

CITY COUNCIL MINUTES

City Council Chambers
November 8, 1988

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

Present on roll call: 8 - Hyde, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland. Absent: 1 - McElliott.

The Flag Salute was led by Council Member Warnick.

Council Member Nielsen moved to excuse Council Member McElliott from the November 8, 1988 Council Meeting. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

CONSENT AGENDA

Approval of the minutes of the regular meetings of October 25, 1988 and November 1, 1988 and the joint Tacoma City Council/Public Utility Board Special Meeting of October 31, 1988.

PETITIONS:

Hansen, Hansen & Johnson, requesting the reclassification of the property located at East D and 32nd Streets from a "R-4-L" to a "R-4-T" District to allow for a proposed three story office building with parking.

For referral to the Hearings Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, November 8, 1988.
- b. Minutes of the meeting of the Public Utility Board, October 12, 1988.
- c. Minutes of the meeting of the Landmarks Preservation Commission, October 26, 1988.
- d. Minutes of the meeting of the Tacoma Public Library, Board of Trustees, July 20, 1988.
- e. Minutes of the special meeting of the Tacoma Public Library, Board of Trustees, August 10, 1988.
- f. Summer Pops '88 Final Report.
- g. Total Work Report of the Tacoma-Pierce County Humane Society & S.P.C.A., September 1988.

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- h. Tacoma Public Utilities Preliminary Budget Fiscal Year 1989.
- i. City of Tacoma 1989 Preliminary Program Budget.
- j. City of Tacoma 1989 Preliminary Detail Budget.
- k. Citizens petitions regarding drug use and crime in downtown Tacoma.

Council Member Nielsen moved that the Consent Agenda be approved. Seconded by Council Member Warrnick. 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

FINAL READING OF ORDINANCES:

Ordinance No. 24178

Vacating the northwest corner of North 31st Street and Tyler Street to combine the vacated rights-of-way with the abutting property. (Raymond H. Hayes; File No. 124.863)

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, Moss, Mykland, Nielsen, Stenger, Vialle, Warrnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - McElliott.

The Ordinance was declared passed.

Substitute Ordinance No. 24225

Amending the Pay and Compensation Plan to implement 1988 rates of pay in accordance with collective bargaining agreements with Local 120, AFSCME and amending rates of pay for Police Secretary and Systems Power Dispatcher.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, Moss, Mykland, Nielsen, Stenger, Vialle, Warrnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - McElliott.

The Ordinance was declared passed.

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2

Ordinance No. 24226

Approving and confirming the assessment roll for L.I.D. No. 5666 for the installation of water mains and fire hydrants in East 30th Street from East "R" Street approximately 550 feet east.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, Moss, Mykland, Nielsen, Stenger, Vialle, Warrick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - McElliott.

The Ordinance was declared passed.

Mayor Sutherland proclaimed the week of November 12-19, 1988, to be "Scouting for Food Week," and presented the proclamation to Mr. Alex Shaw of Troop #438.

Mayor Sutherland then introduced Troop 302 of the Mt. Rainier Council.

FIRST READING OF ORDINANCES:

Ordinance No. 24227

Amending Chapter 13.06 of the Official code to reclassify the property located west of Narrows Drive in the vicinity of the Cushman transmission lines, from a "R-1" One-Family Dwelling District to a "R-1-PRD" Planned Residential Development District for the development of Phase IV of the Gold Creek Condominium project. (Highland Pointe Associates; File No. 120.1244)

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

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

Ordinance No. 24228

Amending Chapter 13.06 of the Official Code to reclassify the property located west of Narrows Drive in the vicinity of the Cushman transmission lines, from a "R-1" One-Family Dwelling District to a "R-1-PRD" Planned Residential Development District for the development of Phase II and III of the Gold Creek Condominium project. (Collins Condominium Corporation by Zenczak & Partners Architects; File No. 120.1242)

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

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

Ordinance No. 24229

Authorizing the execution of a grant award contract with the Environmental Protection Agency (EPA) in the amount of \$5,449,946.00; and depositing in and appropriating said sum from the Tacoma Municipal Sewer System Construction Fund for the construction of two pump stations and associated sewage conveyance facilities for the transport of sewage from Western Slopes service area to the Chambers Creek Secondary Treatment Plant.

