

CITY COUNCIL MINUTES

City Council Chambers  
August 15, 1989

The meeting was called to order at 5:12 p.m.

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

The Flag Salute was led by Mayor Sutherland.

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C O N S E N T   A G E N D A

Approval of the minutes of the regular meeting of August 1, 1989.

RESOLUTIONS:

Resolution No. 30536

Setting Tuesday, September 26, 1989, at 10:30 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate various streets and alleys in the vicinity of East "E" Street between East 51st and East 56th Streets. (Allied Commercial Group, Inc.; File No. 124.895)

APPEALS:

Klein/Northwest Restaurants, Inc., appealing the decision of the Hearing Examiner to deny their request for special exception for signs to locate a third freestanding sign at the Tacoma Place Shopping Center. (Klein/Northwest Restaurants, Inc.; File No. 131.22)

Setting Tuesday, September 26, 1989, at approximately 5:30 p.m. as the date for hearing by the City Council.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agendas for Tuesday, August 15, and Tuesday, August 22, 1989.
- b. Minutes of the meeting of the Urban Waterfront Committee, July 12, 1989.
- c. Minutes of the meeting of the Landmarks Preservation Commission, July 26, 1989.
- d. Minutes of the meeting of the Tacoma-Pierce County Board of Health, July 5, 1989.
- e. Minutes of the special meeting of the Tacoma-Pierce County Board of Health, July 17, 1989.

- f. Minutes of the meeting of the Public Utility Board, July 12, 1989.
- g. Minutes of the meeting of the Human Rights Commission, June 15, 1989.
- h. Minutes of the meeting of the Municipal Authority, July 20, 1989.
- i. Minutes of the meeting of the Municipal Authority, Economic Development, July 13, 1989.
- j. Minutes of the meeting of the Civil Service Board, July 17, 1989.
- k. Total Work Report for the Tacoma-Pierce County Humane Society and S.P.C.A., June 1989.
- l. Workload report of the Hearing Examiner, January through June, 1989.
- m. Tacoma Employees' Retirement System 48th Annual Financial Report for the Fiscal Year ending December 31, 1988.
- n. Report of the Director of Finance, June 1989.
- o. Monthly Financial Reports of the Belt Line Division, Light Division, Water Division, Data Processing Division, Fleet Services Fund and Self-Insurance Claim Fund, June 1989.

Council Member Mykland moved that the Consent Agenda, including Resolution No. 30536, be approved. Seconded by Council Member Vialle. 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

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Resolution No. 30537

Appointing members to various committees, boards and commissions.

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

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COMMUNICATIONS:

- a. City Clerk advising that the Civil Service Board has filed proposed Personnel Rule 1.24.575 regarding the Electrical Trades Apprenticeship Program.

Mayor Sutherland advised that this is an informational item only and no action is necessary tonight.

Mayor Sutherland stated that Ordinance No. 24419 will be the first reading of the ordinance relative to this communication item.

- b. City Clerk advising that the petitions entitled "Repeal Special Rights" have been verified as to sufficiency.
- c. City Clerk advising that the petitions entitled "Vote Yes to Repeal Fluoridation" have been verified as to sufficiency.

There was a discussion regarding the initiative petitions with various questions for the City Attorney.

Bill Barker, City Attorney, said there has been some objection made by opponents or proponents of the initiative on "Special Rights" as to the language that was used and the characterization of the initiative in order to gain the signatures - question being that there might have been a mischaracterization of the ordinance in order to gain signatures.

Mayor Sutherland stated any action taken by the Council would have to be done by September 12. He asked that if in fact the Council does not act on September 12, then the issue is automatically placed on the ballot without any action by the Council and was informed by Mr. Barker that that is correct.

Mayor Sutherland said he thought it would be appropriate because of the concerns of the community and the opportunity that they may wish to speak to it to bring a resolution to the Council.

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Mayor Sutherland presented an Award of Merit to Russell Harr of the Public Works Department for a heroic act he performed with regard to a fellow employee at a job site.

Mayor Sutherland recognized Mr. Tom McCann, Sr., Owner and President of Osborne-McCann Cadillac Inc., for his contribution of three cars to be used to promote the D.A.R.E. Program in the City of Tacoma.

