

CITY COUNCIL MINUTES

City Council Chambers
August 27, 1985

The meeting was called to order at 5:08 p.m.

Present on roll call: 9 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strege, Harnick, and Mayor Sutherland.

The Flag Salute was led by Mayor Sutherland.

CONSENT AGENDA

Approval of the minutes of the regular meeting of August 13, 1985.

RESOLUTIONS:

Resolution No. 28878

Setting Tuesday, October 1, 1985 at 1:30 p.m. as the date for hearing by the Hearings Examiner the request to vacate portions of Fife Street north of South 76th Street. (Goldie V. Miller; File No. 124.799)

Resolution No. 28879

Setting Tuesday, November 5, 1985 at 1:30 p.m. as the date for hearing by the Hearings Examiner the request to vacate Lawrence Street from Center Street to South 30th Street and the alleys between Warner and Lawrence Streets and Center and South 30th Streets. (Scott Melvard; File No. 124.800)

ASSESSMENT ROLLS:

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

L.I.D. No. 2587 for placement of two-inch asphalt surface treatment on various streets in the east side of the City.

L.I.D. No. 2590 for placement of two-inch asphalt surface treatment on various streets in the south end of the City.

NOTE: If the microfilmed document is less clear than this notice, it is due to the quality of the original document.

L.I.D. No. 2592 for placement of two-inch asphalt surface treatment on 58th Avenue N.E. from 29th Street N.E. to a point 600 feet, more or less, south of 25th Street N.E.

Setting Monday, September 23, 1985 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, August 27, 1985.
- b. Public Utility Board Agenda for Wednesday, August 28, 1985.
- c. Minutes of the meetings of the Human Rights Commission, June 20, and July 18, 1985.
- d. Minutes of the meeting of the Landmarks Preservation Commission, July 24, 1985.
- e. Minutes of the meeting of the Natural Systems Citizens Advisory Committee, June 13, 1985.
- f. Minutes of the meeting of the Public Utility Board, July 24, 1985.
- g. Minutes of the meeting of the Tacoma Employees' Retirement System Investment Committee, July 11, 1985.
- h. Department of Public Utilities - Second Quarter Budget Analysis 1985.
- i. Draft Central Business District Plan: Greater CBD.

Deputy Mayor Strege moved that the Consent Agenda be approved. Seconded by Council Member Bichsel. Voice vote was taken and carried. The Consent Agenda was declared approved.

Deputy Mayor Strege moved to suspend the rules to consider appointing a new Deputy Mayor. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Strege moved that Council Member Bichsel be designated the new Deputy Mayor beginning September 4, 1985. Seconded by Council Member Hyde. Roll call vote was taken, resulting as follows: Ayes: 9. Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strege, Warnick, and Mayor Sutherland. Absent: 0. Nays: 0. The motion was declared passed.

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

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Resolution No. 28876

Appointing Timothy J. Reid to the Public Utility Board.

NOTE: If the microfilmed document is less clear than this notice, it is due to the quality of the original document.

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

COMMUNICATIONS:

- a. Hearings Examiner advising that Tribune Publishing Company and the Department of Public Works have concluded that the 80/20 percent apportionment previously recommended by the Examiner is acceptable to both parties and recommending approval of said apportionment.

Mayor Sutherland moved to concur in the recommendation of the Hearings Examiner. Seconded by Council Member Bichsel. Voice vote was taken and carried. The motion was declared adopted.

- b. Hearings Examiner advising that the request to reclassify the property located at 6042 South Sprague from an "R-2" District to an "R-2-T" District has been terminated. (Nick Iverson; File No. 120.1126)

Mayor Sutherland announced that this item was before the Council for information only and no action was necessary.

FINAL READING OF ORDINANCES:

Ordinance No. 23431

Vacating a narrow alley right-of way in the vicinity of South 56th Street and Orchard Street to combine the vacated strip with the abutting properties. (Mobil Oil Corporation; File No. 124.784)

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strege, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23452

Amending Chapter 13.06 of the Official Code to reclassify the property bounded by South 19th Street, Sprague Avenue Access, South 23rd Street and State Street from an "R-2" One-Family Dwelling District to a "PDB" Planned Business Development District for inclusion in an existing business park. (Tribune Publishing Company; File No. 120.974)

NOTE: If the microfilmed document is less clear than this notice, it is due to the quality of the original document.

