

CITY COUNCIL MINUTES

City Council Chambers
March 25, 1986

The meeting was called to order at 5:03 p.m.

Present on roll call: 9 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warrick, and Mayor Sutherland.

The Flag Salute was led by Council Member Mykland.

CONSENT AGENDA

Approval of the minutes of the regular meeting of March 18, 1986.

PETITIONS:

H. C. Harned requesting the reclassification of the property located at the southeast corner of Montana Avenue and Rainier Place from an "R-4" to an "R-4-T" District.

Diana Jantzen requesting the reclassification of the property located at the southeast corner of Center and Gove Streets from an "R-1" to a "C-2" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 29122

Setting Monday, April 14, 1986 at 5:00 p.m. as the date for a hearing by the Hearings Examiner on L.I.D. No. 3887 for the construction of sanitary sewers in an easement approximately 480 feet east of South Tyler Street on the north side of South 38th Street from South 38th Street north 300 feet more or less.

Resolution No. 29123

Setting Monday, April 14, 1986 at 5:00 p.m. as the date for a hearing by the Hearings Examiner on L.I.D. No. 8441 for the placement of permanent pavement on various City streets.

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

Resolution No. 29124

Setting Tuesday, April 29, 1986 at 10:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate a small triangular portion of Lincoln Avenue adjacent to the Port of Tacoma's Puyallup River Wetland Project. (Port of Tacoma; File No. 124.812)

Resolution No. 29125

Approving the final plat for Stehn's Second Addition an eight lot subdivision for residential building sites located at East 75th and "E" Streets. (Norbert Stehn; File No. 125.269)

ASSESSMENT ROLLS:

The Director of Public Works and the Director of Public Utilities present the Assessment Rolls for the following:

L.I.D. No. 2595 for the placement of permanent pavement on North 33rd Street from North Alder Street west 150 feet more or less to the dead end, South 9th Street from Union Avenue to South Washington Street, North Defiance Street from North 50th to North 51st Street, North Baltimore Street from North 40th to North 41st Street, North Mason Avenue from North 14th to North 15th Street, and South 9th Street from South Stevens to South Verde Street.

L.I.D. No. 5660 for the construction of a water main in 25th and 26th Streets Northeast from 62nd Avenue Northeast and in 62nd Avenue Northeast from 25th to 26th Streets Northeast.

Setting, Monday, April 28, 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, March 25, 1986.
- b. Minutes of the meetings of the Citizens Transportation Advisory Committee, February 6, 1986 and March 6, 1986.
- c. Minutes of the meeting of the Landmarks Preservation Commission, February 26, 1986.
- d. Minutes of the meeting of the Natural Systems Citizens Advisory Committee, February 13, 1986.
- e. Minutes of the meeting of the Public Utility Board, February 26, 1986.
- f. Minutes of the meetings of the Tacoma Planning Commission, February 19, 1986 and March 3, 1986.
- g. Minutes of the meeting of the Urban Policy Committee, March 11, 1986.
- h. Department of Public Utilities Annual Budget Analysis, Fiscal Year 1985.
- i. Tacoma Public Library Bond Report, March 1986.

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

Deputy Mayor Rasmussen moved that the Consent Agenda, including Resolution Nos. 29122, 29123, 29123, and 29125, be approved. Seconded by Council Member Nielsen. Voice vote was taken and carried. The Consent Agenda was declared approved.

REGULAR AGENDA

FINAL READING OF ORDINANCES:

Ordinance No. 22649

Vacating a portion of East "F" Street north of East 26th Street. (Gordon Hemminger; File No. 124.706)

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warrnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23568

Amending Chapter 13.06 of the Official Code to reclassify the property located north of South 72nd Street between Alaska Street and I-5 from a "CFV" Freeway Vehicular Service District and an "R-2" One-Family Dwelling District to a "CPC" Planned Community Shopping Center District to allow the development of a shopping center, restricted driveway, and necessary public utilities. (Michael H. Healy (Tacoma Plaza); File No. 120.1093)

Mayor Sutherland moved to consider Ordinance No. 23568, as corrected. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 5 - Nielsen, Rasmussen, Stenger, Warrnick, and Mayor Sutherland.

Nays: 3 - Hyde, Ladenburg, and Mykland.

Abstaining: 1 - McElliott.

The Ordinance, as corrected, was declared passed.

