

CITY COUNCIL MINUTES

City Council Chambers
September 12, 1995

The meeting was called to order at 5:05 p.m.

Present on roll call: 9 - Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

The Flag Salute was led by Boy Scouts Troop 224.

Mayor Moss proclaimed the day of September 12, 1995, to be "Boy Scouts Troop 224 Anniversary Day," and presented the proclamation to Mr. George Miles.

CONSENT AGENDA

RESOLUTION:

Resolution No. 33137

Setting Tuesday, October 24, 1995, at 9:00 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate a portion of Dock Street in the vicinity of the South 4th Street Bridge. (Department of Public Works for Metropolitan Park District; File No. 124.1022)

ASSESSMENT ROLL:

The Director of Public Works presents the assessment roll for the following:

L.I.D. No. 8569 for permanent pavement on North 27th Street between Mullen and Cheyenne Streets.

Setting Monday, October 9, 1995, at 5:00 p.m. as the date for a hearing by the Hearing Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner agenda for September 12, 1995.

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- b. Minutes of the meetings of the Human Rights Commission, June 15, and July 20, 1995.
- c. Minutes of the meeting of the Tacoma Public Library Board of Trustees, June 21, 1995.
- d. Minutes of the meeting of the Environmental Commission, June 12, 1995.
- e. Minutes of the meeting of the Public Utility Board and study session, August 9, 1995.
- f. Minutes of the meeting of the Planning Commission, August 9, 1995 and special meetings, July 31 and August 16, 1995.
- g. Minutes of the meeting of the LESA Executive Board, June 21, 1995.
- h. Monthly Financial Reports for Light Division, Water Division, Belt Line Division, Conservation Project Fund, Data Processing Fund, Fleet Services Fund, Geographic Information System Fund, and Self-Insurance Claim Fund, July 1995.

Deputy Mayor Evans moved that the Consent Agenda, including Resolution No. 33137, be approved. Seconded by Council Member Silas. Voice vote was taken and carried. The Consent Agenda, including Resolution No. 33137, was declared approved.

REGULAR AGENDA

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Resolution No. 33138

Appointing individuals to the Board of Building Appeals, Environmental Commission, Human Rights Commission, Tacoma Arts Commission and Landmarks Preservation Commission.

Council Member Miller moved to suspend the rules to consider Substitute Resolution No. 33138. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

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

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FINAL READING OF ORDINANCES:

Ordinance No. 24012

Vacating the south one-half of North 34th Street from Puget Sound Avenue west to the alley between Puget Sound and Union Avenues to combine the vacated right-of-way with the abutting property in order to "clear" the existing encroachments of a carport and vegetable garden. (M. Ali and Juanita C. Kandj; File No. 124.858)

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25655

Vacating a portion of East 70th Street between McKinley Avenue and the Chehalis Western Railroad tracks to combine the vacated area with the abutting properties to provide additional yard space. (Alex H. Heinz and James H. Hsu; File No. 124.1008)

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25757

Authorizing the issuance of Revenue Anticipation Notes in the amount of \$1,300,000 to provide interim financing for the Tacoma Dome Reroofing Project; and appropriating said sum to pay for roof maintenance work on the Tacoma Dome and declaring an emergency making necessary the passage of this ordinance.

Council Member Miller moved to suspend the rules to consider Substitute Ordinance No. 25757. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Substitute Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 25758

Vacating the easterly ten feet of Sprague Avenue abutting Tracts 6 and 7 in the Wapato Half Acre Tracts for expanded off-street parking for an existing retail commercial development. (Mitchell Development; File No. 124.1018)

Mayor Moss moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was set over for final reading to a date to be determined.

Ordinance No. 25759

Amending Chapter 13.06 of the Municipal Code to reclassify the property located at 5821 Sprague Court from a "R-2" One-Family Dwelling District to a "C-2" Commercial District to allow a 9,890 square foot retail development. (Austin Cina Architects; File No. 120.1396)

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

The Ordinance was set over for final reading to a date to be determined.

Ordinance No. 25760

Authorizing the acceptance of \$5,720.40 from a Housing Conference and depositing in and appropriating said sum from the General Fund for associated program expenditures.

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The Ordinance was set over for final reading next week.