City Council Minutes - Page 4 - August 27, 1985

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strege, Warrnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23453

Amending Chapter 13.06 of the Official Code to reclassify the property bounded by South 19th Street, Sprague Avenue Access, South 23rd Street, and State Street from an "R-2" One-Family Dwelling District and an "M-1" Light Industrial District to a "PDB" Planned Business Development District for inclusion in an existing business park. (Tribune Publishing Company; File No. 120.1123)

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strege, Warrnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23454

Vacating Ferry Street between South 19th and South 23rd Streets, South 21st Street between State Street and Sprague Avenue, and the adjacent alleys; also small portions of Steele and South 25th Streets to provide a site for an office building and add to the existing business park. (Tribune Communication Company; File No. 124.793)

Mayor Sutherland moved to approve Ordinance No. 23454 as revised. Seconded by Council Member Bichsel. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strege, Warrnick, and Mayor Sutherland.

Nays: 0.

The Ordinance, as revised, was declared passed.

Ordinance No. 23455

Accepting a grant in the amount of \$5,000.00 from Pacific Northwest Bell for the Tacoma Actors Guild; authorizing the transfer of \$10,000.00 from the General Fund to the Miscellaneous Grants Summary Fund; and appropriating \$15,000.00 from the Miscellaneous Grants Summary Fund to support two presentations by the Tacoma Actors Guild and the Summer Pops! program.

NOTE: If the microfilmed document is less clear than this notice, it is due to the quality of the original document.

City Council Minutes - Page 5 - August 27, 1985

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strege, Warrnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23456

Amending Section 11.34.130 of the Official Code to designate the portion of 48th Street from Pacific Avenue to Portland Avenue as a collector arterial.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strege, Warrnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23458

Authorizing the execution of a grant award contract with the United States Department of Housing and Urban Development in the amount of \$23,100.00; depositing said sum in the Miscellaneous Grants Summary Fund; and appropriating said sum to increase the capability of administering housing programs, including preventive education, information, and investigation under Title VIII of the 1968 Civil Rights Act.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strege, Warrnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23459

Approving and confirming the assessment roll for L.I.D. No. 5656 for the construction of an 8-inch water main in 120th Street East from 120th Avenue East to approximately 1,300 feet west.

Roll call vote was taken, resulting as follows:

NOTE: If the microfimed document is less clear than this notice, it is due to the quality of the original document.

Ayes: 9 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strege, Warrnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 23460

Amending Chapter 13.06 of the Official Code to reclassify the property located on the northeast corner of Center and Madison Streets (3121 South Madison) from an "R-3" Two and Three-Family Dwelling District to a "C-2" Commercial District. (Bruce H. Kelly; File No. 120.1120)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Warrnick. Roll call vote was taken, resulting as follows: Ayes: 9 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strege, Warrnick, and Mayor Sutherland. Nays: 0. The motion was declared adopted.

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

Ordinance No. 23461

Vacating Ferdinand Street between South 30th and South 31st Streets to secure the area and put an end to indiscriminate dumping. (Fircrest Pre-Fit Door Company; File No. 124.796)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Bichsel. Roll call vote was taken, resulting as follows: Ayes: 9 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strege, Warrnick, and Mayor Sutherland. Nays: 0. The motion was declared adopted.

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

Ordinance No. 23462

Amending Chapter 5.26.010 of the Official Code to add a new subsection defining a "vicious dog."

Mayor Sutherland said the Council had been requested by the City Attorney's Office to set this over for one week, and he so moved. Seconded by Deputy Mayor Strege. Voice vote was taken and carried. The motion was declared adopted.

First reading of the Ordinance was set over to September 3, 1985.

NOTE: If the microfilmed document is less clear than this notice, it is due to the quality of the original document.

Ordinance No. 23463

Authorizing the execution of a grant agreement with the State of Washington in the amount of \$69,000.00; depositing said sum in the Miscellaneous Grants Summary Fund; transferring \$1,000.00 from the General Fund to the Miscellaneous Grants Summary Fund to match the grant; appropriating \$70,000.00 from the Miscellaneous Grants Summary Fund; and authorizing a temporary interest bearing loan of \$25,000.00 from the General Fund to the Miscellaneous Grants Summary Fund for the construction of a heliport at the Tacoma Dome.

The Ordinance was set over for final reading next week.

