

CITY COUNCIL MINUTES

City Council Chambers  
June 7, 1988

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

Present on roll call: 8 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, and Mayor Sutherland. Absent: 1 - Warrnick. (Council Member Warrnick arrived at 5:08 p.m.)

The Flag Salute was led by Council Member Vialle.

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CONSENT AGENDA

Approval of the minutes of the regular meetings of May 24, 1988 and May 31, 1988.

PETITIONS:

George Schilling requesting the reclassification of the property located at Norpoint Way and 29th Avenue Northeast from a "R-3PRO" District to a "C-1" District to allow the development for commercial and office uses. (George Schilling; File No. 120.1256)

Frank S. Mitchell requesting the reclassification of the property located at 5003 Tacoma Mall Boulevard from a "R-2" District to a "C-2" District to allow for a two story 14,999 square foot retail building with individual retail shops. (Frank S. Mitchell; File No. 120.1255)

RESOLUTIONS:

Resolution No. 30057

Setting Tuesday, July 19, 1988 at 9:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate portions of Ferry Street and the alley between Sprague Avenue and Ferry Street south of South Tacoma Way. (Lige & Wm. B. Dickson Co.; File No. 124.874)

Resolution No. 30058

Setting Tuesday, August 2, 1988 at 9:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate a portion of the SR-5 turn-back area on the south side of vacated South 50th Street westerly of the freeway. (Frank S. Mitchell; File No. 124.875)

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**Resolution No. 30062**

Authorizing the submittal of a grant application to the U.S. Department of Labor/Veterans Employment and Training Services in the amount of \$50,000.00 for the provision of outreach case management and employment services to homeless veterans.

**ITEMS FILED IN THE OFFICE OF THE CITY CLERK:**

- a. Hearings Examiner Agenda for Tuesday, June 7, 1988.
- b. Minutes of the meeting of the Landmarks Preservation Commission, May 25, 1988.
- c. Minutes of the meeting of the Public Utility Board, May 11, 1988.
- d. Minutes of the meeting of The Municipal Authority, May 19, 1988.
- e. Monthly Financial Reports of the Belt Line Division, Data Processing Division, Fleet Services Fund, Light Division, Self-Insurance Claim Fund and Water Division, April 1988.

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Council Member Warrick arrived at 5:08 p.m.

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Council Member Nielsen moved that the Consent Agenda, including Resolution Nos. 30057, 30058, and 30062, be approved. Seconded by Council Member Mykland. 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**

**COMMUNICATIONS:**

- a. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.433 to allow the construction of approximately 373 feet of an 8-foot high chain link security fence with gate; the removal of 23 feet of dock; and the construction of a 10 foot by 12 foot welded wire fabric door cover at the Municipal Dock Building located at the northeasterly corner of Dock Street and East 11th Street extended (1025 Dock Street). (Public Works Department; File No. 141.433)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Moss. Roll call vote was taken, resulting as follows: Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warrick, and Mayor Sutherland. Nays: 0. The motion was declared adopted.

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- b. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.432 to allow the installation of a ten-inch barge loading pipeline with a pumping facility and spill control for membrane cell caustic located on the southwesterly side of the Hylebos Waterway, approximately 1/4 mile westerly of East 11th Street at 605 Alexander Avenue. (Occidental Chemical Corp.; File No. 141.432)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Warrick. Roll call vote was taken, resulting as follows: Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warrick, and Mayor Sutherland. Nays: 0. The motion was declared adopted.

- c. Hearings Examiner submitting Shoreline Management Substantial Development/-Unlisted Conditional Use Permit and Amendment to Shoreline Management Substantial Development Permit No. 141.305F to amend Condition A.2 on the previously-approved permit to allow for the conversion of the existing development into primarily office space and the conversion of an existing mixed use development into over-water office space with a retention of an existing restaurant/tavern and public access features on the easterly side of Dock Street south of the 4th Street bridge (535 Dock Street). (Construction Monitoring, Inc., Washington Mortgage Corp.; File No. 141.305 G/H)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Warrick. Roll call vote was taken, resulting as follows: Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warrick, and Mayor Sutherland. Nays: 0. The motion was declared adopted.