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

Ordinance No. 23570

Amending Chapter 13.06 of the Official Code to reclassify the property bounded by SR-16 to the south, Cedar Street to the east, Union Avenue to the west, and the Elks Club to the north from an "R-2" One-Family Dwelling District, "PDB" Planned Business Development District to a "C-P-C" Planned Community Shopping Center District and an "R-4-LT" Residential Commercial Transitional District to allow development of a shopping center district and office park. (Terranomics Development Corporation; File Nos. 120.1143 and 120.1144)

Council Member Stenger moved to continue Ordinance No. 23570 to the end of the Final Reading of Ordinances. Seconded by Mayor Sutherland. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 23571

Amending Title 2 of the Official Code to move the Flood Plain regulations from Chapter 2.02 of the Official Code to a new chapter designated as Chapter 2.12.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Substitute Ordinance No. 23575

Providing for the issuance and sale of tax anticipation notes in the amount of \$7,000,000.00 to provide for current expenses pending receipt of taxes.

Mayor Sutherland moved to suspend the rules to consider substitute pages 4 and 7. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warnick, and Mayor Sutherland.

Nays: 0.

The Substitute Ordinance, as amended, was declared passed.

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

Ordinance No. 23576

Amending the Annual Budget of the City of Tacoma for the fiscal year 1986.

Mayor Sutherland moved to suspend the rules to consider Substitute Ordinance No. 23576. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warnick, and Mayor Sutherland.

Nays: 0.

The Substitute Ordinance was declared passed.

Ordinance No. 23582

Repealing and reenacting Chapter 3.02 of the Official Code to adopt the 1985 Uniform Fire Code and the 1985 Uniform Fire Code Standards.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23583

Amending Chapter 13.10 of the Official Code relative to zoning and shorelines affecting Ruston Way property and also providing for certain procedural amendments.

Council Member Hyde moved to delete the words "during normal business hours" from the Greater Central Business District Plan as it relates to the issue of the promenade around the City Waterway. Seconded by Council Member Ladenburg. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

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

Ordinance No. 23584

Amending Chapter 2.02 of the Official Code to adopt the 1985 Uniform Building Code.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warrick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23585

Amending Chapter 2.09 of the Official Code to establish fees for grading, grading plan reviews, and grading permits.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warrick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23586

Authorizing the City Attorney to purchase or initiate an action under the right of eminent domain for the acquisition of certain lands in the Swan Creek Canyon for open space and park purposes.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warrick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23587

Providing for the formation of L.I.D. No. 5669 for the construction of water mains and fire hydrants in Orchard Street from South 23rd Street to Center Street.

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

6

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warrnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23570

Amending Chapter 13.06 of the Official Code to reclassify the property bounded by SR-16 to the south, Cedar Street to the east, Union Avenue to the west, and the Elks Club to the north from an "R-2" One-Family Dwelling District, "PDB" Planned Business Development District to a "C-P-C" Planned Community Shopping Center District and an "R-4-LT" Residential Commercial Transitional District to allow development of a shopping center district and office park. (Terranomics Development Corporation; File Nos. 120.1143 and 120.1144)

Mayor Sutherland moved to suspend the rules to consider Substitute Ordinance No. 23570. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 6 - Hyde, Ladenburg, McElliott, Nielsen, Rasmussen, and Warrnick.

Nays: 3 - Mykland, Stenger, and Mayor Sutherland.

The Substitute Ordinance was declared passed.

RESOLUTIONS:

Purchase Resolution No. 29126

Awarding contracts to:

1. Amaya Electric on their bid of \$37,300.00 for arterial streetlighting on Market Street from South 15th to South 21st Streets - Specification No. G-201-86; and
2. Motorola Communications & Electronics, Inc. on their bid of \$162,761.21 for the cooperative purchase of various police radios - Washington State Contract No. 61A-85.

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

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

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

Resolution No. 29127

Clarifying the appropriate use of the 9-1-1 emergency telephone system in advertisements, brochures, pamphlets, telephone labels, or related public notices.

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

Resolution No. 29128

Authorizing the execution of a deed conveying approximately six acres located at the southwest corner of South 74th Street and I-5 to the State of Washington for the reconstruction of the South 72nd Street interchange.

Mayor Sutherland moved to remove Resolution No. 29128 from the agenda. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 29128 was removed from the agenda.

Resolution No. 29129

Authorizing the execution of an assignment and amendment of the operation and management contract for the Tacoma Municipal Building Parking Lot with John Hill to Wilbur R. Burk effective April 1, 1986.

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

Resolution No. 29130

Authorizing the execution of an agreement with the Metropolitan Development Council in the amount of \$30,000.00 to provide for female ex-offenders to receive orientation and support services under the Paragon Employment Assistance Project.

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

Resolution No. 29131

Authorizing the execution of an amendment to the Participation Agreement with Old Stone Bank of Washington relating to the joint venture loan program for the rehabilitation of rental housing properties to extend the termination date to February 24, 1987.

