

CITY COUNCIL MINUTES

City Council Chambers  
June 13, 1989

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

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

The Flag Salute was led by Council Member Stenger.

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C O N S E N T   A G E N D A

Approval of the minutes of the regular meetings of June 6, 1989.

PETITIONS:

Schurgin Development Companies, requesting the reclassification of the property located south of South 56th Street, west of Sprague Avenue, north of South 64th Street and east of Wapato Street from a "R-2 to a "CPC" District. (Schurgin Development Companies; File Nos. 120.1282, 127.291, 130.3174)

For referral to the Hearing Examiner.

RESOLUTIONS:

Resolution No. 30472

Authorizing the submission of an application to the U. S. Department of Labor, Veterans Employment and Training Services, for funds to provide outreach case management, employment and transitional housing services to homeless veterans.

Resolution No. 30473

Setting Tuesday, June 27, 1989, at approximately 5:30 p.m. as the date for public hearing by the City Council relative to the issuance of industrial revenue bond financing by the Economic Development Corporation of Pierce County in an amount not to exceed \$6.2 million for the expansion of the McFarland Cascade facility at 1640 East Marc Street.

APPEALS:

SKG Associates appealing the decision of the Hearing Examiner relative to the denial of their request for reclassification of the property located at the southeast corner of South 38th Street and the I-5 freeway from an "R-2" One-Family Dwelling District to a "R-2-T" Residential Commercial Transitional District to allow the construction of seven individual office buildings.

Setting Tuesday, July 18, 1989, at approximately 5:30 p.m. as the date for hearing by the City Council.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, June 13, 1989.
- b. Minutes of the meeting of the Capital Projects Advisory Committee, May 17, 1989.
- c. Minutes of the meeting of the Tacoma Planning Commission, May 15, 1989.
- d. Minutes of the meeting of the Landmarks Preservation Commission, May 24, 1989.
- e. Minutes of the meeting of the Public Utility Board Meeting, May 10, 1989.
- f. Order of Dismissal Without Prejudice - Harold Allen Company, Tax Assessment, (File No. T-63223).
- g. Monthly Financial Reports of the Belt Line Division, Data Processing Division, Fleet Services Fund, Light Division, Self-Insurance Claim Fund and Water Division.
- h. Major City Accomplishments, 1980-1988.
- i. City of Tacoma, 1989 Annual Detail Budget.
- j. City of Tacoma, 1989 Annual Program Budget.
- k. City of Tacoma, Report of the Director of Finance, April 1989.

Council Member Nielsen moved that the Consent Agenda, including Resolution Nos. 30472 and 30473, be approved. Seconded by Council Member Vialle. Voice vote was taken and carried. The Consent Agenda was declared approved.

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Mayor Sutherland called on Officer Jerry Gross, who in turn introduced Mr. Tom Pulk, the Tacoma Community College student who was selected as the artist for the 1989 Fourth of July Extravaganza Poster.

Mayor Sutherland then introduced the Downtown Tacoma Ambassador nominees. They are: Paul Taylor, Frank Russell Company; Sheryl Montgomery, U.S. West Communications; Vivian Lee, Downtown YMCA; Terry Scott, First Interstate Bank; and Ron Bauer, Pacific First Federal.

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R E G U L A R   A G E N D A

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Presentation of suggestion awards.

Mayor Sutherland presented suggestion award certificates and cash awards to James R. Armstrong, Public Works Department; Raymond S. Edie, Public Works Department; and Randi Lindstrom-Goetz, Police Department.

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COMMUNICATIONS:

- a. Hearing Examiner recommending approval of the request for modifications to the site plan for the project located near South 64th Street and Sprague Avenue to revise the building design and off-street parking requirements. (John Rinker - Sprague Street Investors; File No. 120.1057D)

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

- b. Hearing Examiner recommending approval of the request for modification of Condition B.3 of the Hearing Examiner's report dated April 7, 1989 to revise the boundary of the preliminary plat of Madrona Meadows West located near 56th Avenue N.E. and 31st Street N.E. (Madrona Meadows West/J. L. Haarstad; File No. 125.295)

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

- c. City Clerk advising that the Civil Service Board has filed proposed revisions to Personnel Rule 1.24.955 regarding the pre-disciplinary procedure and Personnel Rule 1.24.710 regarding temporary appointments, and added Personnel Rule 1.24.655 regarding absence of eligible list.

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

Mayor Sutherland stated that the Personnel Department intended to bring an ordinance before Council next week.

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FINAL READING OF ORDINANCES:

Ordinance No. 24365

Authorizing the payment and defeasance of the principal and interest on the City's 1978 Refuse Utility Revenue Bonds currently outstanding in the amount of \$2,760,000.00.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Warnick.