Ordinance No. 25761

Appropriating \$635,304.71 from the Labor Management Health Care Trust Fund to pay Pierce County Medical Bureau, Inc., for underwriting losses for the second quarter of 1995.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 33139

Awarding contracts to:

1. Holroyd Company, Inc., on their bid of \$175,766.94, for concrete and related products - Specification No. G-038-95;
2. Madsen Electric, Inc., on their bid of \$52,758.40, for midblock pedestrian signal at Mildred Street between South 12th Street and South 19th Streets - Specification No. G-221-95;
3. Olympic Ford, Inc., in the amount of \$622,726.32, for thirty 1995 police patrol vehicles - Washington State Contract No. 96295; and
4. Rejecting all bids for one self-propelled four-wheel drive hydraulically-driven highway mower - Specification No. G-014-95.

Council Member Miller moved that the Purchase Resolution, including rejecting all bids for Item No. 4, be adopted. Seconded by Deputy Mayor Evans.

Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution, including rejecting all bids for Item No. 4, was declared adopted.

Substitute Resolution No. 33129

Amending Rule 10.3.C of the Rules of Procedure of the Council relative to candidates for public office speaking before the Council.

Council Member Miller moved to suspend the rules to consider Substitute No. 2 of Resolution No. 33129. Seconded by Council Member De Forrest. Voice vote was taken and carried. The motion was declared adopted.

Council Member Miller moved that Substitute No. 2 of the Resolution be adopted. Seconded by Council Member De Forrest.

Pursuant to Council Rules, Substitute No. 2 of Resolution No. 33129 was set over for second reading next week.

Resolution No. 33140

Authorizing the submittal of project prospectuses and the execution of agreements with the Washington State Department of Transportation and the Transportation Improvement Board in the amount of \$1,537,500 for various transportation projects in the 1996-2001 Six Year Comprehensive Transportation Program.

Deputy Mayor Evans moved to suspend the rules to consider Substitute Resolution No. 33140. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

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

Resolution No. 33141

Submitting a proposition to the qualified voters of the city of Tacoma at the general election of November 7, 1995, a non-binding CityVote Presidential Preference Primary.

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

Resolution No. 33142

Authorizing the submittal of a grant application to the Washington State Department of Trade and Economic Development in the amount of \$50,000 to develop a model land use permitting and environmental review process to meet the requirements of ESHB 1724, Regulatory Reform Act.

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

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Resolution No. 33143

Authorizing the execution of an interlocal agreement with Pierce County in the amount of \$75,000 for the 1995 Safe Streets Campaign.

Council Member De Forrest moved to continue Resolution No. 33143 to the meeting of October 3, 1995. Seconded Deputy Mayor Evans. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 33143 will be considered at the regular City Council meeting of October 3, 1995.

Resolution No. 33144

Authorizing the execution of an agreement with Master Computer, Inc., in the amount of \$84,551.18 for a document imaging system.

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

Resolution No. 33145

Authorizing the execution of an agreement with CH2M Hill in the amount not to exceed \$150,000 for a study of Refuse Utility services.

Deputy Mayor Evans moved that the Resolution be adopted. Seconded by Council Member Miller.

Speaking before the Council was:

<u>Name</u>	<u>Address</u>
Art Dearing	Resident

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

CITIZENS' FORUM: (Began at approximately 6:30 p.m.)

Speaking before the Council were:

<u>Name</u>	<u>Address</u>	<u>Topic</u>
Jody Lynn Pilarski	T.A.C.I.D.	Disabled parking violations
James R. Kipers	9607 - 24th Avenue NE	Disabled parking violations
Art Dearing	931 East 52nd Street	Tacoma Housing Authority
Martin Sutherland	2032 East Morton Street	Lighting project
Al Pearn	4314 East B Street	Public safety
Lawrence Norman	2320 South Wilkeson	Public safety/Tacoma Dome

PUBLIC HEARINGS AND APPEALS: (Began at approximately 6:55 p.m.)

- a. Paul Meneghel appealing the decision of the Hearing Examiner to reclassify a 16-acre area bounded by Cheyenne Street on the east, South 18th Street extended on the south, Gove Street on the west and South 12th Street on the north, from a "R-2" One-Family Dwelling District to a "R-2PRD" Planned Residential Development District for the development of single-family homes and duplex units on a 30-lot and 25-lot subdivision. (Terry B. Owen, File Nos. 120.1173A & B and 125.327A & B) (Continued from the meeting of August 29, 1995.)

