

CITY COUNCIL MINUTES

City Council Chambers
May 15, 1990

The meeting was called to order at 5:05 p.m.

Present on roll call: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

The Flag Salute was led by Council Member Evans.

CONSENT AGENDA

PETITIONS:

The Mueller Group, requesting the reclassification of the property located at 29th Street N.E. and 62nd Avenue N.E. from a "R-2" District to a "R-4-L" District. (The Mueller Group; File No. 120.1313)

For referral to the Hearing Examiner.

RESOLUTIONS:

Resolution No. 30879

Setting Tuesday, June 26, 1990, at 1:30 p.m. as the date for a hearing by the Hearing Examiner on the request to vacate 19th Street N.E. between 64th and 65th Avenues N.E. (Howard Bryan; File No. 124.917)

Resolution No. 30881

Setting Tuesday, June 26, 1990, at 1:30 p.m. as the date for a hearing by the Hearing Examiner on the request to vacate a portion of the south three feet of North 17th Street abutting 1607 North Alder Street. (Allan Lawrence; File No. 124.916)

Resolution No. 30882

Setting Tuesday, July 17, 1990, at 10:30 a.m. as the date for a hearing by the Hearing Examiner on the request to vacate a triangular parcel of land along the westerly side of South Tacoma Way in the vicinity of South 28th Street. (Star Ice & Fuel, Inc.; File No. 124.904)

Resolution No. 30883

Setting Tuesday, May 22, 1990, at approximately 5:30 p.m. as the date for a public hearing to consider interim policies to amend the "Generalized Land Use Plan" to provide for additional review of "R-1" and "R-2" zoned properties when being considered for other zoning.

Resolution No. 30884

Approving the final plat for HOKOLD'S 10th ADDITION to subdivide a parcel of land in the vicinity of South 92nd Street into eight residential building lots. (Oscar T. and Olivann Hokold; File No. 125.299)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, May 15, 1990.
- b. Minutes of the meeting of the Tacoma Planning Commission, April 16, 1990.
- c. Minutes of the meeting of the Public Utility Board, April 11, 1990.
- d. Minutes of the meeting of the Tacoma Public Library, Board of Trustees, January 17, 1990.
- e. Minutes of the special meeting of the Tacoma Public Library, Board of Trustees, February 27, 1990.
- f. Minutes of the meeting of the Tacoma-Pierce County Board of Health, April 4, 1990.
- g. Consolidated Financial Statements for TCI West, Inc. and Subsidiaries for December 31, 1989 and 1988 (with independent Auditors' report thereon).

Council Member Nielsen moved that the Consent Agenda, including Resolution Nos. 30879, 30881, 30882, 30883 and 30884, be approved. Seconded by Council Member Warnick. 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. Hearing Examiner recommending approval, subject to conditions, of the request for modification of a "C-2" Commercial District reclassification to allow the development of a shopping center instead of an automobile dealership at the northwest corner of South 74th Street and Tacoma Mall Boulevard. (Lyon Commercial Real Estate, Inc.; File Nos. 120.1291 & 120.1159A) (Continued from the meeting of May 8, 1990.)

Council Member Mykland moved to remand this matter to the Hearing Examiner. Seconded by Council Member McElliott.

Deputy Mayor Stenger requested clarification from Council Member Mykland as to why the Council was sending it back to the Hearing Examiner.

Council Member Mykland stated that the Hearing Examiner should review the matter and the overall impact on the area around this particular development and the overall collective impact on the Alaska and Wapato area.

Deputy Mayor Stenger stated that the motion should include that the Council did not agree specifically with one of the conclusions of the Hearing Examiner's recommendation and state specific reasons for the remand.

Mayor Vialle stated that the motion should indicate that Council did not agree with the Hearing Examiner's findings to rezone the property from "R-5" to "C-2" and that the Council did not agree with allowing the modification to occur from an automobile dealership to a full shopping center.

Deputy Mayor Stenger expressed concerns regarding the amount of buffer and landscaping regarding Condition No. 3 on page 4 of the Hearing Examiner's Order.

