

CITY COUNCIL MINUTES

City Council Chambers  
April 2, 1985

The meeting was called to order at 5:06 p.m.

Present on roll call: 9 - Bichsel, Hyde, Kirby, Ladenburg, Stenger, Strega, and Harnick. Absent: 2 - Rasmussen and Mayor Sutherland. Council Member Rasmussen arrived at 6:27 p.m.

The Flag Salute was led by Council Member Bichsel.

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CONSENT AGENDA

Approval of the minutes of the regular meetings of March 19, 1985.

RESOLUTIONS:

Resolution No. 28707

Authorizing the execution of an concomitant agreement with Fred Meyer Real Estate Properties, Ltd. relative to a "C-P-C" Planned Community Shopping Center District located on the southwest corner of South 72nd and Pacific Avenue.

Resolution No. 28708

Setting Monday, April 22, 1985 at 5:00 p.m. as the date for hearing by the Hearings Examiner L.I.D. No. 2596 for 2-inch asphalt surface treatment on South 49th Street from South Cushman Avenue to South Alaska Street, South 86th Street from South Thompson Avenue to South "M" Street, South Thompson Avenue from South 59th Street to South 61st Street, and Tacoma Avenue South from South 91st Street to South 92nd Street.

Resolution No. 28709

Setting Monday, April 22, 1985 at 5:00 p.m. as the date for hearing by the Hearings Examiner L.I.D. No. 3877 for construction of sanitary sewers in 57th Avenue Northeast from a point 150 feet south of 27th Street Northeast to 25th Street Northeast.

Resolution No. 28710

Setting Tuesday, May 7, 1985 at 6:00 p.m. as the date for a public hearing by the City Council on the proposed amendments to Chapter 13.06 of the Official Code relative to establishing a commercial sign code for certain of the City's commercial and industrial zoning districts.

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ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the meeting of the Appointments Committee, March 18, 1985.
- b. Minutes of the meeting of the Civil Service Board, February 25, 1985.
- c. Minutes of the meeting of the Human Rights Commission, February 21, 1985.
- d. Minutes of the meeting of the Landmarks Preservation Commission, March 13, 1985.
- e. Minutes of the meeting of the Public Utility Board, February 27, 1985.
- f. Minutes of the meeting of the Tacoma Arts Commission, February 19, 1985.
- g. Minutes of the meeting of the Tacoma Beautification Committee, February 20, 1985.
- h. Minutes of the meeting of the Tacoma Employees' Retirement System Investment Committee, February 22, 1985.
- i. Minutes of the meetings of the Tacoma Planning Commission, February 20, and March 4, 1985.
- j. Minutes of the meeting of the Tacoma Public Library Board of Trustees, January 16, 1985.
- k. Department of Public Utilities, Annual Budget Analysis, 1984.

Council Member Bichsel moved that the Consent Agenda, including Resolution Nos. 28707, 28708, 28709, and 28710, be approved. Seconded by Council Member Ladenburg. Voice vote was taken and carried. The Consent Agenda was declared approved.

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REGULAR AGENDA

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Resolution No. 28711

Appointing members to various committees, boards, and commissions.

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

COMMUNICATIONS:

- a. Hearings Examiner submitting Findings, Conclusions and Decision relative to modification of the Tacoma South shopping center site plan previously approved on September 11, 1984. (Sterling Recreation Organization; File Nos. 127.215A and 120.916)

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

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Deputy Mayor Strege proclaimed the month of April as "Fair Housing Month" and presented a proclamation to Bill Manion, President, Tacoma-Pierce County Fair Housing Coalition.

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- b. Hearings Examiner recommending modification of a site plan for a proposed apartment complex project to be located in the vicinity of Mason Avenue between South 35th and 36th Street extended west. (Investco; File Nos. 120.1086 and 127.206)

Council Member Hyde 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.

- c. Hearings Examiner recommending approval of the modification of Condition 6d for reclassification of the property located in the vicinity of East 96th and "A" Streets. (Edward Greer; File No. 120.992A)

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

- d. Hearings Examiner recommending approval of the modification of Condition 4 of the Declaration of Land Use Restrictions for reclassification of the property located in the vicinity of South 19th and Union Avenue. (Nineteenth and Union Associates; File Nos. 120.656 and 121.941)

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

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FINAL READING OF ORDINANCES:

Ordinance No. 23365

Authorizing the execution of an agreement with A & C Consultants, Inc. for training services, providing for the deposit of proceeds in the sum of \$10,000.00 in the Miscellaneous Grants Summary Fund, and appropriating said sum from the Miscellaneous Grants Summary Fund.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hyde, Kirby, Ladenburg, Stenger, Strege, and Warrick.