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FINAL READING OF ORDINANCES:

Ordinance No. 24387

Vacating Windom Street south from South 35th Street to consolidate the abutting properties to provide improved parking and equipment storage areas. (Department of Public Utilities; File No. 124.888)

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Deputy Mayor Hyde.

The Ordinance was declared passed.

Ordinance No. 24404

Authorizing a temporary interest-bearing loan in the amount of \$244,383.33 from the General Fund to the Union Station Renovation Fund; appropriating said sum from the Union Station Renovation Fund to provide financing for the Tacoma Union Station Federal Court Project ten week design effort; and extending the repayment of two interest-bearing loans made from the UDAG Grant Trust Fund to the Union Station Renovation Fund.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Deputy Mayor Hyde.

The Ordinance was declared passed.

Ordinance No. 24405

Amending and repealing sections of Chapter 1.12 of the Official Code relative to the Compensation Plan for the City of Tacoma.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Deputy Mayor Hyde.

The Ordinance was declared passed.

Ordinance No. 24406

Reviving an interim zoning provision relating to the exemption of the height of structures in certain developments and declaring an emergency making necessary immediate passage of this ordinance and its taking effect immediately upon publication.

Council Member Vialle moved that on Line 16 the number "20" be amended to "30." Seconded by Council Member Stenger. Voice vote was taken and carried. The motion was declared adopted.

Council Member Vialle moved that on Line 20, the word "should" be changed to "shall." Seconded by Council Member Moss.

Mayor Sutherland asked if we could include in the amendment a change on Line 19 to change the word "resident" to "resident/property owner." Council Member Vialle said this was acceptable.

Council Member Mykland moved to suspend the rules to consider the revised ordinance with the amendments as proposed. Seconded by Council Member Vialle. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland said the motion on the revised ordinance would read then, on Lines 19-20 after the comma "of which a resident/property owner of the plat shall be a member." Voice vote was taken and carried. The motion was declared adopted.

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

Ayes: 6 - McElliott, Moss, Nielsen, Stenger, Warnick, and Mayor Sutherland.

Nays: 2 - Mykland and Vialle.

Absent: 1 - Deputy Mayor Hyde.

The Ordinance, as amended, was declared passed.

Ordinance No. 24407

Providing for the formation of Local Improvement District No. 6965 for the installation of street lights on 30-foot concrete ornamental standards on various streets within North Shore Country Club Estates Division I.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Deputy Mayor Hyde.

The Ordinance was declared passed.

Ordinance No. 24408

Providing for the formation of Local Improvement District No. 8525 for the placement of permanent pavement with storm drains in the vicinity of South Adams Street from South 45th Street to South 48th Street and South 45th and South 47th Streets from Washington Street to Adams Street.

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Roll call vote was taken, resulting as follows:

Ayes: 7 - McElliott, Moss, Mykland, Stenger, Vialle,  
Warnick, and Mayor Sutherland.

Nays: 0.

Absent: 2 - Nielsen and Deputy Mayor Hyde.

The Ordinance was declared passed.

Ordinance No. 24409

Providing for the formation of Local Improvement District No. 5695 for the installation of an 8-inch water main in 69th Avenue Court West from 35th Street West to the south and west approximately 650 feet.

Roll call vote was taken, resulting as follows:

Ayes: 7 - McElliott, Moss, Nielsen, Stenger, Vialle,  
Warnick, and Mayor Sutherland.

Nays: 1 - Mykland.

Absent: 1 - Deputy Mayor Hyde.

The Ordinance was declared passed.

Ordinance No. 24410

Providing for the formation of Local Improvement District No. 8520 for the placement of permanent pavement with storm drainage in various streets and alleys throughout the City.

Mayor Sutherland moved to delete Item Nos. 1, 2 and 5. 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: 8 - McElliott, Moss, Mykland, Nielsen, Stenger, Vialle,  
Warnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Deputy Mayor Hyde.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 24411

Amending Chapter 13.06 of the Official Code to reclassify the property located on the east side of Tacoma Mall Boulevard between South 54th Street extended on the north and the I-5 Freeway right-of-way on the east and south from a "R-2" One-Family Dwelling District to a "C-2" Commercial District to allow the development of a convenience store with gas pumps and a car washing facility. (Texaco Refining and Marketing, Inc.; File No. 120.1271)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Nielsen. Roll call vote was taken, resulting as follows: Ayes: 5 - Moss, Nielsen, Stenger, Warnick and Mayor Sutherland. Nays: 3 - McElliott, Mykland and Vialle. Absent: 1 - Hyde. The motion was declared adopted.

