

CITY COUNCIL MINUTES

City Council Chambers  
November 26, 1985

The meeting was called to order at 5:02 p.m.

Present on roll call: 5 - Bichsel, Hyde, Nielsen, Stenger, and Warrnick.  
Absent: 4 - Kirby, Ladenburg, Rasmussen, and Mayor Sutherland (Council Member Kirby arrived at 5:10 p.m.; Council Member Ladenburg and Council Member Rasmussen arrived at 5:12 p.m.; and Mayor Sutherland arrived at 5:15 p.m.)

The Flag Salute was led by Council Member Hyde.

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CONSENT AGENDA

Approval of the minutes of the regular meeting of November 12, 1985.

APPEALS:

- a. Champion International Corporation, formerly St. Regis Corporation, appealing the decision of the Hearings Examiner relating to Audit Assessment Notice AD5109 (File No. T-52940) of the Department of Tax and License relative to the assessment of B&O tax on sales to customers in Japan.

Setting Tuesday, January 7, 1986, at 6:00 p.m. as the date for hearing by the City Council.

- b. The Door Store, Inc. appealing the decision of the Hearings Examiner regarding signage in the S-6 Shoreline District.

Setting Tuesday, December 17, 1985 at 6:00 p.m. as the date for hearing by the City Council.

- c. Manke Lumber Company appealing Audit Assessment Notice AD5355 (File No. T-18639) of the Department of Tax and License.

Setting Thursday, January 9, 1986 at 1:00 p.m. as the date for hearing by the Hearings Examiner.

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ASSESSMENT ROLLS:

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

L.I.D. No. 8386 for placement of permanent pavement on North Gove Street from North 37th to North 38th Street and South Bell Street from South 72nd to South 74th Street.

Setting Monday, January 13, 1986 at 5:00 p.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, November 26, 1985.
- b. Minutes of the meeting of the Civil Service Board, November 4, 1985.
- c. Minutes of the meeting of the Investment Committee of the Tacoma Employees' Retirement System, October 17, 1985.
- d. Department of Public Utilities Budget Summary for Fiscal Year 1986.

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

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R E G U L A R   A G E N D A

FINAL READING OF ORDINANCES:

Ordinance No. 23488 (Continued from the meeting of November 19, 1985.)

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northeasterly corner of Montana Avenue and Rainier Place from an "R-4" Multiple-Family Dwelling District to an "R-4-T" Residential- Commercial Transitional District to redevelop the Lincoln Heights area. (H. C. Harned (Lincoln Heights); File No. 120.1124)

Council Member Hyde moved to continue final reading of this Ordinance to December 3, 1985. Seconded by Council Member Stenger. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was set over for final reading on December 3, 1985.

Ordinance No. 23489 (Continued from the meeting of November 19, 1985.)

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northwesterly corner of South 38th and Steele Streets from an "R-4" Multiple-Family Dwelling District to a "C-2" Commercial District to redevelop the Lincoln Heights area. (H. C. Harned (Lincoln Heights); File No. 120.1125)

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Council Member Hyde moved to continue final reading of this Ordinance to December 3, 1985. Seconded by Council Member Stenger. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was set over for final reading on December 3, 1985.

Ordinance No. 23490 (Continued from the meeting of November 19, 1985.)

Vacating portions of Kitsap Place, Rainier Place North, Rainier Place South, Montana Avenue, California Avenue and King Place to allow development of a commercial complex containing retail shops, restaurants and offices. (Lincoln Center Associates; File No. 124.794)

Council Member Warrnick moved to continue final reading of this ordinance to December 3, 1985. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was set over for final reading on December 3, 1985.

Ordinance No. 23516

Amending Chapter 2.02 of the Official Code to update requirements for piers, wharfs and waterfront structures to reflect current conditions and concerns.

Roll call vote was taken, resulting as follows:

Ayes: 5 - Bichsel, Hyde, Nielsen, Stenger, and Warrnick

Nays: 0.

