

CITY COUNCIL MINUTES

City Council Chambers  
March 17, 1992

The meeting was called to order by Mayor Vialle at 5:07 p.m.

Present on roll call: 8 - Baarsma, Evans, McElliott, Miller, Mykland, Nielsen, Silas, and Mayor Vialle. Absent: 1 - Moss. Council Member Moss arrived at 5:40 p.m.

The Flag Salute was led by Council Member McElliott.

\*\*\*\*\*

C O N S E N T   A G E N D A

Approval of the minutes of the Tacoma City Council meetings of February 25, and March 3, 1992, workshop of February 22, 1992, and study sessions of February 25, and March 3, 1992.

RESOLUTIONS:

Resolution No. 31675

Setting Tuesday, April 21, 1992, at 1:30 p.m. as the date for a hearing by the Hearings Examiner on the request to vacate a portion of the alley between Trafton and Steele Streets north of South 25th Street. (Puget Sound Bank; File No. 124.953)

Resolution No. 31676

Authorizing the submission of a grant application to the State of Washington Department of Ecology in the amount of \$1,157,456 for hazardous waste and recycling programs.

APPEALS:

- a. Matt and Cheryl Guss appealing the decision of the Hearings Examiner relative to a variance and height exception to allow the construction of a second story addition and a second level deck on an existing single-family home located at 2219 North 27th Street. (John Kautz; File Nos. 130.3360 and 131.161)

Setting Tuesday, March 31, 1992, at approximately 5:30 p.m. as the date for a hearing by the City Council.

- b. Residents of Beverly Avenue NE and Broadview Avenue NE appealing the decision of the Hearings Examiner relative to L.I.D. No. 7718.

Setting Tuesday, April 14, 1992, at approximately 5:30 p.m. as the date for a hearing by the City Council.

ASSESSMENT ROLLS:

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

L.I.D. No. 5707 for the installation of a water main in East F Street from East 88th to East 91st Streets.

Setting, Monday, April 13, 1992, at 5:00 p.m. as the date for a hearing by the Hearings Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, March 17, 1992.
- b. Minutes of the meeting of the Citizens' Affirmative Action Advisory Committee, February 6, 1992.
- c. Minutes of the meeting of the Civil Service Board, February 3, 1992.
- d. Minutes of the meeting of the Municipal Authority Economic Development, February 6, 1992.
- e. Minutes of the meeting of the Landmarks Preservation Commission, February 26, 1992.
- f. Minutes of the meeting of the Public Utility Board, February 12, 1992.
- g. Minutes of the meetings of the Tacoma Arts Commission, June 10, July 16, August 1, September 9, October 14, November 4, December 9, 1991 and January 13, and February 10, 1992.
- h. Minutes of the meetings of the Urban Waterfront Committee, January 29, and February 12, 1992.
- i. Minutes of the Tacoma-Pierce County Board of Health, February 5, 1992.
- j. Report of the Director of Finance, December 1991.
- k. Annual Financial Reports of the Belt Line Division, Data Processing Fund, Fleet Services Fund, Self-Insurance Claim Fund, 1991.
- l. Tacoma Public Utilities Performance Report, Fourth Quarter 1991.

Council Member Miller moved that the Consent Agenda, including Resolution Nos. 31675 and 31676, be approved. Seconded by Council Member Nielsen. 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:

- a. City Attorney submitting the Findings, Conclusions and Decisions of the City Council regarding the appeal of Edward and Margaret Hudson relative to the decision of the Hearings Examiner on the reclassification of the property located north of South 13th Street between South Pine and South Junett Streets from a "R-2" One-Family Dwelling District to a "C-2" Commercial District to allow the expansion of the existing Peerless Laundry building. (Edward and Margaret Hudson; File No. 120.1339) (Continued from the meeting of March 3, 1992.)

Mayor Vialle moved to concur in the recommendations of the City Council. Seconded by Council Member Evans. Voice vote was taken and carried with Council Member Baarsma abstaining. The motion was declared adopted.