Ordinance No. 23464

Authorizing the execution of a grant agreement with the State of Washington, Department of Ecology in the amount of \$19,600.00; depositing said sum in the Miscellaneous Grants Summary Fund; appropriating \$19,600.00 from the Miscellaneous Grants Summary Fund; and authorizing a temporary non-interest bearing loan in the amount of \$8,000.00 from the General Fund to the Miscellaneous Grants Summary Fund for Updating the Master Program for Shoreline Management and automating shoreline inspection and enforcement files.

The Ordinance was set over for final reading next week.

Ordinance No. 23465

Amending Title 10 of the Official Code relative to the "1% for Art" program.

Council Member Warnick moved to consider Substitute Ordinance No. 23465. Seconded by Council Member Bichsel. Voice vote was taken and carried. The motion was declared adopted.

Speaking on the Ordinance was:

Bob Mack

Chairman, Public Arts Task Force

Council Member Rasmussen moved that Ordinance No. 23465 be held over until September 10, 1985, pending some answers to legal questions that were raised. Seconded by Council Member Hyde. Roll call vote was taken, resulting as follows: Ayes: 7 - Bichsel, Hyde, Kirby, Rasmussen, Stenger, Strege and Mayor Sutherland. Nays: 2 - Ladenburg and Warnick. First reading of the Ordinance was continued to the Council meeting of September 10, 1985.

Council Member Rasmussen moved to suspend the rules to allow further testimony on the Ordinance. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

NOTE: If the microfilmed document is less clear than this notice, it is due to the quality of the original document.

Speaking on the Ordinance were the following:

Joe Kraft	308 North "J" Street
Sally Hutton	3638 South Monroe Street
Carolyn Bondy	3330 North Villard
Henry Vorn	306 "J" Street
Alicejean Leigh Moore	2804 North McCarver
Mozella Pooley	8041 East Sherwood

First reading of the Substitute Ordinance was set over to September 10, 1985.

Ordinance No. 23466

Authorizing the execution of a grant agreement with the State of Washington in the amount of \$6,500.00; depositing said sum in the Miscellaneous Grants Summary Fund; appropriating \$6,500.00 from said fund; authorizing issuance of a temporary non-interest bearing loan of \$4,000.00 from the General Fund to the Miscellaneous Grants Summary Fund; and further authorizing the execution of an agreement with the Pierce County Area Agency on Aging for reimbursement of case management services referred by the Adult Protective Services of the Department of Social and Health Services.

Mayor Sutherland moved to consider Substitute Ordinance No. 23466. Seconded by Council Member Stenger. Voice vote was taken and carried. The motion was declared adopted.

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

Ordinance No. 23467

Amending Section 11.28.060 of the Official Code to exempt motorhomes less than 20 feet in length from parking restrictions on public streets or alley right-of-ways.

Deputy Mayor Strege moved to remove Ordinance No. 23467 from the agenda. Seconded by Mayor Sutherland. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 23467 was removed from the agenda.

RESOLUTIONS:

Resolution No. 28870 (Continued from the meeting of August 13, 1985.)

Adopting the 1985-1990 Capital Improvement Program and directing the Planning Commission to develop a Capital Improvement Plan as an element of the City's Land Use Management Plan.

Council Member Rasmussen moved that the Resolution be adopted. Seconded by Council Member Bichsel.

NOTE: If the microfilmed document is less clear than this notice, it is due to the quality of the original document.

Deputy Mayor Strege moved to amend the Resolution by inserting the following language:

Provided, that \$53,228 for the Tacoma Dome Roof Treatment be deleted from the Capital Improvement Plan,

Be It Further Provided, that the Planning Commission's recommended Capital Improvement Plan is amended to indicate that funding for the Jones Building renovation, the redesign of Broadway Plaza, and for downtown restrooms be appropriated from interest income from Community Development Block Grant loans,

Be It Further Provided, that the following projects and amounts be included in the Capital Improvement Plan:

Tacoma Learning Center	\$ 76,337
Ruston Way Improvements	\$150,000
Open Space Program	\$171,891
	\$398,228

Seconded by Council Member Hyde.

Council Member Ladenburg moved to delete the third paragraph of Deputy Mayor Strege's amendment. Seconded by Council Member Bichsel. Roll call vote was taken, resulting as follows: Ayes: 6 - Bichsel, Ladenburg, Rasmussen, Stenger, Warrnick and Mayor Sutherland. Nays: 3 - Hyde, Kirby and Strege. The motion to delete paragraph 3 of Deputy Mayor Strege's motion was declared adopted.