The Ordinance was set over for final reading next week.

Ordinance No. 24230

Amending Chapter 13.06 of the Official Code to modify current regulations regarding billboards.

Council Member Moss moved to amend Ordinance No. 24230, Section Q.1.b. on page 3, line 7, by striking the sentence: "There shall be a one (1) year time limit on the billboard owner's eligibility to utilize such relocation permits." And inserting the following: "There shall be no time limit on the billboard owner's eligibility to utilize such relocation permits. In the event that a billboard owner wishes to remove a billboard and does not have immediate plans for replacement at a new location, an inactive relocation permit shall be issued. There shall be no time limit on the activation of the inactive permit, and such permits are transferable." Seconded by Council Member Warnick.

Council Members Mykland and Vialle stated that an amendment would also be needed on page 2, lines 24 through 26 to delete the one year restriction.

Council Member Stenger requested that the City Attorney provide a legal opinion regarding the banking proposal. He also questioned whether an annual permit fee would be an option.

Council Members Moss, Warnick and Mykland spoke regarding the proposed motion.

Speaking to the Council on the motion was:

Tim Strege
Peter DeLaunay
Carl Teitge

Ackerley Communications
President, Seattle Area
Advertising Council
Planning Commission

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4

Roll call vote was taken resulting as follows:

Ayes: 5 - Hyde, Moss, Mykland, Vialle, and Warnick.

Nayes: 3 - Nielsen, Stenger, and Mayor Sutherland.

Absent: 1 - McElliott.

Council Member Moss moved to further move to amend Section Q.9 of Ordinance No. 24230 on page 5, line 4, by adding the following language after the words "thirty-five feet": "except for the industrial/tide-flat area of the City bounded by the Tacoma City Waterway, Marine View Drive, and Puyallup Avenue, where the maximum height shall be forty-five feet."

Seconded by Council Member Nielsen.

After discussion, the motion was amended to read: "except for the M-3 zoning of the Port Industrial area, where the maximum height shall be forty-five feet."

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

Ayes: 8 - Hyde, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nayes: 0.

Absent: 1 - McElliott.

The motion was declared adopted.

Council Member Stenger moved to amend Section Q.7 of Ordinance No. 24230 to delete the entire section and add:

7. No billboard shall be located on, in or within 150 feet of:
 - a. A residential or shoreline district; or
 - b. Any publicly owned open space, playground, park or recreational property as recognized in the adopted "Recreation and Open Space Facilities Plan" as amended; or
 - c. Any church or school; or
 - d. Any designated historic district, whether on the Federal, State or local registers of historic properties.

Seconded by Council Member Warnick.

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5

After discussion, Council Members Stenger and Warnick accepted as a friendly amendment the change of 150 feet to 100 feet.

Council Member Vialle moved to add an item e. to the proposed amendment to read: "Except 150 feet of the Shoreline District." Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken on the amendment resulting as follows:

Ayes: 8 - Hyde, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nayes: 0.

Absent: 1 - McElliott.

The amended motion was declared adopted.

Council Member Warnick moved to amend Ordinance No. 24230 on page 2, line 26, by inserting a period after "1988" and deleting the words "and which have been constructed within one year of the passage of this ordinance." Seconded by Council Member Mykland. Roll call vote was taken on the amendment resulting as follows:

Ayes: 5 - Hyde, Moss, Mykland, Vialle, and Warnick.

Nayes: 2 - Nielsen and Mayor Sutherland.

Absent: 2 - McElliott and Stenger.

The motion was declared adopted.