- b. Hearings Examiner advising that the remonstrance for L.I.D. No. 6970 has exceeded 60% and that the L.I.D. will not be formed.

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

\*\*\*\*\*

FINAL READING OF ORDINANCES:

Ordinance No. 24691

Vacating a portion of the Interstate 5 turn-back area at South 54th Street east of Tacoma Mall Boulevard to combine the vacated area with the abutting property for future commercial development consistent with the area. (Wamon D. and Vien T. Floyd; File No. 124.909)

Mayor Vialle moved to suspend the rules to consider Substitute Ordinance No. 24691. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Baarsma, Evans, McElliott, Miller, Nielsen, Silas and Mayor Vialle.

Nays: 1 - Mykland.

Absent: 1 - Moss.

The Substitute Ordinance was declared passed.

Ordinance No. 25073

Accepting the donation of a Magnavox TV valued at \$571.21 from Kathleen Anderson to be used by senior citizens at the Lighthouse Senior Center.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Baarsma, Evans, McElliott, Miller, Mykland, Nielsen, Silas and Mayor Vialle.

Nays: 0.

Absent: 1 - Moss.

The Ordinance was declared passed.

\*\*\*\*\*

Mayor Vialle introduced Olga Udovina, Deputy Mayor of Yalta, Russia, who is visiting here.

\*\*\*\*\*

FIRST READING OF ORDINANCES:

Ordinance No. 25074

Amending Chapter 13.06 of the Official Code to reclassify the property located north of South 13th Street between South Pine and South Junett Streets from a "R-2" One-Family Dwelling District to a "C-2" Commercial District to allow expansion of the existing Peerless Laundry building. (Edward and Margaret Hudson; File No. 120.1339)

Mayor Vialle moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Nielsen. Voice vote was taken and carried with Council Member Baarsma abstaining.

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

Ordinance No. 25075

Vacating the alley between South 12th and South 13th Streets from Pine to Junett Streets to combine the vacated areas with the abutting properties to improve the plant facility and surrounding site of an existing laundry business. (Edward V. Hudson; File No. 124.942)

Mayor Vialle moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Miller. Voice vote was taken and carried with Council Member Baarsma abstaining.

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

Ordinance No. 25076

Amending Chapter 12.06 of the Official Code relative to increasing the utility rates effective April 4, 1992.

The Ordinance was set over for final reading next week.

Ordinance No. 25077

Accepting \$4,500 from the McDonald's Corporation, \$1,000 from Pierce County, \$500 from the Washington State Human Rights Commission, \$500 from the Department of Public Utilities, and donations of goods and services from the Northwest Dispatch, Pierce Transit, Tacoma Dome, Tacoma Public Works, Tacoma Police Department, Crane's Creations, Shepard's Life Fleet, Tacoma Public Schools, KTPS TV, KCPQ TV and the Morning News Tribune; and depositing in and appropriating \$6,500 from the General Fund for the Martin Luther King Day Celebration.

Speaking to the Council was:

Mozella Pooley

8041 East Sherwood

The Ordinance was set over for final reading next week.

Ordinance No. 25078

Accepting \$4,500 from the Tacoma Housing Authority; depositing in and appropriating said sum from the General Fund for crime suppression and prevention activities; and authorizing the execution of an amendment to the agreement with the Tacoma Housing Authority for said purpose.

The Ordinance was set over for final reading next week.

Ordinance No. 25079

Accepting donations in the amount of \$17,355; and depositing in and appropriating said sum from the Miscellaneous Trust Summary Fund for the Drug Abuse Resistance Education (D.A.R.E.) program.

The Ordinance was set over for final reading next week.

Ordinance No. 25080

Appropriating \$44,166 from the Airport Fund to reimburse Crossings Ventures, Inc., for remodeling at the Tacoma Narrows Airport Terminal Building; and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

Council Member Moss arrived at 5:40 p.m.

