

CITY COUNCIL MINUTES

City Council Chambers
December 6, 1988

The meeting was called to order at 5:09 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 Vialle.

CONSENT AGENDA

Approval of the minutes of the regular meeting of November 22, 1988.

PETITIONS:

- a. John Dobler, requesting the reclassification of the property located at South 30th and Tyler Streets from a "R-3" District to a "R-4-L" District for the construction of a proposed eight plex. (John Dobler; File No. 120.1265)
- b. P.I.P.E. Inc., requesting the reclassification of the property located east of the intersection at 40th and Orchard Streets for an inventory storage of precast corporate products. (P.I.P.E. Inc.; File No. 120.1266)

For referral to the Hearings Examiner.

APPEALS:

- a. Albert R. Williams and John Jarstad, appealing the decision of the Hearings Examiner relative to the reclassification of the property located on the northwest corner of South 19th and Mullen Streets from a "R-2" Single-Family Dwelling District to a "C-2" Commercial District. (John S. Mocerl; File No. 120.1259)

Setting Tuesday, January 3, 1989 at approximately 5:30 p.m. as the date for hearing by the City Council.

- b. Block Brothers, Inc., appealing the decision of the Hearings Examiner relative to a special use permit to allow the construction of an 80-foot high communications tower within the Harbor Ridge Development. (Department of Public Utilities; File No. 121.1121)

Setting Tuesday, January 17, 1989 at approximately 5:30 p.m. as the date for hearing by the City Council.

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ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, December 6, 1988.
- b. Minutes of the meeting of the Civil Service Board, November 7, 1988.
- c. Minutes of the meeting of the Public Utility Board, November 9, 1988.
- d. Minutes of the meeting of the Tacoma Planning Commission, November 7, 1988.
- e. Citizens' petition requesting an Environmental Impact Study on the proposed Garbage Incinerator located on the Hylebos Waterway.
- f. Total Work Report of the Tacoma-Pierce County Humane Society & S.P.C.A., October 1988.
- g. Monthly Financial Reports of the Belt Line Division, Data Processing Division, Fleet Services Fund, Light Division, Self-Insurance Claim Fund and Water Division, October 1988.
- h. Report of the Director of Finance, September 1988.
- i. State of Washington, Office of State Auditor, Audit of the Law Enforcement Support Agency Pierce County, Second Examination, January 1, 1985 thru December 31, 1987.
- j. State of Washington, Office of State Auditor, Audit of The Municipal Authority of Tacoma Pierce County, Ninth Examination, January 1, 1987 thru December 31, 1987.

Deputy Mayor Hyde moved that the Consent Agenda be approved. Seconded by Council Member Mykland. 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

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Resolution No. 30251

Appointing members to various committees, boards and commissions.

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

Mayor Sutherland moved to excuse Council Member Warnick from the Council meeting of December 6, 1988. Seconded by Council Member Vialle. Voice vote was taken and carried. The motion was declared adopted.

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FINAL READING OF ORDINANCES:

Ordinance No. 24213

Amending Chapter 13.06 of the Official Code to reclassify the property located on the southeast corner of Pacific Avenue and South 52nd Street (5209 Pacific Avenue) from a "R-4T" Residential-Commercial Transitional District to a "C-1" Commercial District to convert a single-family dwelling into a beauty salon. (Robert and Kathleen Nali; File No. 120.1258)

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. 24232

Amending Chapter 13.06 of the Official Code to reclassify the area bounded by South 12th Street, South 17th Street, and Puyallup Avenue on the north; Court "C," Dock Street and East "G" on the east; I-5 and South 28th Street on the south, and the alley between South "G" Street and Tacoma Avenue on the west from a "M-2" Heavy Industrial, "M-1" Light Industrial, "C-3" Commercial, "C-2" Commercial, "C-1" Commercial and a "R-4" Multiple-Family Residential Districts to a "MC" Mixed Commercial District and the area bounded by Dock Street on the east; "A" Street on the north; Hood Street on the northwest; and South 17th Street on the south from a "M-2" Heavy Industrial District to a "B" Business District in order to implement the Greater CBD Plan. (City of Tacoma; File No. 120.1243)