Council Member Warrnick moved to delete the first paragraph of Deputy Mayor Strege's motion and in the second paragraph to delete the word "Further" from the first line. Seconded by Council Member Rasmussen. Roll call vote was taken, resulting as follows: Ayes: 4 - Bichsel, Rasmussen, Warrnick and Mayor Sutherland. Nays: 5 - Hyde, Kirby, Ladenburg, Stenger and Strege. The motion was declared failed.

Voice vote was taken on Deputy Mayor Strege's motion as amended, and carried, with Council Member Warrnick voting "Nay."

Voice vote was taken and carried on the Resolution as amended. The Resolution, as amended, was declared adopted.

Purchase Resolution No. 28880

Awarding contracts to:

1. Morris Construction, Inc. on their bid of \$95,613.21 for sanitary sewer replacement on Pacific Avenue from South 14th Street to South 15th Street - Specification No. G-123-85;
2. R T & T Construction on their Bid of \$15,695.79 for sanitary sewer extension on 57th Avenue N.E. from 25th Street N.E. to 27th Street N.E. - L.I.D. No. LD3877 - Specification No. G-113-85;

3. Carl T. Madsen on their bid of \$26,866.00 for arterial streetlighting on East 27th Street and East 28th Street on East "L" Street to East "N" Street - Specification No. G-100-85;
4. Tucci & Sons, Inc. on their bid of \$18,144.00 for street widening on Sixth Avenue from Shirley Street to Winnifred Street - Specification No. G-091-85;
5. Woodworth & Company, Inc. on their bid of \$237,332.00 for arterial resurfacing on Alder Street and on North 15th Street and McCarver Street - Specification No. G-085-85;
6. Tucci & Sons, Inc. on their bid of \$207,883.90 for two-inch asphalt surface treatment on various streets - L.I.D. Nos. LD2595, LD2596 and LD2597 - Specification No. G-112-85;
7. Frontier Landscaping, Inc. on their bid of \$19,460.06 for design and installation of automatic irrigation system for Cheney Stadium - Specification No. G-120-85;
8. Harlow Construction Company on their bid of \$45,887.77 for Titlow pump station modifications - Specification No. G-087-85;
9. Gordon Korsmo Construction Company on their bid of \$26,099.46 for street maintenance aggregate storage building - Specification No. G-114-85; and
10. Capitol Chevrolet on their bid of \$15,849.90 for cooperative purchase of two 1985 Chevrolet Citations - Washington State Contract No. 350A-84.

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

Mayor Sutherland moved to waive the formal bidding procedures on Purchase Item No. 10. Seconded by Council Member Rasmussen. 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. 28881

Authorizing the execution of an amendatory agreement with Puget Sound National Bank to extend the current agreement for banking services through December 31, 1985.

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

Resolution No. 28882

Authorizing the execution of an amendatory agreement with the Tacoma Urban League in the amount of \$60,000.00 for operation of the K/J Street Commercial Revitalization Project.

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

NOTE: If the microfilmed document is less clear than this notice, it is due to the quality of the original document.

Resolution No. 28883

Authorizing the execution of an amended agreement with Olympic Pipe Line Company to permit the relocation of a portion of its underground facilities.

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

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Mayor Sutherland moved that the compromise settlement of the tax liability of U. S. Oil and Refining Company be authorized substantially in accordance with the terms of settlement recommended by the City Attorney. Seconded by Council Member Stenger. Voice vote was taken and carried. The motion was declared adopted.

Council Member Hyde said he has asked the City Manager's Office to investigate the possibility of working with the Fire Department personnel who are manning the fire boats and are working with the Department of Ecology on cross-training for water sampling for pollution trail.

Council Member Kirby spoke regarding the 4th of July festivities and the letter received from the Tacoma Police Union regarding the same. He said he understood that the fireworks celebration got out of hand with fires and all. He suggested that sometime prior to putting together the plans for next year the City Council have a Study Session with that group to see if those problems can be resolved.

Deputy Mayor Strege said we might want to consider holding the 4th of July show one day and the fireworks at another location on another day.

Council Member Warnick said he has received a citizen's complaint and he would appreciate it if the City Manager would look into a problem regarding motorcycles in the vicinity of the freeway ending on East 38th Street.

On proper motion, the meeting adjourned at 7:10 p.m.


DOUG SUTHERLAND, MAYOR

ATTEST:


GENELLE BIRK, CITY CLERK

WPC. 3489G

NOTE: If the microfilmed document is less clear than this notice, it is due to the quality of the original document.