\*\*\*\*\*

PUBLIC HEARINGS AND APPEALS: (Began at 5:40 p.m.)

- a. This is the date set for hearing the appeal of Harry E. Donovan on the decision of the Hearings Examiner relative to a request for a Shoreline Management Substantial Development/Conditional Use Permit/Variance to allow the completion of a three-story addition to an existing overwater, single-family dwelling at #76 Salmon Beach and to allow the dwelling to exceed the 35-foot height limit for buildings constructed in the "S-3" Western Slope North Shoreline District. (Harry E. Donovan; File No. 141.322A)

Mayor Vialle explained the rule relative to appeals before the City Council.

William Chapman, Hearings Examiner Pro Tem, reviewed the facts of the appeal for the Council.

Mr. Harry Donovan, Appellant, stated the reasons for the appeal and asked if he could allot two minutes of his time for Roger Edwards to speak.

Mayor Vialle asked Mr. Edwards if he understood that he was confined to speaking to only those things that have been entered into the record already and that he could not introduce new evidence into this hearing at this point and time.

Mr. Edwards stated that he was not totally familiar with the entire record although he was at the original hearing and spoke at that time. He stated that this is a continuation of his remarks at a previous occasion. He stated that he was notified of the hearing on November 26, 1991, however, he was involved in a public ceremony to dedicate the sewer system and went on to compliment City staff for their coverage of the event.

Discussion followed relative to Mr. Edwards knowledge with reference to the appeal and it was determined that what he wished to say was not relevant to the appeal and Mayor Vialle ruled that he not be allowed to speak since he did not seem to have knowledge of what transpired and the information that he wants to bring before Council is information that should have been brought up at the hearing and is not appropriate here. Mayor Vialle ruled that Mr. Edwards not speak on this matter.

Mr. Donovan then asked if William Hansen could be allowed to speak and he was informed by Mayor Vialle that she would ask him the same questions that she asked of Mr. Edwards.

Mayor Vialle asked Mr. Hansen if he had full knowledge of this case and he replied that he did and that he would stick to the subject.

Bill Hansen, President of the Salmon Beach Improvement Club, made a presentation to the Council on Mr. Donovan's behalf.

Council Member Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner and deny the appeal. Seconded by Council Member Nielsen. Voice vote was taken and carried.

The appeal was denied.

Mayor Vialle said that Council would move to Public Hearing c. next.

- c. This is the date set for a public hearing relative to the fifth year Downtown Business Improvement Area assessment rates, budget and program.

Council Member Miller excused himself from this hearing and left the Council Chambers.

Peter Luttrupp, Finance Director, made a presentation to the Council regarding this matter.

Speaking to the Council were:

Charles Minema  
Mike Crowley

Assistant Police Chief  
Owner of Dahken Jewelry

There being no further testimony, the public hearing was declared closed at 6:20 p.m.

- b. This is the date set for a public hearing on the 18th Year 1992-93 Proposed Statement of Community Development Block Grant Objectives and Projected Use of Funds.

Dana Clancy, Chairperson, Urban Policy Committee, made a presentation to the the Council regarding this matter.

Speaking to the Council were:

Rick Allen

Director of Tacoma-Pierce County  
Community Action Agency

David Boyd

Interim Director of Martin  
Luther King Ecumenical Center

Sandy Burgess

Director of Housing Development  
for the Tacoma Rescue Mission

Joe Brunetti

President of the Dome District  
Development Group and General

Shawn Lasich

Manager of the Quality Hotel  
Easter Seal Society

Theresa Lemons

Freighthouse Square Incubator  
Manager of the Homeless

John Martin

Employment Partnership of the  
Metropolitan Development Council

Judy Kane

Commencement Bay Walking Company  
representing the Sixth Avenue  
Merchants

Virginia Taylor

Representing the "K" Street  
Boosters

Dane Meyer

Stadium District

Bill Evans

Proctor District Association

There being no further testimony, the public hearing was declared closed at 6:45 p.m.