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. 24235

Vacating the west 14 feet of Oakes Street north from North 30th Street 120 feet to combine with the abutting yard to control the erosion of the embankment. (Gerald T. Maule; File No. 124.878)

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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. 24248

Appropriating \$500,000.00 from the Belt Line Division's Current Fund to provide for unanticipated expenditures, including track and crossing upgrades, major equipment repairs and costs related to business activities to maintain continued effective railway service; 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. 24249

Authorizing the execution of an agreement with the Pierce County Area on Aging and Pierce County; allocating the sum of \$125,000.00; and depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund to provide various case management services for senior citizens.

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. 24250

Appropriating \$29,642.36 from the Labor-Management Health Care Trust Fund for Third Quarter, 1988 Pierce County Medical Bureau underwriting losses; and declaring an emergency making necessary the passage of this ordinance.

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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. 24251

Amending Chapter 1.24 of the Official Code regarding the waiver of probation for Ewing reclassifications.

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. 24252

Appropriating \$5,000.00 from the General Fund to the Rental Rehabilitation Trust Fund, for the purpose of making a non-interest bearing temporary, interfund loan; and appropriating \$5,000.00 from the Rental Rehabilitation Trust Fund to provide working funds to cover payroll expenses prior to reimbursement of grants funds for the U.S. Department of Housing and Urban Development (HUD).

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.

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Ordinance No. 24253

Appropriating \$500,000.00 from the Miscellaneous Trust Summary Fund to the Community Development Grants Summary Fund; appropriating \$575,000.00 from the Community Development Grants Summary Fund to recapitalize the Business Revolving Loan Fund; and authorizing an amendment to the agreement with the Municipal Authority for the Business Revolving Loan Fund program, inclusive of Municipal Authority administrative costs.

Mayor Sutherland moved to continue Ordinance No. 24253 to the meeting of December 13, 1988. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance will be considered at the regular City Council meeting of December 13, 1988.

FIRST READING OF ORDINANCES:

Ordinance No. 24255

Vacating small portions of "A" Street, South 10th Street and Schuster Parkway abutting the Frank Russell Building at 909 "A" Street to "clear" some minor encroachments of the building and appurtenances. (Frank Russell Company; File No. 124.879)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Vialle. 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. 24256

Accepting a donation of \$1,500.00 from an anonymous source; and depositing in and appropriating said sum from the General Fund to hire an independent writer/editor to work with the Tacoma Arts Commission staff in the writing of the Tacoma-Pierce County Task Force's Report on the Arts.

The Ordinance was set over for final reading next week.

Ordinance No. 24257

Amending the Pay and Compensation Plan to provide for 1989 rates of pay.

Speaking to the Council were:

Linda McNairy
Mozella Pooley

501 South Seventh Street
8041 East Sherwood

The Ordinance was set over for final reading next week.

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Substitute Ordinance No. 24257

Amending the Pay and Compensation Plan to provide for 1989 rates of pay.

The Substitute Ordinance was set over for final reading next week.

Mayor Sutherland moved to suspend the rules to consider Substitute Resolution No. 30253. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Substitute Resolution No. 30253 (Considered at approximately 5:30 p.m.)

Expressing the intent of the City, in cooperation with the Port of Tacoma, to designate the East-West Corridor as the prime vehicular transportation arterial across the Port of Tacoma harbor industrial area and to request that federal funding for the Blair Bridge be transferred to East-West Corridor development.

Mayor Sutherland invited the members of the Port of Tacoma Commission to join the City Council on the dias.

Acting Port President Jack Fabulich, Commissioner John McCarthy, Commissioner Pat O'Malley, and Commissioner Ned Shera joined the Council at the dias.