The Ordinance was declared passed.

Ordinance No. 24366

Appropriating \$250,850.06 from the Labor-Management Health Care Trust Fund to pay Pierce County Medical Bureau, Inc. for the recovery of underwriting losses for the first quarter of 1989, and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Warnick.

The Ordinance was declared passed.

Ordinance No. 24367

Transferring \$12,000.00 from the General Fund to the Miscellaneous Grants Summary Fund, appropriating \$8,000.00 from the Miscellaneous Grants Summary Fund, for the services of McKeever and Associates, Inc. for performance of work associated with Phase IV of the Tacoma Solar Access Project; appropriating \$4,000.00 from the Miscellaneous Grants Summary Fund, for the services of Benkendorf and Associates for the Tacoma Solar Access Project, Phase III; and authorizing an agreement with McKeever and Associates, Inc. for the performance of consulting services.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Warnick.

The Ordinance was declared passed.

Ordinance No. 24368

Authorizing the exercise of an option to purchase Parcels B and C at the Union Station site for \$4,100,000.00; authorizing a temporary loan of \$3,100,000.00 from the Self Insurance Claim Fund to the Union Station Renovation Fund; appropriating \$2,700,000.00 from the Union Station Renovation Fund for purchase; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Warnick.

The Ordinance was declared passed.

Ordinance No. 24369

Amending Ordinance No. 24053 relating to parking and the operation of Park Plaza North and South by adding a new section regarding parking agreements.

Mayor Sutherland stated that Resolution No. 30470 was a subject that was similar to this particular Ordinance and that the Council would consider testimony on both items. He also stated that at last week's council meeting, the Council indicated that testimony would be taken during final reading of this Ordinance.

Speaking to the Council were:

Paul Miller  
Rohn Burgess  
William Evans

Local Citizen  
President, Downtown Tacoma Assoc.  
Downtown Retailer

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hyde, Moss, Mykland, Nielsen, Stenger, Vialle, and Mayor Sutherland.

Nayes: 1 - McElliott.

Absent: 1 - Warnick.

The Ordinance was declared passed.

Mayor Sutherland moved to suspend the rules to consider Resolution No. 30470. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 30470 (Continued from the meeting of June 6, 1989.)

Authorizing the execution of an agreement with North American MORPHO Systems, Inc. to provide parking spaces in Park Plaza South.

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

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PUBLIC HEARINGS AND APPEALS: (Began at 5:46 p.m.)

This is the date set for hearing the appeal of Stuart Tursky and Gina Smith-Tursky relative to the decision of the Hearings Examiner regarding the denial of a Special Use Permit to allow a licensed day-care center for 40 children to be located at the southwest corner of North 21st Street and Mason Avenue. (Stuart Tursky and Gina Smith-Tursky; File No. 121.1129)

Rod Kerslake, Hearing Examiner, made a presentation regarding the appeal.

William Lynn, attorney for the appellants, made a request for remanding this matter to the Hearing Examiner.

Mayor Sutherland called on Mr. Patrick Culley, representing the neighborhood. Mr. Culley stated that he objected to remanding this matter to the Hearing Examiner.

Mr. Keith Bailey, representing the neighborhood, also spoke in opposition to the proposed remand.

Mayor Sutherland discussed the options of the Council on this matter.

Mayor Sutherland moved to remand this issue to the Hearing Examiner for additional testimony and review.

Roll call vote was taken, resulting as follows:

Ayes: 2 - Hyde and Mayor Sutherland.

Nays: 6 - McElliott, Moss, Mykland, Nielsen, Stenger, and Vialle.

Absent: 1 - Warnick.

The motion was declared failed.

Mayor Sutherland then reviewed the procedure for appeals before the City Council.

Rod Kerlake, Hearing Examiner, spoke regarding his Findings, Conclusions, and Recommendations.

William Lynn, attorney representing the Turskys, gave the reasons for the appeal.

Council Member Moss stated, for the record, that he had driven by the area, but had had no contact with anyone in the neighborhood.

Mr. Patrick Culley spoke in support of the Hearing Examiner's decision.

Mr. E. White Smith spoke in support of the Hearing Examiner's decision.

Mr. Dennis Cook also spoke in support of the Hearing Examiner's decision.

Rebuttal comments were made by Mr. Lynn and then by Mr. Culley and Mr. Smith.

Council Member Vialle moved to deny the appeal and uphold the Hearing Examiner. Seconded by Council Member Stenger. Voice vote was taken and carried. The motion was declared adopted.