Deputy Mayor Stenger moved a substitute motion to refer this matter back to the Hearings Examiner expressly for Condition number 3 of page 4 of his Order for Reconsideration to look at the buffer, landscaping, and grading of this particular property. Seconded by Council Member Mykland.

After discussion, roll call vote was taken on the motion resulting as follows:

Ayes: 6 - Evans, Miller, Moss, Mykland, Stenger, and Mayor Vialle.

Nays: 3- McElliott, Nielsen, and Warnick.

The motion was declared adopted. The matter was remanded to the Hearing Examiner.

- b. Hearing Examiner recommending approval of the request to increase the size of a previously-approved retail building on the southerly portion of a site on the east side of East "M" Street north of East 72nd Street by 500 square feet. (Berry & Berry (E.J. Rody & Sons); File No. 120.1100A)

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

FINAL READING OF ORDINANCES:

Ordinance No. 24591

Amending Chapter 13.06 of the Official Code to reclassify the property located on the west side of South Puget Sound Avenue north of South 76th Street from a "R-2" One-Family Dwelling District to a "C-2" Commercial District to allow the expansion of a retail auto sales lot. (Robert L. Larson; File No. 120.1294)

Roll call vote was taken, resulting as follows:

Ayes: 4 - Miller, Moss, Stenger, and Warnick.

Nays: 4- Evans, McElliott, Mykland, and Mayor Vialle.

Absent: 1 - Nielsen.

The Ordinance was declared failed.

Council Member Warnick changed his vote from an aye to a nay for purposes of reconsideration next week.

Ordinance No. 24624

Granting a franchise to Sol-Pro, Inc., for the operation of a standard gauge railroad track across a portion of Alexander Avenue near the 1800 block.

Mayor Vialle moved to continue Ordinance No. 24624 to the meeting of May 22, 1990. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance will be considered at the regular City Council meeting of May 22, 1990.

Ordinance No. 24634

Authorizing the acceptance of three copies of the video film "ICE" from Visions Video Production for use by the Police Department in its efforts to prevent and stop drug abuse.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24638

Authorizing the acceptance of donations from Budget Signs, Whittier PTA, Busy Bee Cafe, Joseph Warren-Lodge #235, Diana & Michael Hunt, Sulev Jarvits, Joe & Faye Carlson, Tacoma-Pierce County Insurance Women, Susan K. Knobeloch and James L. Walton in the total amount of \$370.00; depositing said sum in the Miscellaneous Trust Summary Fund and appropriating \$6,370.00 from the Miscellaneous Trust Summary Fund for expenses associated with the Police Department DARE program.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

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The Ordinance was declared passed.

Ordinance No. 24639

Appropriating \$295,000.00 from the Cumulative Reserve Radio Communications Capital Outlay Fund to provide for capital outlay expenses of the City Radio System; and declaring an emergency, making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24640

Determining and decreeing that Pierce County shall not exercise any powers regarding levels and types of solid waste service for any aspect of solid waste handling in the City of Tacoma.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Mayor Vialle proclaimed the week of May 20-26, 1990, to be "Public Works Week," and presented the proclamation to Mr. Ben Thompson of the Public Works Department.

Ordinance No. 24641

Amending Chapter 1.12 of the Official Code to revise classification titles, rates of pay, and add a new classification due to a reorganization in the Public Works Department and implement negotiated agreements with IBEW Local 483, County and City Employees Local 120, Police Local 6 and Teamsters Local 599.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Warnick, and Mayor Vialle.

Nays: 0.

Absent: 1 - Stenger.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 24637 (Continued from the meeting of May 8, 1990.)

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northwest corner of South 74th Street and Tacoma Mall Boulevard from a "R-5PRD" Planned Residential Development District to a "C-2" Commercial District to allow the development of a shopping center. (Lyon Commercial Real Estate, Inc.; File No. 120.1291)

Deputy Mayor Stenger moved to table Ordinance No. 24637. Seconded by Mayor Vialle.

Mayor Vialle moved that Ordinance No. 24637 be brought back at the time the revised Communication Item A is brought back before the Council. (Lyon Commercial Real Estate, Inc.; File Nos. 120.1291 and 120.1159A.)

Voice vote was taken and carried, with Council Member Nielsen voting nay. The motion was declared adopted.