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

Mayor Sutherland reviewed the Resolution for the audience. He stated that written commentary would be received until Friday, December 9, 1988. He also stated that the final vote would be taken on this Resolution on December 13, 1988.

Jack Fabulich, Acting President of the Port Commissioners, spoke regarding the Substitute Resolution.

John Terpstra, Senior Director of Facilities at the Port of Tacoma, gave a presentation regarding the proposed East-West Corridor and the Substitute Resolution.

Bill Pugh, Public Works Department, gave a presentation regarding the proposed East-West Corridor.

Art Smelser, District Administrator for District #3, Department of Transportation, spoke to the Council regarding the funding and scheduled completion dates for this project.

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Speaking to the Council were:

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|-----------------------|--|
| Raymond Schuler | 1805 Markham N.E. |
| Dr. Jim Davidson | President, Norpoint Boosters |
| Helen Frederick | President, Five City Council |
| Chris Quinn-Brintnall | 1802 Copolis Street N.E. |
| Darrel Peeples | Attorney representing Leo Krenzler |
| Alex Candoo | 5934 Frances Avenue N.E. |
| Leo Krenzler | 2560 East 11th Street |
| David Schuler | 4130 East 11th Street |
| Tammy Hathaway | 6613 Eastside Drive N.E. |
| Ross Hathaway | 6613 Eastside Drive N.E. |
| Bill Keilman | 3607 Nassau Avenue N.E. |
| Phillip Lelli | 1710 Market Street |
| Robert E. Mack | Attorney representing Tacoma- Pierce County Chamber of Commerce |
| Richard Shepard | Libertarian Party |
| Ron Thompson | Downtown Tacoma Association |
| Randy Lewis | Pierce County Good Roads Association |
| Bill and Tyler Speir | 1519 Markham Avenue N.E. |
| John Austin | Tacoma-Pierce County Economic Development Board |
| Chuck Cereghino | 7402 North 13th Street |

Also included in the record were communications received from:

| | |
|---------------|-----------------------|
| Kathy Allison | 919 North Lawrence |
| Wayne S. Aho | 5201 South "I" Street |

Mayor Sutherland expressed the thanks of the Council to the group for their input. He suggested that the Resolution be deferred for vote until next week.

Deputy Mayor Hyde recommended that the Resolution be delayed for final vote for a period of thirty days during which time testimony would be accepted.

Council Member Vialle moved to set the Resolution over until January 3, 1989. Seconded by Council Member Stenger.

Mayor Sutherland recommended that the Council hear comments from the Port of Tacoma Commissioners.

Acting Commission President Jack Fabulich and members of the Commission stated that they concurred with the approximate 30-day delay.

Mayor Sutherland stated that the Port of Tacoma Commissioners would be invited back to join the Council at the January 3, 1989 Council meeting at which time a final vote could be taken.

Mayor Sutherland inquired of Dr. Davidson if the Norpoint Boosters would be having a meeting in December prior to the final vote on this Resolution.

Dr. Davidson stated that the Norpoint Boosters could hold a meeting to discuss this Resolution prior to the date of the final vote.

Acting Port Commissioner President Jack Fabulich thank the Mayor and the Councilmembers for the opportunity to attend the Council.

Council Member Vialle moved to set Substitute Resolution No. 30253 over to the meeting of January 3, 1989, and to invite the Port of Tacoma Commissioners to the January 3, 1989, Council meeting. Seconded by Council Member Stenger. Voice vote was taken and carried. The motion was declared adopted.

Substitute Resolution No. 30253 will be considered at the regular City Council meeting of January 3, 1989.

Mayor Sutherland thanked the Port of Tacoma Commissioners for their attendance at the Council meeting.

Mayor Sutherland stated that the Council would take a five minute recess.

Council recessed at 7:55 p.m. and reconvened at 8:00 p.m.