- d. Hearings Examiner recommending approval of the request for modifications and the revision of a previously-approved reclassification site plan for the property located in the vicinity of South Sprague Avenue and Interstate 5 at South 64th Street extended to reduce Parcel B to 27,435 square feet. (David V. Shean; File No. 120.1057C)

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

- e. Hearings Examiner recommending approval of the request to modify a previously-approved site plan for the property located between South 23rd Street on the south, Union Avenue on the west, Cedar Street on the east and the Tacoma Elks property on the north, finding that if the basement areas of the office buildings are not designed, constructed, or utilized as habitable or occupiable space, no additional parking is necessary. (Touchstone Development, Ltd.; File No. 120.1143 & 127.250A)

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Council Member Vialle stated that she was a personal friend of Douglas Hobb, Jr., President of Touchstone Development, Ltd., but that it would not influence her vote on this matter.

Mayor Sutherland moved to concur in the recommendations of the Hearings Examiner. 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. 23443

Amending Chapter 13.06 of the Official Code to reclassify the property located on the southwesterly corner of Pearl Street and Westgate Boulevard from a "R-2" One-Family Dwelling District to a "R-2-T" Residential-Commercial Transitional District and a "R-2-PRD" Planned Residential Development District to construct a 54,000 square foot office campus. (Jeffrey Lyon; File No. 120.1111)

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23948

Vacating the south one-half of South 60th Street abutting the west 100 feet of Tract 10 in Mapato Half Acre Tracts to combine with abutting properties for a private accessway and landscaping. (First Line Real Estate, Inc.; File No. 124.844)

Mayor Sutherland moved to approve Ordinance No. 23948, as revised. 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, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance, as revised, was declared passed.

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Ordinance No. 24107

Imposing an interim zoning provision relating to height of structures in the area bounded by SR-16 on the north, Jackson Avenue on the east, South 19th Street on the south, and the City limits on the west.

Mayor Sutherland moved to suspend the rules to consider Substitute Ordinance No. 24107. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Council Member Vialle reviewed the additional revisions to Substitute Ordinance No. 24107.

Mayor Sutherland stated that last week during the first reading of Ordinance No. 24107 it was the intent of the Council to allow for additional public testimony during second reading.

Mayor Sutherland called for public testimony.

Speaking to the Council was:

James Patton

2901 North 32nd Street

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

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warrnick, and Mayor Sutherland.

Nays: 0.

The Substitute Ordinance was declared passed.

Ordinance No. 24109

Authorizing a line of credit in the amount of \$15,000,000.00 to provide a source of borrowing to finance operations of the Electric System of the City and authorizing the issuance of a revenue anticipation note in the amount of \$15,000,000.00.

Mayor Sutherland moved to consider Substitute Page B-1. Seconded by Council Member Warrnick. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved to amend Ordinance No. 24109 on Substitute Page B-1, line 11, to insert the number "24109" following the words "Ordinance No." Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

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

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Harnick, and Mayor Sutherland.

Nays: 0.

The Ordinance, as amended, was declared passed.

Ordinance No. 24112

Amending Sections 8.31.020 and 8.31.030 of the Official Code regarding the abatement of vegetation constituting a fire hazard; and adding "Junk Vehicles" within the definition of "Litter".

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Harnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24113

Authorizing the execution of an agreement with Pierce County in the amount of \$25,000.00 for cable television and communication services; depositing said sum in the General Fund; and appropriating \$25,000.00 for said purpose.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Harnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 24041 (Continued from the meeting of May 24, 1988.)

Amending the Pay and Compensation Plan to establish 1988 rates of pay for unrepresented employees.

Mayor Sutherland moved to continue Ordinance No. 24041 to the meeting of June 21, 1988. Seconded by Council Member Stenger. Voice vote was taken and carried. The motion was declared adopted.

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The Ordinance will be considered at the regular City Council meeting of June 21, 1988.

Council Member Moss moved to set a study session between now and June 21, 1988 for purposes of discussing the appointive unclassified employees' salary in the Pay and Compensation Plan. Seconded by Council Member McElliott.

Roll call vote was taken resulting as follows:

Ayes: 6 - McElliott, Moss, Mykland, Nielsen, Vialle, and Mayor Sutherland.

Nays: 3 - Hyde, Stenger, and Warnick.

The motion was declared adopted.

Ordinance No. 24114

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northeast corner of South 15th Street and Sprague Avenue from a "C-2" Commercial District to a "M-1" Light Industrial District to allow the development of a mini-warehouse storage facility and a file storage facility. (Cleworth Equities; File No. 120.1241)

Deputy Mayor Hyde stated that he serves on the Pierce Transit Board of Commissioners.

