

CITY COUNCIL MINUTES

City Council Chambers
April 16, 1985

The meeting was called to order at 5:09 p.m.

Present on roll call: 8 - Bichsel, Hyde, Kirby, Rasmussen, Stenger, Strege, Warrick, and Mayor Sutherland. Absent: 1 - Ladenburg. (Council Member Ladenburg arrived at 6:39 p.m.)

The Flag Salute was led by Council Member Kirby.

Mayor Sutherland called on Ms. Jenny Allen, Human Rights Department, who then assisted with presenting prizes to the Fair Housing Poster Contest winners. The winners were as follows: Linda Womack (first place - Sheridan Elementary School), Shahroum Allen (Second place - Life Christian School), Brigid Regan (third place - Sheridan Elementary School), Howard Pepin (fourth place - Mason Junior High School), and Audrey Koleber (fifth place - Sheridan Elementary School).

CONSENT AGENDA

RESOLUTIONS:

Resolution No. 28728

Authorizing the execution of a concomitant agreement with Chi H. Lee and Soon A. Lee relative to construction of a convenience store at 5014 Center Street.

Resolution No. 28729

Setting Monday, May 13, 1985 at 5:00 P.M. as the date for a public hearing by the Hearings Examiner on L.I.D. No. 5664 for the construction of a water main in South 85th Street from a point 135 feet west to approximately 230 feet east of South "J" Street.

Resolution No. 28730

Authorizing the execution of a concomitant agreement with Centron Properties Corporation relative to the development of Phase I of the Westridge project located in an area generally bounded by the Burlington Northern right-of-way, the southwest by Vista Place, and the east by private property, with the easterly boundary of the site being approximately one-quarter mile west of Grandview Drive.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda, Tuesday April 16, 1985.
- b. Citizen's Petition protesting Resolution 28667 relative to making Broadway a one-way street and adding angle back-in parking.

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

- c. Minutes of the meeting of the Landmarks Preservation Commission, March 27, 1985.
- d. Minutes of the meeting of the Municipal Authority, March 21, 1985.
- e. Minutes of the meeting of the Public Utility Board, March 27, 1985.
- f. Minutes of the meeting of the Tacoma Employees' Retirement Board, February 28, 1985.

Council Member Bichsel moved that the Consent Agenda, including Resolution Nos. 28728, 28729, and 28730, be approved. Seconded by Council Member Rasmussen. Voice vote was taken and carried. The Consent Agenda was declared approved.

REGULAR AGENDA

FINAL READING OF ORDINANCES:

Ordinance No. 23114

Vacating a portion of Puyallup Avenue southeasterly of East "Q" Street. (Andrews Fixture Company, Inc.; File No. 124.754)

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hyde, Kirby, Rasmussen, Stenger, Strege, Warrick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Ladenburg

The Ordinance was declared passed.

Ordinance No. 23339

Amending Chapter 13.06 of the Official Code to reclassify the east side of Pacific Avenue approximately 110 feet north of South 88th Street extended, from an "R-4LT" Residential Commercial Transitional Dwelling District to a "C-2" Commercial District to allow development of a chainsaw, lawn mower, saw and tool sharpening and repair business. (Clifford H. Campbell; File No. 120.1102)

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hyde, Kirby, Rasmussen, Stenger, Strege, Warrick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Ladenburg

The Ordinance was declared passed.

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Ordinance No. 23377

Providing for the formation of L.I.D. No. 8423 for the placement of permanent paving on South Woodlawn Street from South 12th Street to South 19th Street.

Peter Kram, Hearings Examiner, stated that the remonstrance on L.I.D. No. 8423 had increased to 63.6%.

Council Member Rasmussen moved to deny the formation of L.I.D. No. 8423. Seconded by Council Member Hyde.

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

Ayes: 8 - Bichsel, Hyde, Kirby, Rasmussen, Stenger, Strege, Warrick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Ladenburg.

The motion was declared adopted.

Formation of L.I.D. No. 8423 was denied.

