

CITY COUNCIL MINUTES

City Council Chambers
June 30, 1987

The meeting was called to order at 5:03 p.m.

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

The Flag Salute was led by Council Member Nielsen.

CONSENT AGENDA

Approval of the minutes of the regular meeting of June 23, 1987.

PETITIONS:

Lively Market, Inc., requesting the reclassification of the property located at the southwest corner of South 45th Street and Pacific Avenue from an "R-2" to a "C-1" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 29658

Setting Tuesday, August 18, 1987 at 10:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate the alley between "J" and "K" Streets from South 16th Street to South 17th Street. (St. Joseph Hospital; File No. 124.848)

Resolution No. 29659

Setting Tuesday, August 11, 1987 at 1:30 p.m. as the date for hearing by the Hearings Examiner the request to vacate South 60th Street from Sprague Avenue to the I-5 Freeway. (First Line Real Estate, Inc.; File No. 124.844)

Resolution No. 29660

Setting Monday, August 24, 1987 at 5:00 p.m. as the date for hearing by the Hearings Examiner on L.I.D. No. 7708 to convert the existing overhead electrical primary, telephone, and cable-tv lines to underground along Whitman Street N.E. from Poe Street N.E. to Soundview Drive N.E.

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ASSESSMENT ROLLS:

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

L.I.D. No. 8424 for the placement of permanent pavement on the alley between Sixth Avenue and South 7th Street from a point 360 feet more or less west of South Sprague Avenue to South State Street, the alley between North 11th Street and North 12th Street from North Madison Street to North Monroe Street, and North 36th Street from North Proctor Street to North Madison Street.

Setting Monday, August 24, 1987 at 5:00 p.m. as the date for hearing by the Hearings Examiner.

APPEALS:

- a. John H. McCormick appealing the decision of the Hearings Examiner relative to the emergency vehicular exit at the property located in the vicinity of South 72nd and Alaska Streets. (Nomen Development Company; File Nos. 127.273 and 130.2870)

Resetting Tuesday, July 7, 1987 at 6:00 p.m. as the date for hearing by the City Council.

- b. R. M. Rhine, Inc., (File No. T-17713) appealing Audit Assessment Notice No. AD 5526 by the Department of Tax and License.

Setting Thursday, July 23, 1987 at 9:30 a.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, June 30, 1987.
- b. Minutes of the special meeting of the Tacoma Public Library Board of Trustees, June 3, 1987.
- c. Minutes of the meeting of the Appointments Committee, June 22, 1987.
- d. Citizens petition concerning name change of South Sprague Avenue from South 56th Street south to South 84th Street to Tacoma Mall Boulevard.
- e. Total Work Report of the Tacoma-Pierce County Humane Society & S.P.C.A., May 1987.
- f. Finance Department Economic Status Report, January through May 1987.
- g. Report of the Director of Finance, May 1987.

Deputy Mayor Rasmussen moved that the Consent Agenda, including Resolution Nos. 29658, 29659, and 29660, be approved. Seconded by Council Member Moss. Voice vote was taken and carried. The Consent Agenda was declared approved.

Mayor Sutherland noted for the record that the appeal of John H. McCormick, originally set for the Council meeting of June 23, 1987, had been reset for hearing before the Council on July 7, 1987.

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REGULAR AGENDA

COMMUNICATIONS:

Hearings Examiner submitting an Order of Dismissal Without Prejudice relative to the request to reclassify property located in the vicinity of Hosmer Street and South 84th Street. (Argo Corporation; File No. 120.1206)

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

Mayor Sutherland proclaimed the day of July 8, 1987, to be "Stadium High School Band Day," and presented the proclamation to Mr. Jack Lloyd, Band Director, and to Doug Lynn, Alisa Regala, and Steve Murray.

FINAL READING OF ORDINANCES:

Ordinance No. 23870

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northeast corner of South 56th and Orchard Streets from an "R-2" One-Family Dwelling District to a "C-1" Commercial District to construct four retail/commercial buildings. (Chris Leady and Steve Millard; File No. 120.1190)

Council Member Mykland stated there was a point of procedure on the reconsideration of this particular Ordinance and a motion would be required to consider this.

Council Member Nielsen moved to reconsider Ordinance No. 23870. Seconded by Council Member Stenger. Voice vote was taken and carried, with Councilmember Mykland voting nay. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 6 - Moss, Nielsen, Rasmussen, Stenger, Warrick, and Mayor Sutherland.

Nays: 2 - McElliott and Mykland.

Absent: 1 - Hyde.

The Ordinance was declared passed.

Ordinance No. 23883

Authorizing the execution of an amendment to the grant agreement with the Washington State Energy Office; depositing \$6,350.00 in the Miscellaneous Grants Summary Fund; and appropriating \$6,350.00 from the Miscellaneous Grants Summary Fund to complete the second phase of a Solar Resource and Economic Feasibility Study in the City of Tacoma.

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Roll call vote was taken, resulting as follows:

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

Nays: 1 - McElliott.