Nays: 0.

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Ordinance No. 23370

Amending the Pay and Compensation Plan to implement 1985 rates of pay for City employees represented by Pierce County and Tacoma City Employees Local 120 AFSCME and International Brotherhood of Electrical Workers Local 483, Water Division, and repealing two Public Assembly Facilities classifications.

The Ordinance was set over for final reading next week.

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CITIZEN'S REQUEST TO BE HEARD: (Began at 6:00 p.m.)

Mr. Glen Galbreath requesting to speak regarding the wheelchair seating at the Tacoma Dome.

Mr. Galbreath spoke to the Council regarding this matter.

Mr. Gebauer, Tacoma Dome, said he would be getting in touch with Mr. Galbreath to handle this matter.

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PUBLIC HEARINGS AND APPEALS: (Began at 6:10 p.m.)

This is the date set for a public hearing on the proposed issuance of Industrial Revenue Bonds by the Economic Development Corporation of Pierce County in the amount of \$6,000,000.00 to Atlas Foundry for acquisition of the existing facilities from the parent company.

Keith Palmquist, Community Development Department, made a presentation to the Council regarding this matter.

Deputy Mayor Strege called for public testimony.

Speaking to the Council were:

Leo Long, Jr.

Dale Carlisle

Tom Neff

President of Atlas Foundry and Machine Company

Attorney for Atlas Foundry and Machine Company

Owner of Progressive Machine Works, Inc.

There being no further testimony, the public hearing was declared closed at 6:27 p.m.

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Deputy Mayor Strege moved to suspend the rules to consider Resolution No. 28718. Seconded by Council Member Hyde. Voice vote was taken and carried.

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Resolution No. 28718

Expressing approval of issuance of Industrial Revenue Bonds in an amount not to exceed \$6,000,000.00 by the Economic Development Corporation of Pierce County on behalf of Atlas Foundry.

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

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Council Member Rasmussen arrived at 6:27 p.m.

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Ordinance No. 23371

Authorizing the execution of a grant award contract with the Washington State Arts Commission in the amount of \$750.00; depositing said sum in the Miscellaneous Grants Summary Fund; and appropriating said sum for the purpose of providing professional assistance in evaluating Arts Commission staff roles and responsibilities, and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

The Ordinance was set over for final reading next week.

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.

Speaking to the Council was:

Ron Nowicki

Representative of Energy  
Task Force of the  
Chamber of Commerce

The Ordinance was set over for final reading next week.

Ordinance No. 23373

Amending Chapter 8.12 of the Official Code relative to Criminal Assault.

The Ordinance was set over for final reading next week.

Ordinance No. 23374

Authorizing the City Attorney to purchase and/or institute and prosecute an action in the Superior Court of the State of Washington under the right of eminent domain for the condemnation and acquisition of certain lands for the Swan Creek Public Open Space Project.

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The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Deputy Mayor Strege moved to consider Resolution No. 28689 after Comments and Committee Reports by Members of the City Council. Seconded by Council Member Hyde. Voice vote was taken and the motion failed.

City Attorney Robert Backstein said he had talked to Dean Phillips, Director of Police Services, and he was ready to give his report to the Council at this time.

Deputy Mayor Strege said that as the motion was defeated the Council would consider Resolution No. 28689 at this time.

Resolution No. 28689 (Continued from the meeting of March 19, 1985.)

Authorizing the execution of an amended agreement with Ticketmaster Northwest for the provision of ticketing services at the Tacoma Dome and the Pantages Centre.

Director Phillips gave his report of findings to the Council.

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

Purchase Resolution No. 28712

Awarding contracts to:

1. Puget Sound Instrument on their bid of \$10,760.38 for a Police Department security system - Specification No. G-015-85;
2. Motorola Communication and Electronics, Inc. on their bid of \$97,435.83 for police personal portable radios with microphones - State Contract 2A-83;
3. Town & Country Service on their bid of 20% average commission for food vending services at the Tacoma Narrows Airport - Specification No. G-021-85; and
4. Moza Construction on their bid of \$17,600.00 for overhead streetlighting on Norpoint Way from Marine View Drive to 29th Street N.E. - Specification No. G-029-85.

Council Member Hyde moved that the Purchase Resolution be adopted and that formal bidding procedures be waived on Item 2. Seconded by Council Member Bichsel.

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

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Resolution No. 28713

Authorizing the execution of a Collective Bargaining Agreement with the International Brotherhood of Electrical Workers, Local 483, Water Division effective January 1, 1985 through December 31, 1986.