Ordinance No. 23378

Providing for the formation of L.I.D. No. 8426 for the placement of cement concrete paving in the alley between North Washington and North Adams Streets from North 12th Street to North 13th Street.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hyde, Kirby, Rasmussen, Stenger, Strege, Warrick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Ladenburg.

The Ordinance was declared passed.

Ordinance No. 23379

Providing for the formation of L.I.D. No. 8429 for the placement of permanent paving on South 88th Street from South "M" Street to Sheridan Avenue and South 85th Street from Thompson Avenue to South "J" Street.

Council Member Kirby moved to continue Ordinance No. 23379 to the meeting of April 30, 1985. Seconded by Council Member Hyde. 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 April 30, 1985.

Mayor Sutherland proclaimed the week of April 21-27, 1985, to be "Professional Secretaries' Week," and presented the proclamation to Ms. Connie Bergeron, Ms. Gen Gellerwas, and Ms. Billie Miller of the Mt. Rainier Chapter of Professional Secretaries.

FIRST READING OF ORDINANCES:

Ordinance No. 23380

Accepting and appropriating the sum of \$369,400.00 from the Miscellaneous Trust Summary Fund for the purpose of implementing the Rental Rehabilitation Program.

The Ordinance was set over for final reading next week.

Council Member Harnick moved to suspend the rules to reconsider Ordinance No. 23372. Seconded by Council Member Stenger. Roll call vote was taken, resulting as follows: Ayes: 5 - Hyde, Rasmussen, Stenger, Harnick, and Mayor Sutherland. Nays: 2 - Bichsel and Strege. Absent 2 - Kirby and Ladenburg. The motion was declared adopted.

Ordinance No. 23372

Amending Chapter 12.06 of the Official Code relative to the Electric Energy regulations and rates to take effect May 1, 1985.

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

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

Nays: 3 - Bichsel, Kirby, and Strege.

Absent: 1 - Ladenburg.

The Ordinance was declared passed.

Ordinance No. 23381

Appropriating \$7,000,000.00 from the Cumulative Reserve Fund for Supplemental Purchases of Electric Energy for the purpose of paying the increased costs of purchasing Electric Energy to serve the needs of the customers of the Light Division of the Department of Public Utilities for the year 1985 and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 23383

Appropriating \$225,000.00 from the Vacated Street Right-of-Way Fund to assist the Metropolitan Park District in purchasing shoreline property located on Ruston Way, and authorizing execution of an agreement with the Metropolitan Park District.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 28731

Awarding Contracts to:

1. Courtwright Diesel and Machine, Inc. on their bid of \$11,687.68 for emergency repairs to Engine No. 15;
2. South Tacoma Motor Company on their bid of \$32,365.96 for two 1-ton battalion chief vans - Specification No. G-024-85;
3. Osaka Brothers Construction Company on their bid of \$85,393.77 for crushing, hauling and stockpiling aggregates - Specification No. G-043-85;
4. Lige & Wm. B. Dickson Company on their bid of \$23,732.50 for street grading on East 26th Street from East "N" Street to Portland Avenue - Specification No. G-055-85;
5. Standard Parts Corporation on their bid of \$11,408.04 for annual automotive filter bid - Specification No. G-038-85; and
6. Sound Battery Company, Inc. on their bid of \$12,530.38 for increase for automotive batteries - Specification No. G-045-84.

Council Member Bichsel moved that the Purchase Resolution be adopted. Seconded by Deputy Mayor Strege.

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

Resolution No. 28732

Authorizing the execution of an agreement with the South King County Regional Water Association and four associated utilities for the purchase of 15 million gallons of water per day from the Water Division's proposed second Green River diversion, the Pipeline 5 Project, and for assistance with the funding of the City's financing costs for the Project.

Mayor Sutherland moved to continue Resolution No. 28732 to the meeting of April 30, 1985. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

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The Resolution will be considered at the regular City Council meeting of April 30, 1985.

Resolution No. 28733

Authorizing the execution of Amendment No. 2 to the Consulting Engineering Agreement in the amount of \$30,000.00 with Parametrix, Inc. to perform Value Engineering (V.E.) of revisions to designs, plans and specifications for the proposed secondary treatment facilities at the Central Treatment Plant.

