

CITY COUNCIL MINUTES

City Council Chambers
December 10, 1991

The meeting was called to order by Deputy Mayor Mykland at 5:05 p.m.

Present on roll call: 7 - Evans, McElliott, Miller, Moss, Nielsen, Warnick and Deputy Mayor Mykland. Absent: 2 - Silas and Mayor Vialle.

The Flag Salute was led by Council Member Warnick.

C O N S E N T A G E N D A

Approval of the minutes of the meeting of the Tacoma City Council, December 3, 1991, and study session of November 26, 1991.

PETITIONS:

COSTCO Wholesale Corporation requesting the reclassification of the property located at the T intersection of California Avenue, Skagit Place and King Place from a "R-4" Multiple-Family Dwelling District to a "C-2" Commercial District. (COSTCO Wholesale Corporation; File No. 120.1345)

For referral to the Hearings Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, December 10, 1991.
- b. Minutes of the special meeting of the Civil Service Board, November 18, 1991.
- c. Minutes of the meetings of the Tacoma Employees' Retirement System, September 26, and October 31, 1991.
- d. Report of the Director of Finance, September and October, 1991.

Council Member Miller moved that the Consent Agenda be approved. Seconded by Council Member Warnick. Voice vote was taken and carried. The Consent Agenda was declared approved.

R E G U L A R A G E N D A

COMMUNICATIONS:

Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.513 to allow improvements to the existing storm water collection system at the Concrete Technology Corporation site at 1123 Port of Tacoma Road as part of the renewal of a National Pollution Discharge Elimination System permit pursuant to the Federal Water Pollution Control Act. (Concrete Technology Corporation; File No. 141.513)

Council Member Nielsen moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Moss. Roll call vote was taken, resulting as follows: Ayes: 7 - Evans, McElliott, Miller, Moss, Nielsen, Warnick and Deputy Mayor Mykland. Nays: 0. Absent: 2 - Silas and Mayor Vialle. The motion was declared adopted.

PROCLAMATION:

Deputy Mayor Mykland proclaimed the week of December 7-13, 1991, to be "Drug and Drunk Driving Awareness Week" in the City of Tacoma and presented a proclamation to Penny Newman and members of the DWI Task Force.

FINAL READING OF ORDINANCES:

Ordinance No. 25020

Approving increases on rates and charges for railway switching services effective January 1, 1992.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, McElliott, Miller, Moss, Nielsen, Warnick and Deputy Mayor Mykland.

Nays: 0.

Absent: 2 - Silas and Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 25021

Accepting \$2,000 from Puget Sound National Bank, \$5,000 from Nalley's Fine Foods, \$1,000 from Pepsi, \$2,000 from Keg Restaurant or Eagle Snacks, and the donation of goods and services from Sprinker Recreation Center, Shepard Ambulance, Aabergs, KSTW, KMPS 93, West Coast Grocery and Menafee Trees; and depositing in and appropriating \$10,000 from the Tacoma Dome Operating Fund for the Holiday Skate Fest at the Tacoma Dome on December 15, 1991.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, McElliott, Miller, Moss, Nielsen, Warnick and Deputy Mayor Mykland.

Nays: 0.

Absent: 2 - Silas and Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 25022

Authorizing the acceptance of \$1,000 from Pierce County; and depositing in and appropriating said sum for the development of the Artbreak brochure.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, McElliott, Miller, Moss, Nielsen, Warnick and Deputy Mayor Mykland.

Nays: 0.

Absent: 2 - Silas and Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 25023

Transferring \$575.36 from the Miscellaneous Grants Summary Fund to the General Fund; and appropriating said sum for financially supporting arts programs.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, McElliott, Miller, Moss, Nielsen, Warnick and Deputy Mayor Mykland.

Nays: 0.

Absent: 2 - Silas and Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 25024

Amending Title 5 and 13 of the Official Code relating to annual permit fees for infectious waste, food service establishments, swimming pools and groundwater protection for 1992.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, McElliott, Miller, Moss, Nielsen, Warnick and Deputy Mayor Mykland.

Nays: 0.

Absent: 2 - Silas and Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 25025

Amending the Compensation Plan to implement the 1992 rates of pay for represented and unrepresented employees and changes in classifications to reflect the organizational structure.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, McElliott, Miller, Moss, Nielsen and Deputy Mayor Mykland.

Nays: 1 - Warnick.

Absent: 2 - Silas and Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 25026

Appropriating \$3,000 from the Paths & Trails Fund for the preparation of Tacoma/Pierce County Bike Route Maps; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, McElliott, Miller, Moss, Nielsen, Warnick and Deputy Mayor Mykland.

Nays: 0.

Absent: 2 - Silas and Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 25027

Amending Chapter 5.20 of the Official Code to establish new refuse collection and disposal rates effective January 1, 1992.

Deputy Mayor Mykland moved to continue this Ordinance to the meeting of December 17, 1991, per request of staff. Seconded by Council Member Warnick. Voice vote was taken and carried.

Final reading of the Ordinance was set over to December 17, 1991.

Ordinance No. 25028

Appropriating \$757 from the Right-of-Way Acquisition Fund to purchase two parcels of property from Pierce County located on South 94th and South 95th Streets easterly of Alaska Street to clear title to the property.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, McElliott, Miller, Moss, Nielsen, Warnick and Deputy Mayor Mykland.