Absent: 1 - Hyde.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 23884

Authorizing the execution of a grant agreement with the State of Washington Department of Ecology in the amount of \$25,000.00 for a Critical Issue Review and Analysis Report concerning the City's three urban shoreline districts; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund; and authorizing a temporary loan in the amount of \$25,000.00 from the General Fund to the Miscellaneous Grants Summary Fund.

The Ordinance was set over for final reading next week.

Ordinance No. 23885

Authorizing acceptance of a grant and the execution of an agreement with the National Trust for Historic Preservation in the amount of \$18,000.00; accepting \$8,000.00 from the Union Station Historic District Association, the State of Washington, or other sources; depositing said sums in the Miscellaneous Grants Summary Fund; transferring \$9,500.00 from the General Fund to the Miscellaneous Grants Summary Fund; and appropriating \$35,500.00 from the Miscellaneous Grants Summary Fund to conduct a study of the Union Depot Historic District.

The Ordinance was set over for final reading next week.

Ordinance No. 23886

Transferring \$39,312.80 from the UDAG Grant Summary Fund to the Community Development Grants Summary Fund; appropriating \$97,994.95 from the Community Development Grants Summary Fund to complete the Transit Center Hillclimb Project, and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

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Ordinance No. 23887

Authorizing the execution of a grant and funding agreement with the U.S. Department of Housing and Urban Development in the amount of \$2,453,000.00; depositing said sum in the Community Development Grants Summary Fund; and appropriating \$2,453,000.00 from the Community Development Grants Summary Fund to undertake and carry out certain programs for the Thirteenth Year Community Development Block Grant Program.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 29656

Authorizing the execution of a contract with Security Testing Systems in the amount of \$15,000.00 for a multi-family residence construction cost study relative to the Model Conservation Standards.

Mayor Sutherland clarified for the record that this was the Resolution that had been set over from the Council meeting of June 23, 1987.

Council Member Nielsen moved that the Resolution be adopted. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried, with Council Member McElliott voting nay. The Resolution was declared adopted.

Resolution No. 29661

Confirming acceptance of a proposal for the purchase of limited tax levy general obligation bonds in the amount of \$3,925,000.00, fixing the maturities and interest rates of such bonds, and directing disposition of the proceeds thereof.

Mayor Sutherland moved that the Resolution be adopted. Seconded by Deputy Mayor Rasmussen.

Council Member Nielsen moved to amend Resolution No. 29661 to insert: "Boettcher & Company, Inc." on lines 16 and 24 and to adopt "Exhibit A" as part of Resolution No. 29661. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

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

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Purchase Resolution No. 29662

Awarding contracts to:

1. Manpower, Inc., on their bid of \$95,716.08, Western Temporary Services, Inc., on their bid of \$26,497.84 and Volt Temporary Services on their bid of \$23,734.53 for Temporary Services - Specification No. G-027-87;
2. Graybar Electric, Inc., on their bid of \$12,370.05 for luminaires - Specification No. G-040-87;
3. Arm Construction on their bid of \$94,732.48 for pressure cleaning of Park Plaza Garages - Specification No. G-231-87; and
4. Flooring Trends & Interiors, Inc., on their bid of \$13,841.70 for new carpeting in the Tacoma Dome Administrative Offices - Specification No. G-042-87.

Mayor Sutherland moved that the Purchase Resolution, including Substitute Exhibit A, be adopted. Seconded by Council Member Harnick.

Purchase Resolution No. 29662 - Substitute Exhibit "A"

Awarding contracts to:

1. Manpower, Inc., on their bid of \$95,716.08, Western Temporary Services, Inc., on their bid of \$26,497.84 and Volt Temporary Services on their bid of \$23,734.53 for Temporary Services - Specification No. G-027-87;
2. Graybar Electric, Inc., on their bid of \$12,370.05 for luminaires - Specification No. G-040-87;
3. Arm Construction on their bid of \$94,732.48 for pressure cleaning of Park Plaza Garages - Specification No. G-231-87;
4. Flooring Trends & Interiors, Inc., on their bid of \$13,841.70 for new carpeting in the Tacoma Dome Administrative Offices - Specification No. G-042-87; and
5. Madsen Electric on their bid of \$13,960.10 for Tacoma Dome Concession power - Specification No. G-243-87.

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

Resolution No. 29663

Approving the conveyance of surplus property near North 31st and Shirley Streets to Cleworth Equities Group, Inc., for \$4,580.00.

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

Resolution No. 29664

Rescinding Resolution No. 29229 and authorizing the execution of an agreement with and conveyance to Overlook Rim Associates and Pacific Housing Corporation relative to the development of Overlook Rim property located at the northerly end of the sanitary landfill site.

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

Resolution No. 29665

Authorizing the execution of an agreement with Babbit Architecture for architectural services for the construction of an equipment storage building at the Central Treatment Plant.

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

Resolution No. 29666

Authorizing the submittal of the City application for Certified Local Government status to the Washington State Office of Archaeology and Historic Preservation.