Ordinance No. 24367 was tabled.

Ordinance No. 24642

Authorizing the execution of an agreement with the State of Washington for a grant from the Local Development Matching Fund to create a development entity for the Union Station District; accepting a \$25,000.00 grant from the State of Washington; and depositing said sum in the Community Development Grants Summary Fund; appropriating said sum for the Union Station Project; approving an amendment to the 1989-90 15th Year Community Development Final Statement of Objectives and Use of Funds to add the Union Station Project; and appropriating \$36,780.00 from the Community Development Grants Summary Fund as a match for the State Grant.

The Ordinance was set over for final reading next week.

Ordinance No. 24643

Amending Chapter 13.06 of the Official Code to reclassify the property located at the east side of Tacoma Mall Boulevard between South 62nd and South 64th Streets from a "R-2-T" Residential Commercial Transitional District to a "C-2" Commercial District to allow the development of a 4,600 square foot retail building. (Sprague Street Associates; File Nos. 120.1303 & 122.442)

Deputy Mayor Stenger moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

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

Ordinance No. 24644

Authorizing the City Attorney to prosecute an action in Superior Court under the right of eminent domain to construct remedial measures upon and obtain the right of access to property located at the northeast corner of the Tacoma Landfill.

The Ordinance was set over for final reading next week.

Ordinance No. 24645

Appropriating and transferring \$80,000.00 from the Tacoma Dome Operating Fund and \$80,000.00 from the General Fund to the Cumulative Reserve Tacoma Dome Fund; and appropriating \$60,000.00 from the Cumulative Reserve Tacoma Dome Fund for Dome roof cleaning.

The Ordinance was set over for final reading next week.

Ordinance No. 24646

Amending Ordinance No. 24053 to establish student/off-hour monthly parking rates and event parking rates for the Park Plaza North and Park Plaza South Parking Facilities.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 30885

Awarding contracts to:

1. Don Small & Sons, Inc., in the amount of \$6,500.00 to increase their contract for motor oil, lubricants and antifreeze – Washington State Contract No. 25-87;
2. Smith Tractor & Equipment Company, in the amount of \$11,400.00 to increase their contract to rent a JD 850 Bulldozer;
3. Truck Center Corporation, on their bid of \$50,230.83 for one single axle cab and chassis with five yard dump body – Specification No. G-029-90;
4. Norris Paint, in the amount of \$17,155.00 for traffic line paint – Washington State Contract No. 259-87;
5. Fasson, in the amount of \$17,866.04 for reflective sheeting – Washington State Contract No. 170-87;
6. Zummar Industries, Inc., in the amount of \$36,780.00 for traffic lane markers – Washington State Contract No. 112A-86;

7. Aratex Services, in the amount of \$142,339.05 to extend their contract for coverall, uniform and linen service - Specification No. G-025-88;
8. RT & T Construction Company, on their bid of \$71,508.52 for sanitary sewer separations at various locations - Specification No. G-212-90; and
9. NuLife Fertilizers, in the amount of \$12,600.00 to increase their contract for nursery supplies - Open Purchase Order No. 35255.

Council Member Mykland moved that the Purchase Resolution be adopted, including waiving the formal bidding procedures on Item Nos. 2 and 9. Seconded by Council Member Evans.

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

Resolution No. 30886

Approving the granting of a sanitary sewer easement along the edge of the Fircrest Substation site to Harlow Construction Company.

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

Resolution No. 30887

Approving the granting of a sanitary sewer easement across a wetland known as Clover Creek Springs to Pierce County.

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

Resolution No. 30888

Authorizing the release of various surplus Light and Water Division easements.

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

Resolution No. 30889

Authorizing the sale of the Spanaway Substation site to RTM Sea-Tac, Inc., for \$250,000.00.

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

Resolution No. 30890

Authorizing the waiver of residency requirements for Mark B. Gamble, Thermal Plant Supervisor.

Council Member Nielsen moved that the Resolution be adopted. Seconded by Council Member Warnick.