\*\*\*\*\*

Ordinance No. 25081

Authorizing the issuance and sale of Consolidated Local Improvement District Bond Issue No. 47.

Mayor Vialle moved to suspend the rules to consider Substitute Ordinance No. 25081. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Substitute Ordinance No. 25081 was set over for final reading next week.

Ordinance No. 25082

Amending Chapter 1.06.275 of the Official Code relative to the expenditure of project and contract contingency funds for the Union Station Federal Courthouse project through January 1, 1993.

The Ordinance was set over for final reading next week.

Ordinance No. 25083

Providing for the levy of the fifth year assessment for the Downtown Business Improvement Area (BIA); approving the BIA annual budget and work program; appropriating \$388,100 for project activities; and approving the revised budget for the fourth annual period.

Council Member Miller excused himself from consideration of this Ordinance and left the Council Chambers.

The Ordinance was set over for final reading next week.

\*\*\*\*\*

RESOLUTIONS:

Purchase Resolution No. 31677

Awarding contracts to:

1. The Northwest Dispatch, on their bid of \$100,000 for Official City Printing - Specification No. G-068-91;
2. Wang Laboratories, Inc., in the amount of \$26,422 for the Wang VS85 and System 5 computer hardware maintenance contract - Sole Source;



3. U.S. Oil & Refining Co., on their bid of \$176,617.58 for the annual supply of asphalt material - Washington State Contract No. 135-87;
4. Ericsson GE Mobile Communications, Inc., on their bid of \$45,682.04 for a voter selector system for the radio system - Pierce County Contract No. 5598; and
5. U.S. West Cellular, on their bid of \$163,570 for 1992 cellular phone airtime billing - Washington State Contract No. 133-89.

Council Member Moss moved that the Purchase Resolution, including waiving formal bidding procedures on Item No. 2, be adopted. Seconded by Council Member Evans.

Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution, including waiving formal bidding procedures on Item No. 2, was declared adopted.

Resolution No. 31678

Authorizing the execution of a collective bargaining agreement with the International Brotherhood of Electrical Workers Local 483, Light Division effective April 1, 1992 through March 31, 1994.

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

Resolution No. 31679

Designating the Northwest Dispatch as the official newspaper of the City of Tacoma effective March 24, 1992.

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

Resolution No. 31680

Approving the General Government Fee Schedule for Special and Miscellaneous Services to include charges to the public for various services such as certain publications, copying costs, research fees, civil interviews of police patrol officers and firefighters, and fingerprinting charges.

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. 31681

Authorizing the exchange of various easement rights including releasing an access easement and granting a sanitary sewer easement over the northerly portion of the Leach Creek Holding Basin site to serve Fircrest Forest Estates; and accepting a new access easement from All American Homes and utility easements along the southerly side of Fircrest Forest Estates.

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

Resolution No. 31682

Authorizing the extension of the agreement with Heller, Ehrman, White and McAuliffe, in the amount of \$125,000 to assist with litigation with the State of Washington Department of Ecology regarding conditions to the NPDES Permits for the North End and Central Treatment Plants.

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

Resolution No. 31683

Authorizing the execution of an agreement with the Tacoma Rescue Mission in the amount of \$160,000 for improvements to the downtown shelter.

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

Resolution No. 31684

Authorizing the execution of an agreement with the East Side Boys & Girls Club, Inc. in the amount of \$125,300 for the East Side Boys & Girls Club Capital Project.

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

Resolution No. 31685

Authorizing the execution of an amendment to the agreement with R.W. Beck and Associates in the amount of \$10,000 for a management and organization review of the Public Works Department.

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

Resolution No. 31686

Authorizing the execution of an agreement with the Daffodil Festival, Inc., in the amount of \$5,000 for the 1992 Daffodil Festival.

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

Resolution No. 31687

Establishing a Vladivostok, Russia, Sister City Committee.