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

Resolution No. 29667

Authorizing the execution of amendments to the loan documents with One Pacific Associates for the restoration of the Northern Pacific Headquarters Building.

Mayor Sutherland moved that the Resolution be adopted. Seconded by Council Member Stenger. Voice vote was taken and carried, with Council Member McElliott voting nay. The Resolution was declared adopted.

Resolution No. 29668

Authorizing the execution of an amendatory agreement with the Fourth of July Extravaganza Commission in the amount of \$11,500.00 to perform services relative to the 1987 Fourth of July Celebration.

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

Mayor Sutherland moved to recess to Executive Session to discuss litigation, the session not to exceed 15 minutes. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 5:31 p.m. and reconvened at 5:40 p.m.

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Mayor Sutherland moved that the Kenneth Ryan law suit against the City of Tacoma be settled in accordance with the recommendations of the City Attorney. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved that the Robert G. Grey law suit against the City of Tacoma be settled 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.

Mayor Sutherland stated that at this point the Council would discuss which City Council meetings to cancel for the summer vacation period.

Mayor Sutherland moved to cancel the City Council meetings of July 21, 1987, and September 8, 1987. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland asked staff to keep the study session to a minimum time for September 15, 1987, which is the date of the primary elections. After further discussion, Council instructed staff to cancel the study session of September 15, 1987.

Mayor Sutherland requested Council concurrence in reversing the order of items on the agenda so that the public hearing could be heard prior to the appeal. After discussion, Council decided that it would be advisable to hear the appeal first.

Council Member Mykland moved to recess until 6:00 p.m. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

Council recessed at 5:45 p.m. and reconvened at 6:00 p.m.

PUBLIC HEARINGS AND APPEALS: (Began at 6:00 p.m.)

- a. This is the date set for hearing the appeal of Mrs. Gordon E. Mandt relative to the decision of the Hearings Examiner concerning the request for reclassification of the property located in the vicinity of South 72nd and Hosmer Streets. (Barghausen Consulting Engineers, Inc.; File Nos. 120.1202 and 121.1070)

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

Rod Kerslake, Hearings Examiner, reviewed the matter before the Council.

Mrs. Gordon E. (Pat) Mandt stated the reasons for her appeal.

Mr. Thomas Barghausen, representing ARCO, spoke in support of the Hearings Examiner's decision.

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Mrs. Mandt and Mr. Barghausen provided rebuttals relative to their respective presentations.

Deputy Mayor Rasmussen moved to concur in the Findings, Conclusions, and Recommendations of the Hearings Examiner and deny the appeal. Seconded by Council Member Moss.

Roll call vote was taken, resulting as follows:

Ayes: 6 - Moss, Nielsen, Rasmussen, Stenger, Warrick, and Mayor Sutherland.

Nays: 2 - McElliott and Mykland.

Absent: 1 - Hyde.

The motion was declared adopted.

The appeal was denied.

- b. This is the date set for public hearing to consider proposed amendments to Chapter 13 of the Official Code relative to land use permit fees.

Ms. Katie Mills, Planning Department, made a presentation regarding the proposed amendment. She indicated that the proposed Ordinance indicates that permits are to be filed in the City Clerk's Office and that they should be filed in Planning and further that fees are paid to Planning and that the Ordinance should indicate that fees are to be paid in the Treasurer's Office.

Mayor Sutherland stated his intent to bring an amendment to the Ordinance that would state that the appeal filing fee would be 50% of the required filing fee and that requests for reconsiderations would be 25% of the required filing fees. He also requested further information and further discussion relative to waivers of appeal costs.

Speaking to the Council were:

Russ Dahlia

Builders' Association

John Hallis

Tacoma-Pierce County Board of Board of Realtors

Cheryl Miller

Citizen of Tacoma

There being no further testimony, Mayor Sutherland declared the public hearing closed at 7:16 p.m.

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REPORTS BY CITY MANAGER:

Erling O. Mork, City Manager, introduced Ms. Karen Larkin, who will be serving as Special Intern in the City Manager's Office for the next three months. Mr. Mork then stated that Richard Sokolowski, Personnel Director, has a residency waiver to present to the Council.

Richard Sokolowski, Personnel Director, requested a residency waiver for Robert Goldsberry, Financial Supervisor, Tacoma Dome, for a one-year period. Mayor Sutherland moved to grant the residency waiver to Robert Goldsberry. Seconded by Council Member Warrick.

Council Member Moss stated his opposition to the granting of a one-year waiver.

Voice vote was taken and carried on the motion, with Council Members Moss and McElliott voting nay. The motion was declared adopted.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Nielsen moved to excuse Council Member Hyde from the City Council meeting of June 30, 1987. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Council Member McElliott thanked the Public Works Department and especially Mr. Fred Thompson, Public Works Director, for their assistance regarding the cleanups in the City of Tacoma.

On proper motion, the meeting was adjourned at 7:20 p.m.

ATTEST:


GENELLE BIRK, CITY CLERK


DOUG SUTHERLAND, MAYOR

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