Council Member Mykland stated that he is an employee of Pierce Transit and as such would be abstaining from consideration of this matter.

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Warnick. Voice vote was taken and carried with Council Member Mykland abstaining. The motion was declared adopted.

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

Ordinance No. 24115

Submitting a proposition to the voters for an additional six year property tax levy for Emergency Medical Services and calling for a special municipal election for September 20, 1988.

Mayor Sutherland moved to amend Ordinance No. 24115 on Page 2, line 18, by inserting the number "1" to read "Proposition No. 1." Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

Speaking to the Council were:

Dick Sonntag  
Jerome Miling

6626 South Gove Street  
Tacoma resident

The Ordinance, as amended, was set over for final reading next week.

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Ordinance No. 24116

Amending Chapter 6.27 of the Official Code relative to massage parlors and bath houses to repeal the section entitled "Female Attendants."

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Purchase Resolution No. 30059

Awarding contracts to:

1. Tucci and Sons, Inc., on their bid of \$149,165.23 for the Tacoma Narrows Airport apron widening and overlay - Specification No. G-222-88; and
2. Rejecting all bids submitted for the tree planting and beautification program - Specification No. G-227-88.

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

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

Resolution No. 30060

Authorizing the acquisition of one-half acre of tax title property located in the 2700 Block between Hosmer and Sprague Streets abutting Irving playground for open space purposes.

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. 30061

Authorizing the execution of an agreement with Len Simon, Simon and Company, Inc., in the amount of \$5,875.00 to assist with federal legislative issues affecting the City and with various programs and projects important to the City.

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

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PUBLIC HEARINGS AND APPEALS: (Began at 6:14 p.m.)

- a. This is the date set for a public hearing by the City Council to consider the adoption of amendments to Chapter 13.06 of the Official Code regarding the regulation of hazardous waste.

Kevin Foley, Planning Department, gave a presentation regarding the regulation of hazardous waste.

Speaking to the Council was:

Cheryl Miller	3303 North 36th Street
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Mayor Sutherland moved to continue this public hearing to the meeting of June 21, 1988. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

The public hearing will be considered at the regular City Council meeting of June 21, 1988.

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- b. This is the date set for a public hearing by the City Council to consider the Six-Year Comprehensive Street Program for the years 1989-1994 and the Amended 1988 Street Program. (Began at 6:19 p.m.)

Lynn Price, Public Works Department, gave a presentation on the Six-Year Comprehensive Street Program.

Mayor Sutherland called for public testimony.

There being no testimony, Mayor Sutherland declared the public hearing closed at 6:24 p.m.

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REPORTS BY CITY MANAGER:

Erling O. Mork, City Manager, stated that staff had requested an executive session to discuss litigation and labor relations. He also stated that Richard Sokolowski, Labor Relations/Personnel Director, had a residency waiver to present to the Council.

Richard Sokolowski, Labor Relations/Personnel Director, presented a request for a residency waiver to the Council for William Winter, Railway Maintenance Manager, Department of Public Utilities.

Council Member Mykland moved to grant a one-year residency waiver to William Winter. Seconded by Council Member Warrick. Voice vote was taken and carried. The motion was declared adopted.

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COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Warrick requested that staff inquire into the possibility of more stringent regulations for food handling in public places, especially foodmarts that have bins of food and delicatessens that have trays of food with people serving themselves. He felt this would be prudent since the recent outbreaks of hepatitis in the area.

Council Member Warrick reported on a recent waterfront report compiled by the City Club. He stated it was a good report and should be reviewed and incorporated in the City's planning for the area.

Council Member Vielle reported on the American City's Symposium meeting that she attended.

Council Member Mykland stated that the Health Department was currently reviewing area of food handling and also the area of permits and permit fees and would report to Council with that information.

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Mayor Sutherland moved to recess to executive session to discuss litigation and labor relations. The session not to exceed 20 minutes. Seconded by Council Member Warrick. Council recessed to executive session at 6:33 p.m. and reconvened at 6:53 p.m.

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On proper motion, the meeting was adjourned at 6:55 p.m.

ATTEST:

  
GENELLE BIRK, CITY CLERK

  
DOUG SUTHERLAND, MAYOR

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