FINAL READING OF ORDINANCES:

Ordinance No. 23185

Vacating 300 feet of Cushman Avenue north from Center Street. (Plaza Hall; File No. 124.757)

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. 23278

Depositing \$1,419,300.00 in the UDAG Grant Trust Account of the Miscellaneous Trust Summary Fund, and appropriating \$1,419,300.00, or so much thereof as may be necessary, from the Miscellaneous Trust Summary Fund to provide a loan to Tacoma Hotels, Inc. for the construction of the Tacoma Holiday Inn Project.

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.

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Ordinance No. 23280

Amending Section 2.02.370 of the Official Code to permit small homes for the developmentally disabled and physically handicapped to be built without providing an automatic sprinkler system in the building.

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. 23281

Providing for the formation of L.I.D. 8420 for widening of permanent paving and the installation of street lights on ornamental standards on East 27th Street from East "N" Street to Portland Avenue.

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.

FIRST READING OF ORDINANCES:

Ordinance No. 23282

Authorizing the execution of a grant award contract in the amount of \$7,000.00 with the Washington State Department of Ecology, and appropriating \$7,000.00, or so much thereof as may be necessary, from the Miscellaneous Grants Summary Fund to conduct a shoreline access inventory and place shoreline access signs and bollards at selected locations along Tacoma's shoreline.

The Ordinance was set over for final reading next week.

Ordinance No. 23283

Appropriating \$1,581,728.00, or so much as may be necessary, from the Tacoma-Pierce County Health Department Pooling Fund for providing increased health-related services.

The Ordinance was set over for final reading next week.

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Ordinance No. 23284

Accepting contributions from the Tacoma-Pierce County Board of Realtors in the amount of \$423.50 and from Hillhaven Corporation in the amount of \$4,500.00; authorizing the transfer of \$4,923.50 from the General Fund to the Miscellaneous Grants Summary Fund; and appropriating \$11,267.00, or so much as may be necessary, from the Miscellaneous Grants Summary Fund to fund musical and theatre performances in the City of Tacoma.

The Ordinance was set over for final reading next week.

Ordinance No. 23285

Amending Chapter 13.06 of the Official Code to reclassify the south side of Highlands Parkway approximately 300 feet west of Pearl Street from an "R-4-L-PRD" Retirement Home District to a "R-3-PRD" Planned Residential Development District. (Collins Condominium Corporation; File No. 120.1097)

Council Member Rasmussen announced that he would abstain from consideration of this matter and left the Council Chambers.

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Warnick. Voice vote was taken and carried, with Council Member Rasmussen abstaining. The motion was declared adopted.

Final reading of the Ordinance was set over to a date to be determined.

RESOLUTIONS:

Resolution No. 28527 (Second Reading)

Amending the Council Rules of Procedure to include updates and procedural changes.

Council Member Hyde moved to amend Rule 14, page 11 of the Resolution, to read as follows:

Roll call votes of the Council shall be called alphabetically, except for the vote of the presiding officer, whose vote shall be called last, commencing with the first roll call vote of the Council, and in subsequent roll call votes member names shall be rotated, excluding the presiding officer, until the entire Council has been called, at which time the procedure will begin again.

Seconded by Deputy Mayor Strege. Voice vote was taken and carried. The motion was declared adopted.

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Deputy Mayor Strege moved to amend Rule 15, page 11, to strike the words "In the City Council Chambers" so that Rule 15 reads as follows:

Smoking by any person whomsoever during any legislative session of the Council of the City of Tacoma duly convened in a regular or special meeting shall be and the same is hereby prohibited.

Seconded by Council Member Kirby. Voice vote was taken and failed. The motion was declared failed.

Voice vote was taken and carried on the Resolution, as amended. The Resolution, as amended was declared adopted.

Purchase Resolution No. 28530

Awarding contracts to:

1. Moseman Construction Company on their bid of \$2,215,839.00 for East 15th Street Bridge replacement and Dock Street realignment - Improvement No. DH387A - Federal Contract No. BRM-3250(3) - Specification No. G-141-84;
2. Chevron, USA on their bid of \$482,081.60 for an annual supply of regular, truck and trailer and unleaded gasoline, and Associated Petroleum Products, Inc. on their bid of \$23,738.40 for an annual supply of unleaded and tank wagon gasoline - Specification No. G-142-84; and
3. Diamond Building Services on their bid of \$73,420.00 for janitorial services in the Tacoma Municipal Building - Specification No. G-059-84.

Mayor Sutherland moved to adopt the Purchase Resolution, including Substitute Exhibit A. Seconded by Council Member Rasmussen.

Council Member Ladenburg moved to amend Purchase Item No. 3 to limit the time period for a period "not to extend beyond June 1, 1985." Seconded by Council Member Hyde.

After further discussion, Council Member Ladenburg amended his motion to read "not to extend beyond August 6, 1985." Council Member Hyde concurred with the amended motion. Voice vote was taken and carried on the motion, as amended. The motion, as amended, was declared adopted.

Speaking to the Council was:

Ed Diamond

Diamond Building Services.