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

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

Resolution No. 29132

Designating the Tacoma Housing Authority as the public agency to receive property and carry out an Urban Homestead Program; authorizing the submittal of an application to the Department of Housing and Urban Development to participate in the Urban Homestead Program; and further authorizing the Municipal Authority to operate the Homesteader Financial Assistance Program.

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

Resolution No. 29133

Adopting a fee schedule for the Department of Public Assembly Facilities to provide for charges for event calendars and tours of the Tacoma Dome.

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

Mayor Sutherland moved that Group W Cable be allowed to increase its rates up to 5% immediately as allowed by existing federal law.

However, that any further approval of rate increases beyond that amount be deferred until such time as Group W Cable has given the 90-day required notice to subscribers, and that, during this time, sufficient additional information be submitted by Group W Cable to the Finance Department to complete an adequate evaluation of their request. Seconded by Council Member Hyde.

Robert Backstein, City Attorney, provided an explanation of the Ordinance pertaining to the Group W franchise.

Speaking to the Council was:

Samuel Lloyd

Manager, Group W Cable

Voice vote was taken on the motion. The motion was declared failed.

Mayor Sutherland moved that Group W Cable be allowed to increase their rates in accordance with their request, and that the public notice plus the proposed 30-day notice is sufficient to advise the subscribers of the proposed rate increase. The staff is also instructed that no further review is required. Seconded by Council Member Hyde.

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

Council Member Mykland moved to amend the motion to read that the rate increase shall not exceed 10 percent. Seconded by Council Member Nielsen. Voice vote was taken on the motion. The motion was declared failed.

Roll call vote was taken on the motion, resulting as follows:

Ayes: 5 - Hyde, Rasmussen, Stenger, Warnick, and Mayor Sutherland.

Nays: 4 - Ladenburg, McElliot, Mykland and Nielsen.

The motion was declared adopted.

PUBLIC HEARINGS AND APPEALS: (Began at 6:19 p.m.)

- a. Mary Mason appealing the decision of the Hearings Examiner relative to the denial of the reclassification of the property located at 2215 South Railroad Street.

Gary Sullivan, Hearings Examiner, made a presentation regarding the appeal.

Ms. Mary Mason gave the reasons for her appeal.

Mr. George Holvik, Acting Director of Planning, explained the procedures relative to home occupations as covered in City ordinances.

Council Member Nielsen moved to take the appeal under indefinite advisement, pending the outcome of the Planning Commission's suggested changes that would accommodate this particular situation, and to permit the business to carry on in the usual and customary manner that it has up until this point. Seconded by Mayor Sutherland. Voice vote was taken and carried. The motion was declared adopted.

- b. This is the date set for a public hearing to consider proposed amendments to Chapter 13.06 of the Official Code relating to the joint use of public parking facilities by private business entities. (Began at 6:50 p.m.)

Mr. Kevin Foley, Planning Department, gave a presentation regarding the proposed amendments.

Mayor Sutherland called for testimony.

Speaking to the Council were:

Catherine Ursich

Cheryl Miller

Vice President, Old
Tacoma Improvement Club
Citizens Natural Systems
Advisory Committee

Council Member Hyde requested staff to prepare necessary language regarding site specifics concerning this matter.

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

There being no further testimony, Mayor Sutherland declared the public hearing closed at 7:00 p.m.

REPORTS BY CITY MANAGER:

Erling O. Mork, City Manager, requested an Executive Session to discuss pending litigation.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

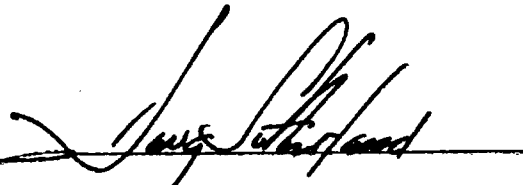
Council Member McElliott requested that the City Manager obtain from the Personnel Department a list of how many people are working for the City on residency waivers, the list should include their department, job title and for how long a period the waivers were granted, and if any waiver extensions were granted.

Mayor Sutherland moved to recess to Executive Session to discuss pending litigation, the Session not to exceed 30 minutes. Seconded by Council Member Stenger. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 7:02 p.m. and reconvened at 7:21 p.m.

Mayor Sutherland moved that the compromise settlements of the claims of Ray H. Sayger, Edward and Jayne Elmke, Don Greco, Alan J. Burrows and Danny Ostberg, et al, be authorized in accordance with the recommendations of the City Attorney. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting adjourned at 7:22 p.m.



DOUG SUTHERLAND, MAYOR

ATTEST:



GENELLE BIRK, CITY CLERK

HPC.6076G

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