Deputy Mayor Hyde moved to amend Section Q.1.d of Ordinance No. 24230 by adding the following language on page 3, line 22: "The billboard owner shall have the right to accumulate the amount of square footage to be allowed at the owner's discretion to new sign faces and structures permitted under this chapter."

Seconded by Council Member Vialle.

Speaking to the Council was:

Tim Strege

Ackerley Communications

Roll call vote was taken on the amendment resulting as follows:

Ayes: 6 - Hyde, Moss, Mykland, Vialle, Warnick, and Mayor Sutherland.

Nayes: 0.

Absent: 3 - McElliott, Nielsen, and Stenger.

The motion was declared adopted.

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6

Council Member Hyde further moved to amend Section Q.4.a of Ordinance No. 24230 by striking the following language on page 4, lines 5 and 6:

"two (2) billboard structures having not more than a total of"

Seconded by Council Member Mykland.

Speaking to the Council was:

Tim Strege

Ackerley Communications

Roll call vote was taken on the amendment resulting as follows:

Ayes: 5 - Hyde, Moss, Mykland, Nielsen, and Vialle.

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

Absent: 1 - McElliott.

The motion was declared adopted.

Council Member Mykland moved that all pending permits must meet the new ordinance requirements.

Robert Backstein, City Attorney, stated that the courts have generally given vested rights to the billboard owners on ordinances of this type.

Council Member Mykland requested that staff contact industry representatives and see if they would agree to this.

Council Member Mykland withdrew his motion.

Council Member Mykland moved that no billboard face shall remain blank for more than ten (10) days and after ten days a \$100 penalty would be levied, after thirty (30) days the permit would be revoked. Seconded by Council Member Vialle.

Roll call vote was taken resulting as follows:

Ayes: 2 - Mykland and Vialle.

Nays: 6 - Hyde, Moss, Nielsen, Stenger, Warnick, and Mayor Sutherland.

Absent: 1 - McElliott.

The motion was declared failed.

Speaking to the Council on the ordinance, as amended, were:

Peter DeLaunay

President, Seattle Area
Advertising Council
Business Systems, Inc.

Diane Cutler

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Council Member Warnick requested that staff look at an appropriate fee for the banking proposal.

Mayor Sutherland stated that this ordinance, as amended, would be considered at next week's City Council meeting of November 15, 1988, which would be at Northeast Tacoma Elementary School, 5412 - 29th Street N.E. He also stated that the Council meeting would not be broadcast live, but rather would be time delayed to November 16, 1988, at 5:00 p.m.

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

Ordinance No. 24230 (Ad Hoc Committee Version)

Amending Chapter 13.06 of the Official Code to modify current regulations regarding billboards.

Council Member Warnick moved to table Ordinance No. 24230 (Ad Hoc Committee Version). Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance (Ad Hoc Committee Version) was tabled.

Ordinance No. 24231

Amending the Pay and Compensation Plan to create 27 new classifications, to amend 4 classification titles and to adjust the rates of pay for 8 classifications relating to the Ewing Study.

Speaking to the Council was:

Linda McNairy 501 South 7th Street

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 30224

Awarding contracts to:

1. Tacoma Daily Index in the amount of \$19,501.00 to increase their contract for official city printing - Purchase Order No. 23207;
2. Tucci & Sons, Inc., on their bid of \$63,210.81 for the East 15th bridge replacement, Unit "B" roadway completion at "A" Street, curb and sidewalk construction on South 15th Street at "A" Street - Specification No. G-206-88;
3. Pape and Sons Construction, Inc., on their bid of \$72,669.00 for storm line extension at Sheridan Avenue, South 92nd Street to South 88th Street - Specification No. G-265-88;

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4. Madsen Electric, on their bid of \$49,236.50 for traffic signalization at South 56th and Tyler Streets - Specification No. G-268-88;
5. Western Peterbilt, Inc., in the amount of \$9,000.00 to increase their purchase order for truck parts for Peterbilt Trucks - Open Purchase Order No. 23056;
6. Rejecting all bids submitted for eight small station wagons - Specification No. G-095-88; and
7. Rejecting all bids submitted for the 14th Year hazardous sidewalk replacement - Specification No. G-272-88;

Deputy Mayor Hyde moved that the Purchase Resolution be adopted, including removing Purchase Item No. 4. Seconded by Council Member Mykland.