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

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Resolution No. 28531

Authorizing the execution of a quit claim deed to Plaza Hall for surplus City property near Center Street and Cushman Avenue.

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

Resolution No. 28533

Authorizing approval of an easement to Lewis County for the realignment of a portion of the Green Mountain Road near Mossyrock Dam.

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

REPORTS BY CITY MANAGER:

Erling O. Mork, City Manager, requested an Executive Session for the purposes of discussing labor negotiations.

Mr. Mork also stated that the dates for the Council Budget Workshop could be November 19 or 21, with a joint meeting with the Public Utility Board on either day not used for the Council Budget Workshop.

Mayor Sutherland stated that the General Government Council Budget Workshop will be on November 19, 1984, and the joint meeting with the Public Utility Board will be on November 21, 1984.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Council Member Kirby stated that he had two items for the Council's consideration. The first proposed motion pertained to the Tacoma Dome neon artwork.

Council Member Kirby moved to suspend the rules to consider new matter. Seconded by Council Member Hyde. Roll call vote was taken, resulting as follows: Ayes: 7 - Bichsel, Hyde, Kirby, Ladenburg, Stenger, Stregge, and Warnick. Nays: 2 - Rasmussen and Mayor Sutherland. The motion was declared adopted.

Council Member Kirby moved that, understanding the financial constraints involved, the City Council hereby expresses its good faith and intent to comply with the wishes of the public on the neon art as expressed in the vote of September 18, 1984.

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Council Member Rasmussen moved to amend the motion to read "understanding the financial constraints involved, the City Council hereby expresses its good faith and intent to review the implications of complying with the apparent wishes of the public on the neon art as expressed in the vote of September 18, 1984." Seconded by Council Member Warnick.

Roll call vote was taken on Council Member Rasmussen's motion to amend the motion, resulting as follows: Ayes: 3 - Rasmussen, Warnick, and Mayor Sutherland. Nays: 6 - Bichsel, Hyde, Kirby, Ladenburg, Stenger, and Strege. The motion was declared failed.

Roll call vote was taken on Council Member Kirby's motion, resulting as follows: Ayes: 7 - Bichsel, Hyde, Kirby, Ladenburg, Stenger, Strege, and Mayor Sutherland (Mayor Sutherland voting "aye" to be on the prevailing side for purposes of reconsideration next week). Nays: 2 - Rasmussen and Warnick. The motion was declared adopted.

Council Member Kirby moved that the City Manager and the Civic Arts Commission of Tacoma be directed to withhold any further actions, in accordance with the provisions of the 1% for the Arts Ordinance, involving the selection or commissioning of public art relating to the Police Department remodeling program. Such a delay shall remain in effect pending the completion of a study of the provisions of the 1% for the Arts Ordinance and City Council action, if any, on the study's recommendations, or until June 30, 1985, whichever is sooner. Seconded by Deputy Mayor Strege.

Deputy Mayor Strege moved to amend, on line 5 of the motion, after the words "remodeling program," to insert "or any other work of art exceeding \$5,000 of City funds. Seconded by Council Member Kirby.

Council Member Rasmussen moved to further amend the motion to read "as related to said 1% for Arts Ordinance." Seconded by Deputy Mayor Strege. Voice vote was taken and carried on Council Member Rasmussen's motion. The motion was declared adopted.

Voice vote was taken and carried on Deputy Mayor Strege's amended motion to amend the motion. The amended motion was declared adopted.

Council Member Rasmussen moved to amend the draft motion after the words "Arts Ordinance," to insert the words "except as related to construction projects currently under construction" and striking the words "involving the selection or commissioning of public art relating to the Police Department remodeling program." Seconded by Council Member Warnick. Roll call vote was taken, resulting as follows: Ayes: 2 - Rasmussen and Warnick. Nays: 7 - Bichsel, Hyde, Kirby, Ladenburg, Stenger, Strege and Mayor Sutherland. The motion was declared failed.

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The amended motion reads as follows:

That the City Manager and the Civic Arts Commission of Tacoma be directed to withhold any further actions, in accordance with the provisions of the 1% for the Arts Ordinance, involving the selection or commissioning of public art relating to the Police Department remodeling program or any other work of art exceeding \$5,000.00 in City funds as related to said 1% for the Arts Ordinance. Such a delay shall remain in effect pending the completion of a study of the provisions of the 1% for the Arts Ordinance and City Council action, if any, on the study's recommendations, or until June 30, 1985, whichever is sooner.

Roll call vote was taken on Council Member Kirby's amended motion, resulting as follows: Ayes: 5 - Bichsel, Hyde, Kirby, Stenger, and Strega. Nays: 4 - Ladenburg, Rasmussen, Warnick, and Mayor Sutherland. The amended motion was declared adopted.

Mayor Sutherland moved to recess to Executive Session to discuss labor negotiations. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 6:24 p.m. and reconvened at 7:17 p.m.

On proper motion, the meeting adjourned at 7:18 p.m.


DOUG SUTHERLAND, MAYOR

ATTEST:


GENELLE BIRK, CITY CLERK

WPC.9550G

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