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

Resolution No. 28734

Authorizing the execution of Sixth Amendment to the Consulting Engineering Agreement with PRC Engineering, Inc. to perform Value Engineering (V.E.) of design, plans and specifications prepared by Parametrix, Inc. and City staff for the proposed Central Wastewater Treatment Plant outfall sewer to Commencement Bay.

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

Resolution No. 28735

Authorizing the execution of a lease agreement with the Old National Bank for space in the Tacoma Municipal Building parking lot for a drive-in banking facility.

Council Member Hyde moved that the Resolution be adopted. Seconded by Council Member Kirby.

Council Member Rasmussen stated that his firm has had business dealings with, and he currently has accounts with, Old National Bank, but that would not affect his decision in this matter.

Mayor Sutherland stated he also has had business dealings with, and currently has a mortgage with, Old National Bank, but this would not affect his decision in this matter.

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

Resolution No. 28736

Authorizing the execution of an agreement with Preston, Thorgrimson, Ellis & Holman for the provision of legal services in connection with securing interim and long-term financing to implement a plan of improvements for the Secondary Sewage Treatment Project.

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Deputy Mayor Strege moved to suspend the rules to consider Substitute Resolution No. 28736. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

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

Resolution No. 28737

Authorizing the execution of agreements with Aetna Life Insurance and Annuity Company and International City Manager's Association Retirement Corporation to establish the deferred compensation plans for City employees to augment the City's present plan.

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

Deputy Mayor Strege moved to amend page 1, line 13, following the comma after "ALIAC," to insert the words "the Hartford Company," and amend page 1, line 25, to strike the word "two" and insert the word "three." Seconded by Mayor Sutherland. Voice vote was taken and carried. The motion was declared adopted.

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

UNFINISHED BUSINESS:

(Ordinance No. 23372 was reconsidered earlier in the meeting.)

REPORTS BY CITY MANAGER:

Council Member Warrick thanked the City Manager and staff for providing a response to a prior question of his in an expeditious manner.

Council Member Kirby brought to the attention of the Council a questionable practice that occurred at the recent "Chicago" concert. He stated that at a prearranged time fans "spontaneously" rushed down from their seats to the event stage. He had discovered that this practice was condoned by staff and permitted by event security. He further stated that he felt this practice was extremely dangerous and should be stopped. He requested a response from staff on this matter.

Deputy Mayor Strege stated that he had a concern about the lack of any announcement during the "Chicago" concert that no smoking was allowed in the arena area. He noted that there is no law pertaining to this matter. He requested an ordinance that would prohibit smoking in the arena area during a concert.

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Mayor Sutherland stated that Saturday, April 13, 1985, was the last game of the season for the Tacoma Stars soccer team and that the first game of the next season would be in November of 1985. He then stated that the forthcoming weekend would be the opening baseball game of the Tacoma Tigers.

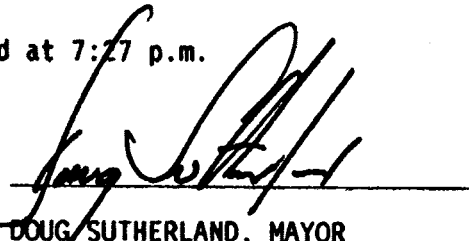
Mayor Sutherland moved to recess to Executive Session to discuss personnel matters and litigation. Seconded by Council Member Ladenburg. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 6:43 p.m. and reconvened at 7:25 p.m.

Mayor Sutherland moved that the City Attorney, and other duly appointed officers of the City, be authorized to settle a disputed claim with Patrick L. Johnson and Gayle Johnson, his wife, against the City of Tacoma for attorney's fees incurred as the result of actions taken on behalf of the City, and for dismissal of an appeal challenging the position of Police Chief as being that of a classified position. This settlement shall be in an amount not to exceed \$35,000.00 and shall release all present or future liability involving the City of Tacoma, its officers, and/or agents.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

On proper motion, the meeting adjourned at 7:27 p.m.



DOUG SUTHERLAND, MAYOR

ATTEST:



GENELLE BIRK, CITY CLERK

WPC.1635G

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