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

\*\*\*\*\*

UNFINISHED BUSINESS:

Council member Silas moved that the Council reconsider the decision of our previous Council meeting, which denied the appeal of David Sheean, regarding the reclassification on property at South 90th and Hosmer Streets. Seconded by Mayor Vialle. Voice vote was taken and carried. The motion was declared adopted.

Council Member Silas moved that the matter of David Sheean, request for reclassification of the property at South 90th and Hosmer Streets, be remanded to the Hearings Examiner for the following purposes: To allow the applicant to prepare and present a development plan consistent with the Examiner's recommendations, and the regulations and ordinances of the City. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

\*\*\*\*\*

REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., City Manager, stated that the first Town Hall meeting of the City Council is scheduled for April 20 instead of April 9 and details are still being worked on as far as the location.

He asked the Council to contact Diane Wetzel about the calendar dates to set the rest of the Study Session schedule for March and April.

He said that the City was asked to submit again the second and final phase, of the Innovation Awards for State and Local Government. He stated that Tacoma is one of the finalists for the Safe Streets Program. He stated that there were 1600 applications nation wide for this prestigious award for local governments.

Mayor Vialle stated that the City of Tacoma staff is in the process of putting together an application for the U.S. Conference of Mayor's Livability City Awards which also carries substantial recognition and prominence. Tacoma was in the running last year and hopefully will be again this year.

\*\*\*\*\*

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Vialle moved to approve Council Member Silas' trip to Kiryat Motzkin, Israel Sister City from April 6-15, 1992. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

Mayor Vialle thanked Dr. Silas for doing this as she was scheduled to take this trip but because the City is currently suing the U.S. Air Force for non-payment of its electric bills she is required by subpoena to remain here in the City during that period of time for deposition purposes.

Mayor Vialle stated that she will be in Vancouver, B.C., tomorrow and Thursday. On Thursday she will have the honor of delivering a speech on behalf of the City of Tacoma and U.S. Conference of Mayors to the Globe '92' Conference -- the largest environmental fair in North America. The topic of the speech she will be giving is "Beyond the Environmental Challenge -- Tacoma's New Economy" which will talk about our environmental cleanup efforts and our change from an industrial economy to where we want to head in the 1990's.

Deputy Mayor Mykland stated that he gets complaints off and on about our 911 System and how they generally react to the public. He stated that we all probably received a copy of a letter in our packet from Dobashi's Market and their problem with 911 and their problems related to 23rd Street. He said he would give a copy of this letter to the City Manager as he would like to have this problem addressed.

Mayor Vialle stated that she has already asked to have this done and there is a response being prepared by both Police and L.E.S.A. to those comments.

Deputy Mayor Mykland said he knows of the problems in the 23rd Street area. The City has been cleaning up the Hilltop Area and doing a real good job of it, but 23rd Street seems to be a problem area. He said he was surprised that Dobashi's is even able to exist with the conditions that they work under and they need to be complemented for that.

Mayor Vialle stated that they also need to be a little more cooperative. She said that's one of the comments that the Police Department made to her. She said they have asked them to do some things in the market which they have not chosen to do which has made it a congregating center. In this case the neighborhood needs to work with the Police Department.

Deputy Mayor Mykland stated that he would then like to have a full report on what they've been asked to do and what they haven't complied with.


Council Member Silas asked that they refer the matter to her for discussion and some enlightenment on the subject. She could discuss it with Mayor Vialle later because there is some action being taken. She said she met

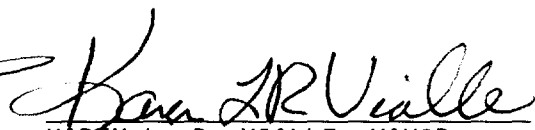
last night with the Hilltop Action Committee and the Police Department and the neighbors. She would not want us to rush in because it happens to be one area of town that needs support and needs support badly.

\*\*\*\*\*

On proper motion, the meeting was adjourned at 7:20 p.m.

ATTEST:

  
GENELLE BIRK, CITY CLERK

  
KAREN L. R. VIALLE, MAYOR

OS.6824G.