The appeal was denied.

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Ordinance No. 24370

Approving and confirming the Assessment Roll for L.I.D. No. 8464 for the placement of permanent pavement with storm drainage, on South Madison Street (extended) from South 74th Street south 855 feet, more or less.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hyde, McElliott, Moss, Mykland, Stenger, Vialle, and Mayor Sutherland.

Nays: 0.

Absent: 2 - Nielsen and Warnick.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 24371

Vacating a portion of the I-5 "turned-back" area on the easterly side of the Freeway between South 48th and South 49th Streets. (Pacific Commercial Investments, Inc.; File No. 124.883)

Council Member Vialle moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

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

Ordinance No. 24372

Transferring \$4,595.00 from the Contingency Fund to the General Fund, appropriating \$4,595.00 from the General Fund to extend the Family Program operated by Catholic Community Services, and declaring an emergency making necessary the passage of this ordinance

Speaking to the Council was:

Jim Anderson

Catholic Community Services

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Resolution No. 30471

Approving an amendment to the Treasury Bond Purchase Agreement between the City of Tacoma and U.S. Bank dated May 25, 1978.

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



Purchase Resolution No. 30474

Awarding contracts to:

1. Sahlberg Equipment Company, on their bid of \$66,801.75 for one street flusher - Specification No. G-042-89;
2. Pease Construction, Inc., on their bid of \$877,492.00 for the North End Wastewater Treatment Plant Improvements Chlorine Contact Basin Expansion - Specification No. G-228-89;
3. Air Mac on their bid of \$10,320.00 and Western Equipment Dist., Inc., on their bid of \$18,106.00 for four utility vehicles for the Tacoma Dome - Specification No. G-040-89;
4. Tucci & Sons, Inc., on their bid of \$52,244.00 for street repairs on Dock Street, Specification No. G-224-89;
5. Lige & Wm. B. Dickson Company, on their bid of \$11,380.00 for the demolition of all buildings on the property known as 5001, 5003, and 5005 Marine View Drive - Specification No. G-044-89; and
6. Setcom Corporation, on their bid of \$14,197.26 for radio accessory equipment - sole source.

Council Member Nielsen moved that the Purchase Resolution be adopted, including waiving the formal bidding procedures on Purchase Item No. 6. Seconded by Council Member Stenger.

Mayor Sutherland moved to amend the motion to adopt by removing Purchase Item No. 3. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

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

Resolution No. 30475

Adopting the "Recreation and Open Space Facilities Plan Amendment" to update that element of the Land Use Management Plan.

Deputy Mayor 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. 30476

Approving the Six Year Comprehensive Street Program for the years 1990 through 1995, and the amended 1989 street program.

Council Member Mykland moved that the Resolution be adopted. Seconded by Deputy Mayor Hyde.

Speaking to the Council was:

Kay McChord

Resident of Waterview Street

Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 30477

Authorizing the execution of an agreement with the State of Washington, Department of Ecology in the amount of \$254,612.00 for Phase II of the Landfill Gas Control System.

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

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COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

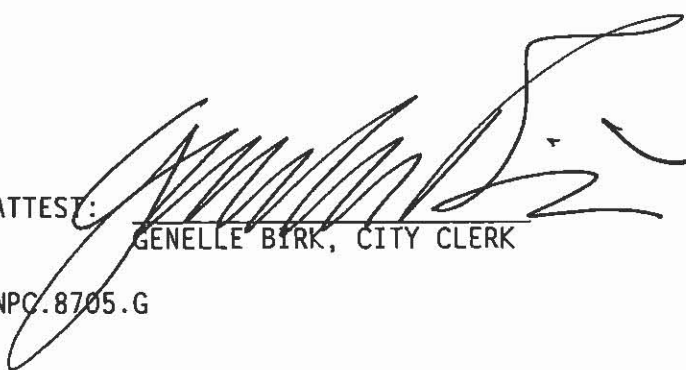
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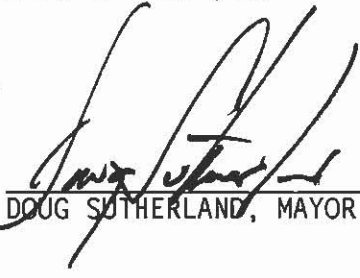
Mayor Sutherland moved to recess to Executive Session to discuss real estate matters, the session not to exceed 15 minutes. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 7:18 p.m. and reconvened at 7:33 p.m.

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On proper motion, the meeting was adjourned at 7:35 p.m.

ATTEST:  GENELLE BIRK, CITY CLERK

 DOUG SUTHERLAND, MAYOR

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