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

Resolution No. 30225

Identifying as areas of concern those issues as set forth in the City's "Legislative Policy Statements for the 1989 Session of the Washington State Legislature."

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

Council Member Stenger moved to strike the word "downtown" as it relates to housing in the draft Legislative Priorities under Economic Development Housing and insert the word "inner-city" and also under the Legislative Policies' statements for the 1989 session of the Washington State Legislature, to substitute the word "inner-city" for the word "downtown," and to add the words "and nearby neighborhoods" wherever it refers to the "Central Business District." Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Hyde stated that he had requested information on water conservation from the Department of Public Utilities on the use of low-volume toilets. He stated that Public Utilities would support such changes, but that it should be done at the state level with a change to the State Plumbing Code/Uniform Building Code. He requested that the Council make this their legislative intent and direct staff to contact other jurisdictions for support for this measure.

Council Member Vialle stated that since Council had adopted the resolution supporting the University of Washington Plan and the resolutions of the South Puget Sound Higher Education Committee, she requested that this be part of the City's legislative package.

Voice vote was taken and carried. The Resolution was declared adopted.

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Resolution No. 30226

Adopting the revised rate schedule for use of the Tacoma Dome Facilities.

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. 30227

Authorizing that the City proceed as the sole responsible party for Superfund investigation and cleanup of the Tacoma landfill; and establishing that it is not the intent of the City to involve other potential responsible parties in the process.

Deputy Mayor Hyde moved that the Resolution be adopted. Seconded by Council Member Mykland. Voice vote was taken and carried, with Council Member Valle voting nay. The Resolution was declared adopted.

Resolution No. 30228

Authorizing the execution of an agreement with Elvin J. Vandeberg of the firm of Kane, Vandeberg, Hartinger & Walker in the amount of \$35,000.00 for the provision of legal services in connection with sick leave claims by various police and fire personnel.

Deputy Mayor Hyde moved that the Resolution be adopted. Seconded by Council Member Warrick.

Speaking to the Council was:

Louse Batchelor

5123 North 45th Street

Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 30229

Authorizing the execution of an agreement with Washington Womens Employment and Education, Inc., in the amount of \$16,000.00 to operate Project Self-Sufficiency.

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

Resolution No. 30230

Authorizing the execution of an amendment to the agreement with the Martin Luther King Ecumenical Center for the increased cost for rehabilitation of an emergency shelter for homeless single women and single women with children at 1412 South "I" Street.

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

Resolution No. 30231

Approving the Three Year Housing Assistance Plan for the period October 1, 1988 through September 30, 1991.

Council Member Nielsen moved to continue Resolution No. 30231 to the meeting of November 22, 1988. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting of November 22, 1988.

UNFINISHED BUSINESS:

Mayor Sutherland moved to reconsider Resolution No. 30199 and to amend lines 9, 20, and 21 by deleting the words: "and shall continue in the auditorium at the Northeast Tacoma Elementary School, 5412 - 29th Street N.E., on November 15, 1988 at approximately 5:30 p.m." Seconded by Council Member Warrick. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland stated that all the budget hearings will now take place in the Tacoma City Council Chambers. The Tuesday, November 15, 1988, Council meeting will still be at Northeast Tacoma Elementary School; but there will be no budget hearing on that date.

On proper motion, the meeting was adjourned at 7:36 p.m.

ATTEST:


GENELLE BIRK, CITY CLERK


DOUG SUTHERLAND, MAYOR

WPC. 8763.G

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11