Council Member Miller moved to remand the decision of the Hearing Examiner Pro Tem for the purpose of taking testimony on a preliminary plat map which shall include lot-like dimensions and evidence that the lot dimensions do not intrude on the required wetlands buffer identified by the Hearing Examiner Pro Tem. Seconded by Deputy Mayor Evans. Voice vote was taken and carried. The motion was declared adopted.

- b. Nineteenth Street Coalition for Neighborhood Preservation appealing the decision of the Hearing Examiner to reclassify the property located at the northwest corner of South 19th Street and Sprague Avenue from a "R-2" One-Family Dwelling District to a "R-2T" Residential Commercial Transitional District for a proposed medical office building. (MacLiam Properties; File No. 120.1364)

Council Member Miller moved that the request for dismissal of the appeal be granted and the appeal fee refunded to the appellant. Seconded by Deputy Mayor Evans. Voice vote was taken and carried with Council Members De Forrest and Silas voting in opposition. The motion was declared adopted.

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- c. This is the date set for a hearing to consider amendments to the land use code if Initiative 164 becomes law.

Speaking before the Council were:

<u>Name</u>	<u>Address</u>
Miriam Graves	3811 East B Street
Morry Stafford	6 Tacoma Avenue North
Steven Aldrich	Resident

The hearing was declared closed at 7:55 p.m.

UNFINISHED BUSINESS:

None.

REPORTS BY CITY MANAGER:

City Manager Ray E. Corpuz, Jr. announced that he and the Director of Public Utilities have appointed Elvin Vandenberg to the Civil Service Board through February 1996.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Deputy Mayor Evans reported that the Maritime Fest will be held on September 22-24, 1995. He added that the City will be involved with the lighting of the 11th Street Bridge which will take place on September 23, 1995 at 8:00 p.m. He encouraged everyone to attend.

Council Member McGavick welcomed Council Member Crowley back.

Council Member Silas expressed concerns about the manner in which the DeLong Lake appeal was handled. She commented that the citizens in the audience had been waiting since 5:30 p.m. and the appeal wasn't considered until almost 7:00 p.m. She explained that when the item was heard, the citizens didn't seem to have an understanding of the action Council took. She requested that staff elaborate and clarify to the appellant Council's motion on the appeal.

Council Member Baarsma reported on the Public Sector Network workshop sponsored by the American Society for Quality Control that he attended this past weekend.

Council Member Kirby also commented on the citizens' reaction on the DeLong Lake appeal. Council Member Kirby requested that he be provided with another copy of the storm sewer utility report that was sent to him after the Council study session presentation on this matter.

Council Member De Forrest commented on a meeting he and Mayor Moss attended at the Salishan community on a beautification project. Council Member De Forrest asked the City Manager to check if the sewer lines to about a half dozen to a dozen Tacoma Housing Authority homes that are currently jacked up for new foundations were capped. Council Member De Forrest wished Mayor Moss and the City Manager a safe trip.

Mayor Moss commented on a request from Intel about the construction of the interchange on I-5 and their timeframe for operating their business. Mayor Moss thanked the Mayor of DuPont and Pierce County for working together to streamline the construction of this project from 15 months to 12 months.


Mayor Moss announced that the September 19, 1995 City Council meeting will be held at 4:00 p.m. instead of 5:00 p.m. in the City Council Chambers.

Council Member De Forrest indicated that he objected to meeting at 4:00 p.m. because he would not be able to attend at 4:00 p.m. He also indicated that the Open Meetings Act allows the City Council to set a regular time and place to hold Council meetings. At any other time, it becomes a special meeting and the Act requires one item on the agenda.

Council Member Miller moved that the Council hold a special meeting of the Council on September 19, 1995, at 4:00 p.m., in the Council Chambers for the purpose of convening to Executive Session to discuss potential litigation, and that the regular meeting of the City Council be held at 5:00 p.m. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 8:20 p.m.


HAROLD G. MOSS, MAYOR

ATTEST: 
RICK ROSENBLADT, ACTING CITY CLERK