Nays: 0.

Absent: 2 - Silas and Mayor Vialle.

The Ordinance was declared passed.

Deputy Mayor Mykland moved that the Council consider Public Hearings and Appeals. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

PUBLIC HEARINGS AND APPEALS: (Began at 5:35 p.m.)

a. This is the date set for a hearing on the "Interim Capital Facility Plan."

John Rieber, Planning and Development Services, made a presentation to the Council regarding the "Interim Capital Facility Plan."

No one from the public appeared to speak.

Deputy Mayor Mykland declared the hearing closed at 5:35 p.m.

b. This is the date set for hearing the appeal of Allen M. Hodges on the decision of the Hearings Examiner relative to height exceptions and variances needed to construct three dormers and a turret-like structure on the second story of an existing home located at 2814 North McCarver Street. (Allen M. Hodges; File Nos. 130.441 and 131.170)

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Mr. Gordon Crandall, Hearings Examiner, made a presentation to the Council regarding the appeal.

Mr. Thomas Krilich, representing Mr. Hodges, stated the reasons for the appeal.

Mr. Hodges made a presentation to the Council regarding his appeal.

Council Member Warnick moved to overrule the findings, conclusions and recommendations of the Hearings Examiner and uphold the appeal. Seconded by Council Member Moss.

Council Member Miller requested to amend the motion to add a condition to the approval of this height variance and that be the roof of this structure could in no way be used for purposes of a deck. Seconded by Council Member Warnick.

Council Member Evans asked that the final language preclude any increase of the proposed balcony area so that the floor cannot finally become a full floor, it must remain the allowable code related balcony only.

Voice vote was taken on the motion to uphold the appeal and carried, with Council Member Evans voting Nay. The motion was declared adopted.

FIRST READING OF ORDINANCES:

Ordinance No. 25012 (Continued from the meeting of November 12, 1991.)

Repealing and reenacting Chapter 5.32 of the Official Code to permit the keeping of miniature potbellied pigs as household pets.

Deputy Mayor Mykland moved to hold this Ordinance over for first reading on December 17, 1991. Seconded by Council Member Warnick. Voice vote was taken and carried.

First reading of the Ordinance was continued to December 17, 1991.

Ordinance No. 25029

Vacating South Fife Street between South 34th and South 35th Streets to combine the vacated areas with the abutting properties to accommodate expansion of the existing commercial building and parking lots. (Pac-Tech Engineering; File No. 124.945)

Council Member Miller stated that in his own business he does have dealings with Pac-Tech Engineering but did not feel that it would in any way affect his ability to make a decision.

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

Council Member Miller moved to suspend the rules to consider Ordinance No. 25030. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 25030

Approving the ad valorem tax levies for 1992.

The Ordinance was set over for final reading next week.

Deputy Mayor Mykland moved to suspend the rules to consider Ordinance No. 25031. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 25031

Amending the Biennial Budget for the fiscal years 1991-1992 to restore Monday operating hours at various libraries.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 31566

Awarding a contract to:

Wardell-Rogers Corporation, in the amount of \$231,172 for WR2 Polymer for wastewater treatment at the North End Treatment Plant - Sole Source.

Council Member Nielsen moved that the Purchase Resolution, including waiving formal bidding procedures on Item No. 1, be adopted. Seconded by Council Member Warnick.

Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution, including waiving formal bidding procedures on Item No. 1, was declared adopted.

Resolution No. 31567

Adopting the "Land Use Management Plan" as the City's comprehensive land use plan.

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

Resolution No. 31568

Authorizing the formation of an Executive Sister City Committee to be known as the "Sister Cities Council of Tacoma."

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

Resolution No. 31569

Authorizing the transfer of property located near East 36th Street and Pacific Avenue from the Department of Public Works to the Department of Public Utilities.

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

Resolution No. 31570

Authorizing the execution of an agreement with Washington Natural Gas in the amount of \$60,000 for a natural gas supply system for the City's Asphalt Plant located at Center and Cedar Streets.

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

Resolution No. 31571

Authorizing \$75,000 of undesignated Fund Balance for the Tacoma-Pierce County Health Department payroll and Human Resources Management System developmental costs.

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

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Substitute Resolution No. 31572

Authorizing the execution of a temporary interest-bearing loan to the Union Station Renovation Fund in the amount of \$1,800,000 from the UDAG Fund and the Cumulative Reserve for Replacement of Fire Equipment Fund to be repaid by February 29, 1992.

Deputy Mayor Mykland moved to consider Substitute Resolution No. 31572. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Mykland moved that Substitute Resolution No. 31572 be adopted. Seconded by Council Member Nielsen. Voice vote was taken and carried. The Substitute Resolution was declared adopted.

Resolution No. 31573

Confirming the acceptance of a proposal to purchase \$10,000,000 of Refuse Utility Revenue Bond Anticipation Notes and approving a purchase contract for the acquisition, construction and installation of additions and improvements to the Refuse Utility System.

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

UNFINISHED BUSINESS:

None.


REPORTS BY CITY MANAGER:

None.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Deputy Mayor Mykland moved to excuse Council Members Silas and Vialle from tonight's meeting. Seconded by Council Member McElliott. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting adjourned at 7:02 p.m.



GREG MYKLAND, DEPUTY MAYOR

ATTEST: 

GENELLE BIRK, CITY CLERK