Absent: 4 - Kirby, Ladenburg, Rasmussen and Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 23517

Authorizing the transfer of \$60,000.00 from the Contingency Fund to the Airport Fund and appropriating \$60,000.00 from the Airport Fund to repair the drainage system at the Tacoma Narrows Airport; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 5 - Bichsel, Hyde, Nielsen, Stenger, and Warrnick

Nays: 0.

Absent: 4 - Kirby, Ladenburg, Rasmussen and Mayor Sutherland.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 23518

Vacating a portion of South State Street lying northeasterly of the State Street-Trafton Street Transition to allow for the installation of a landscaped berm for traffic separation between a proposed parking lot and the arterial street. (Tribune Communications Company; File No. 124.801)

Deputy Mayor Bichsel moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member 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. 23519

Authorizing the execution of an agreement with the U.S. Department of Housing and Urban Development in the amount of \$75,000.00; depositing said sum in the Miscellaneous Grants Summary Fund; and appropriating \$75,000.00 from the Miscellaneous Grants Summary Fund for the administration of housing programs under Title VIII of the 1968 Civil Rights Act.

Council Member Kirby arrived at 5:10 p.m.

The Ordinance was set over for final reading next week.

Ordinance No. 23520

Appropriating \$605,552.00 from the County-City Public Health Pooling Fund to carry out various operations and programs for which the Tacoma-Pierce County Health Department has received grants, donations and revenues.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Purchase Resolution No. 28980

Awarding contracts to:

1. Smith Tractor on their bid of \$68,994.16 for One (1) Articulated Four-Wheel Drive Loader - Specification No. G-165-85;
2. Mt. Baker Silo, Inc. on their bid of \$44,564.52 for Water Storage Tank No. 2 for the Tacoma Narrows Airport - Specification No. G-184-85;
3. Maskell-Robbins on their bid of \$18,845.89 for the Emergency Purchase of a 14-inch Polyethylene Storm Sewer Pipe for Tacoma Narrows Airport;

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4. RT&T Construction on their bid of \$25,872.00 for an emergency contract to repair the sewer outfall at the Tacoma Narrows Airport (Informal Bid No. 6857); and
5. Various bidders on their bids for towing services for citizen requested tows - Specification No. G-182-85.

Council Members Ladenburg and Rasmussen arrived at 5:12 p.m.

Council Member Nielsen moved that the Purchase Resolution be adopted. Seconded by Council Member Hyde.

Deputy Mayor Bichsel moved to waive the formal bidding procedures on Purchase Item Nos. 3 and 4. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

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

Resolution No. 28981

Authorizing the execution of an agreement with the Pierce County Community Development Department and Washington Women's Employment and Education, Inc. in the amount of \$15,000.00 to provide staff support for the coordination of Project Self Sufficiency relative to low income parents with children.

Mayor Sutherland arrived at 5:15 p.m.

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

Resolution No. 28982

Expressing approval of the issuance of industrial revenue bonds by the Economic Development Corporation of Pierce County in the amount of \$19,000,000.00 on behalf of Simpson Tacoma Kraft Company.

Mayor Sutherland moved that this Resolution be considered after the Public Hearing. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 28983

Authorizing a temporary non-interest bearing loan in the amount of \$20,000.00 from the General Fund to the Miscellaneous Grants Summary Fund to provide operating funds for the construction of the Center for Disabled Children.

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

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Resolution No. 28984

Authorizing the execution of an Interlocal Governmental Cooperation Agreement and a lease with Tacoma Community College for the lease of college land to the City for the construction of a facility for disabled children to be known as the Tacoma Learning Community.

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

Resolution No. 28985

Authorizing the execution of agreements with Burlington Northern Railroad, Continental Grain Company and the Port of Tacoma to allow construction of the South 4th Street Bridge Replacement.

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

Resolution No. 28986

Authorizing the execution of a release of a 30-foot sewer easement in the vicinity of South 86th and Hosmer Streets.

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

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Mayor Sutherland announced that, as a result of the Tacoma News Tribune sponsorship, the Tacoma Civic Arts Commission and the Holiday Arts and Crafts Associates of a contest for Kids Postcard Art, he has some proclamations to present to the winners of this contest. He then introduced Nancy Fisher, Carolyn Anderson, Jan Andresen, and Rick Mahaffey from the Holiday Arts and Crafts Associates.