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

Resolution No. 28714

Authorizing the execution of a Collective Bargaining Agreement with Pierce County and Tacoma City Employees, Local 120, AFSCME effective January 1, 1985 through December 31, 1986.

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

Resolution No. 28715

Authorizing the execution of a Memorandum of Understanding with Puget Sound Council of Governments to perform a study of traffic access, traffic operations and parking problems relative to use of the Tacoma Dome.

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

Speaking to the Council was:

Ms. Burns

Puget Sound Council of Governments.

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

Resolution No. 28716

Authorizing the execution of a permit to the Port of Tacoma to allow Tacoma Terminals, Inc. to cross portions of City streets in the vicinity of Milwaukee Way and East 11th Street with heavy materials and equipment.

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

Resolution No. 28717

Authorizing the expansion of the functions of the Urban Policy Committee to include review of public service projects funded by the General Revenue Sharing program and extending the existence of the committee until December 31, 1988.

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

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Deputy Mayor Strege moved to suspend the rules to consider Substitute Resolution No. 28717. Seconded by Council Member Hyde. Voice vote was taken and carried.

Substitute Resolution No. 28717

Authorizing the expansion of the functions of the Urban Policy Committee to include review of public service projects funded by the General Revenue Sharing program and the Capital Improvement Program, and extending the existence of the committee until December 31, 1988.

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

Resolution No. 28718

Expressing approval of issuance of Industrial Revenue Bonds in an amount not to exceed \$6,000,000.00 by the Economic Development Corporation of Pierce County on behalf of Atlas Foundry.

This Resolution was adopted earlier in the meeting.

Resolution No. 28719

Ratifying the purchase price of \$4,313.94 for the property located at 1702 Jefferson Avenue for a mini-park.

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. 28720

Authorizing the execution of an avigation easement for roadway purposes over a portion of the Tacoma Narrows Airport property.

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.

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Deputy Mayor Strege announced that the Citizens Request to be Heard and the Public Hearing had been held at 6:00 p.m.

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REPORTS BY CITY MANAGER:

Erling Mork, City Manager, introduced Bonnie Wright of the Human Rights Department, who is the intern in his office for the next three months.

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COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Council Member Hyde reported on the conference he attended in Washington, D.C. last week, held by the National League of Cities, and stated that the news in regard to revenue sharing funds does not look good.

Council Member Bichsel said she got the impression that Congress is willing to phase out federal revenue sharing funds over a two-year period.

Deputy Mayor Strege said there was a citizen complaint regarding SONG'S ADDITION and that the roadway was not the 32 feet that the City normally requires. He requested staff to check into this matter and get a response back to the Council.

Deputy Mayor Strege said he had a suggestion from the Landmarks Preservation Commission in regard to historic districts and structures and preventing demolition to same by reason of neglect. He asked staff to check into laws the City and State have regarding comparable demolition by neglect ordinances and report back to the Council.

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Deputy Mayor Strege moved to recess to Executive Session to discuss litigation and real estate. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 7:06 p.m. and reconvened at 7:35 p.m.

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Council Member Stenger made the following motion:

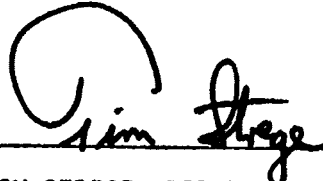
I hereby move, based upon the request of the City Attorney, that the proper officers of the City of Tacoma are hereby authorized and directed to approve a settlement in the lawsuit filed by James A. Knutsen and Jeanine R. Knutsen, husband and wife, against the City of Tacoma, and others, under Pierce County Cause No. 84 2 00158 1; that the proper officers of the City of Tacoma are hereby authorized and directed to approve the settlement of this suit, the lawsuit being dismissed with prejudice, and the City of Tacoma paying to the plaintiffs the sum of \$35,000.00, plus costs in the amount of \$306.81. The City of Tacoma will also provide that the plaintiff, James A. Knutsen, be retained in his present position, and that no malice or prejudice arising from this lawsuit be directed toward or against him in any way, and that he will be retained in his current status and compensation. The proper officers of the City of Tacoma are also authorized to execute a settlement agreement and mutual release from liability by all parties.

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Seconded by Council Member Rasmussen. Voice vote was taken and carried.  
The motion was declared adopted.

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On proper motion, the meeting adjourned at 7:37 p.m.



TIM STREGA, DEPUTY MAYOR

ATTEST:



GENELLE BIRK, CITY CLERK

HPC.1467G

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