Speaking to the Council were:

- | | |
|----------------|--|
| Mike Fleming | City Resident |
| Lon Willits | Business Rep. IBEW 483 |
| Ted Coates | Director, Department of Tacoma
Public Utilities |
| Mozella Pooley | 8041 East Sherwood |

Roll call vote was taken, resulting as follows:

Ayes: 4 – McElliott, Nielsen, Warnick, and Mayor Vialle.

Nays: 4– Evans, Moss, Mykland, and Stenger.

Absent: 1 – Miller.

The Resolution was declared failed.

Council Member Warnick changed his vote from an aye to a nay for purposes of reconsideration next week.

Resolution No. 30891

Authorizing the execution of a supplemental agreement with ABAM Engineers in the amount of \$4,000.00 for consultant and engineering services for the Transient Moorage Facility.

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

Resolution No. 30892

Authorizing the execution of a License Agreement with the Tacoma Express Football Club for use of the Tacoma Dome facilities for two years for professional Minor League Football.

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

Resolution No. 30893

Authorizing the execution of a Master Agreement with Baseball Tacoma, Inc. for use of Cheney Stadium facilities from January 1, 1990 to December 31, 1994.

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

Resolution No. 30894

Designating certain City staff to serve as authorized representatives in communications with Fuji Bank, Ltd., in matters relating to the Letter of Credit Reimbursement Agreement and Federal Courts Project at the Tacoma Union Station.

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

Resolution No. 30895

Providing for special event parking rates at the Park Plaza North and Park Plaza South Parking facilities.

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

Resolution No. 30896

Authorizing the execution of a contract with Burgess, Kennedy & Fitzner, P.S. in the amount of \$50,000.00 to represent the City in the matter of King, et al., vs. City of Tacoma.

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

Resolution No. 30897

Approving the five-year lease agreement with Mrs. Ting-Ling Yeh for office space at 2367 Tacoma Avenue South for the Upper Tacoma Treatment Services.

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

Speaking to the Council was:

Thomas Dixon

Tacoma Urban League

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

REPORTS BY CITY MANAGER:

Ray Corpus, Jr., City Manager, reminded the Council of the Thursday, May 17, Environmental Commission Public Hearing on the draft five-year recycling plan. He also reminded the Council of the Council workshop next Thursday, June 24, which would begin at 5:30 p.m. with a hot meal.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Warnick requested that the City Attorney review the information on residency waivers. He requested that the City Attorney look at the legality of residence waivers outside of the county and those granted outside of the City of Tacoma limits.

Council Member Warnick stated that he found it was very difficult to ever find the Tacoma Tigers baseball schedule and information regarding the team published in the Morning News Tribune. He requested staff to find if there is any way that we can get better publicity in the Morning News Tribune for the Tacoma Tigers.

Council Member Warnick requested that staff inquire of the Morning News Tribune whether instead of putting in the daily count of inmates in the jail that perhaps they could indicate that number of Tacoma public library books currently in circulation.

Council Member Mykland requested that the City Attorney's office share the information they are going to provide Council Member Warnick on residency waivers with all council members.

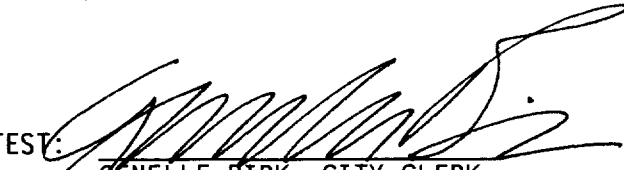
Council Member Mykland thanked the Council for holding over certain items on the agenda from last week to this week.


Council Member McElliott stated that the public should be aware that on the first day of the reopening of the main Tacoma Public Library, there were over 5,000 books checked out.

Council Member McElliott stated that she was still waiting for the transcript of the relocation of a sanitary sewer line near SR-509.

Mayor Vialle stated that she had received a letter regarding recycling written by Barry Connerley from MultiCare Hospital. It indicated that they will not proceed with their incinerator project at this time. They would like to work with Public Works staff regarding a recycling effort. She thanked the MultiCare Hospital staff for working with the City on this matter.

On proper motion, the meeting was adjourned at 7:34 p.m.

ATTEST: 
GENELLE BIRK, CITY CLERK


KAREN VIALLE, MAYOR