RESOLUTIONS:

Purchase Resolution No. 30252

Awarding contracts to:

1. Puget Sound Bank, in the amount of \$180,000.00 for banking services - Specification No. G-103-88;
2. Platt Electric Supply, in the amount of \$35,000.00 for electrical supplies - Washington State Contract No. 70-88;
3. Architectural Sheet Metal, Inc., on their bid of \$88,085.23 for the Cavanaugh Building Reroof - Specification No. G-280-88;
4. Bosnick Roofing, Inc., on their bid of \$48,243.89 for the South End Neighborhood Center Reroof - Specification No. G-281-88;
5. General Chemical Corporation, in the amount of \$60,000.00 for chemicals for Sewage Treatment Plant No. 3 - Single Source;
6. Varityper, in the amount of \$2,806.27 to extend and increase the maintenance contract for EPIC 2020 typesetter system - Single Source;
7. Burgess, Kennedy, Fitzer and Strombom, in the amount of \$10,078.98 to increase payment for litigation and attorney fees;
8. Tacoma Screw Products, in the amount of \$3,600.00 to increase their contract for hardware and hand tools - Open Purchase Order No. 23051;
9. E.J. Rody & Sons, Inc., in the amount of \$35,000.00 for an emergency contract for sanitary sewer replacement at North Carr and 31st Streets; and
10. Western Paper Company, in the amount of \$11,308.57 to extend and increase their contract for multipurpose paper supplies - Specification No. G-095-87.

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Deputy Mayor Hyde moved that the Purchase Resolution be adopted, including waiving the formal bidding requirements on Purchase Item Nos. 5, 6, 7, 8, and 9. Seconded by Council Member Mykland.

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

Resolution No. 30254

Authorizing the execution of an agreement with the Seattle Organizing Committee in the amount of \$27,952.64 for the assignment of police personnel to conduct and evaluate preliminary site security plans and to attend meetings of the Seattle Organizing Committee and its security planning committees.

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

Resolution No. 30255

Authorizing the execution of agreements with Burlington Northern Railroad for the installation of the rubberized railroad crossing and the temporary railroad signal relocation at the railroad crossing of 74th Street west of South Tacoma Way.

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

Resolution No. 30256

Authorizing the execution of an agreement with Parametrix Inc., in the amount of \$343,400.00 for the preparation of feasibility and environmental studies for the construction of the sedimentation control facility located at the south end of the City Waterway.

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

Resolution No. 30257

Correcting the legal description for the the preliminary plat of Shilo Manor.

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.

Resolution No. 30258

Approving rental rates for the use of the Bicentennial Pavilion by BASH for its annual dinner and auction.

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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. 30259

Authorizing the execution of lease agreements with the National Distributing Company in the amount of \$12,000.00, Sweetwater Pizza, Inc., in the amount of \$26,000.00 and Alpac Corporation, in the amount of \$12,000.00 for advertising space in the Tacoma Dome.

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

Resolution No. 30260

Authorizing the execution of Amendment No. 2 with Entranco Engineers, Inc., to provide services in the preparation of an environmental impact statement/environmental assessment pertaining to the Union Station Project.

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.

REPORTS BY CITY MANAGER:

Erling O. Mork, City Manager, stated that staff has requested an Executive Session to discuss litigation and personnel matters.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Moss stated that on Thanksgiving Eve, he and his wife were in an automobile accident with an intoxicated driver. He expressed his appreciation for the prompt assistance they received from the Tacoma Firefighter paramedics and the treatment at the hospital by Dr. Davidson.

Mayor Sutherland moved to recess to Executive Session to discuss litigation and personnel matters, the session not to exceed 20 minutes. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

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Council recessed to Executive Session at 8:17 p.m. and reconvened at 8:37 p.m.

Mayor Sutherland moved that settlement of the lawsuit of James and Jacomira Groves be authorized in accordance with the recommendation of the City Attorney. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 8:39 p.m.


DOUG SUTHERLAND, MAYOR

ATTEST: 
GENELLE BIRK, CITY CLERK

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