Mayor Sutherland proclaimed the week-end of November 29, 1985 through December 1, 1985 as "A Celebration of Creativity Among Children" and he presented proclamations to Nikki Moysich, Matthew Salzman, Pratna Kao, Morgan Nicoll, Scott Byrd, and Vansy Toch.

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Mayor Sutherland moved to take a 15 minute recess. Seconded by Council Member Hyde. Voice vote was taken and carried.

Council recessed at 5:29 p.m. and reconvened at 5:48 p.m.

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PUBLIC HEARINGS AND APPEALS: (Began at 5:49 p.m.)

- b. This is the date set for a public hearing on the issuance of industrial revenue bonds in the amount of \$19,000,000.00 for Simpson Tacoma Kraft Company to modify and acquire pollution control facilities and equipment.

Council Member Rasmussen stated that he is not participating in the public hearing on this subject, as well as the Resolution that pertains to the same, as he is a member of the Economic Development Board. Council Member Rasmussen then left the Council Chambers.

Don Hines, Community Development Department, made a presentation to the Council regarding this matter.

Speaking to the Council was Pat Hassett, Executive Vice-President for Simpson Tacoma Kraft Company.

Mayor Sutherland called for public testimony.

There being no public testimony, Mayor Sutherland declared the public hearing closed at 5:56 p.m.

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Resolution No. 28982

Expressing approval of the issuance of industrial revenue bonds by the Economic Development Corporation of Pierce County in the amount of \$19,000,000.00 on behalf of Simpson Tacoma Kraft Company.

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

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- a. This is the date set for hearing the appeal of Robert Bjork of the decision of the Hearings Examiner to deny his request for modification of conditions attached to the granting of a 125' X 30' easement over City property located generally south of South 19th Street and west of Grandview Street (File No. 120.660A).

Ms. Ernetta Heathersby, Hearings Examiner, made a presentation to the Council regarding the appeal.

Mr. Anton May, representing Mr. Bjork, stated the reasons for the appeal.

Ms. McCumber spoke to the Council in support of the Hearings Examiner's decision.

Mr. Arlie G. Masters, representing Ms. McCumber, made a presentation to the Council in support of the Examiner's decision.

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Mayor Sutherland read into the record a letter from Ms. McCumber to Mr. Bjork, dated April 11, 1985.

Council Member Ladenburg said he feels that the only condition before the Council at this time is who is going to bear the cost for the maintenance of the easement and not whether or not it is an issue of open space, 300 foot road, etc; those are all by the wayside now.

Mayor Sutherland moved to accept Mr. Bjork's request for modification of the conditions relative to the 30 foot easement to allow the cutting of the road so long as the cost of the cutting of the road and the maintenance become the responsibility of Mr. Bjork or his successors. Seconded by Council Member Ladenburg.

Roll call vote was taken, resulting as follows:

Ayes: 5 - Kirby, Ladenburg, Rasmussen, Stenger, and Mayor Sutherland.

Nays: 3 - Bichsel, Nielsen, and Warnick.

Absent: 1 - Hyde.

The motion was declared adopted.

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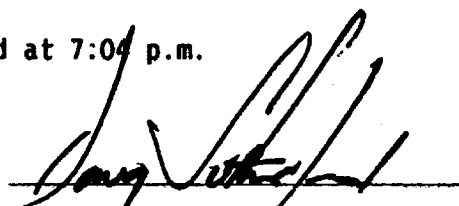
REPORTS BY CITY MANAGER:

Ruben Nieto, Assistant Personnel Director, requested a residency waiver for a permanent residence waiver to fill the position of Fisheries Technician.

Mayor Sutherland moved that the waiver be granted. Seconded by Council Member Ladenburg. Voice vote was taken and carried. The motion was declared adopted.

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On proper motion, the meeting adjourned at 7:04 p.m.

  
DOUG SUTHERLAND, MAYOR

ATTEST:   
GENELLE BIRK, CITY CLERK

WPC.4671G

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