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

Ordinance No. 24412

Vacating South 54th Street from Tacoma Mall Boulevard east to the I-5 Freeway to provide private access to the abutting properties and allow future development consistent with the developing character of the neighborhood. (Robert C. Young; File No. 124.885)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Warnick. Roll call vote was taken, resulting as follows: Ayes: 5 - Moss, Nielsen, Stenger, Warnick, and Mayor Sutherland. Nays: 2 - McElliott, and Mykland. Absent; 2 - Hyde and Vialle. The motion was declared adopted.

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

Ordinance No. 24413

Vacating North 11th Street between Jackson Avenue and Cascade Avenue, northerly of SR-16 to combine the vacated area with the abutting properties for a driveway and yard purposes. (Arthur DeCaro and Edward Cuzzetto; File No. 124.881A)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings 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. 24414

Amending Chapter 13.06 of the Official Code to reclassify the property located on the east side of South Hosmer Street between South 82nd and South 84th Streets from a "C-F-P" Freeway Commercial Personal Services District to a "M-1" Light Industrial District to allow for the development of a mini-warehouse storage facility. (McConaghy Construction Co., Inc.; File No. 120.1278)

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. The motion was declared adopted.

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

Ordinance No. 24415

Amending Chapter 13.06 of the Official Code to reclassify the property located between Sprague Avenue and the I-5 Freeway in the vicinity of South 60th Street from a "R-2" One-Family Dwelling District to a "C-2" Commercial District to allow the development of a 19,700 square foot retail center. (Edi Linardic; File No. 120.1277)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings 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. 24416

Amending Chapter 13.06 of the Official Code to reclassify the property located on the northwest corner of South 80th Street and Sprague Avenue from an "R-2" One-Family Dwelling District to a "M-1" Light Industrial District to allow the development of a 24,000 square foot storage warehouse addition. (Mira Properties, Inc./Bekins Moving Company; File No. 120.1279)

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. The motion was declared adopted.

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

Ordinance No. 24417

Repealing Chapter 7.18 of the Official Code relating to police and the impounding of vehicles.

The Ordinance was set over for final reading on August 29, 1989.



Ordinance No. 24418

Amending Section 8.12.010 of the Official Code regarding intimidation with a deadly weapon to bring the Code into compliance with State law.

The Ordinance was set over for final reading on August 29, 1989.

Ordinance No. 24419

Amending Chapter 1.24 of the Official Code to add Section 1.24.575 regarding the Electrical Trades Apprenticeship Program.

The Ordinance was set over for final reading on August 29, 1989.

Ordinance No. 24420

Appropriating \$100,000.00 from the General Fund for a user fee/cost allocation study and authorizing the execution of an agreement with David M. Griffith and Associates for such purposes.

The Ordinance was set over for first reading on August 29, 1989.

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RESOLUTIONS:

Purchase Resolution No. 30538

Awarding contracts to:

1. McBride-Anchor Fence Company on their bid of \$52,885.60 for security gate system - Central Treatment Plant - Specification No. G-230-89;
2. Lige & Wm. B. Dickson Company on their bid of \$13,960.10 for removal and disposal of vegetation and litter - Specification No. G-053-89;
3. Tech-Line Instruments on their bid of \$58,096.65 for Central Treatment Plant - Tools and Lab Equipment - Specification No. G-208-89;
4. Tucci & Sons, Inc. on their bid of \$74,435.00 for emergency excavation at the Tacoma Landfill - Purchase Order No. E-33090;
5. Tucci & Sons, Inc. on their bid of \$11,262.08 for emergency purchase of asphalt - Purchase Order No. E-26989;
6. Allied Paper Company in the amount of \$5,345.69 to increase the contract for janitorial paper supplies - Specification No. G-067-89;
7. Wang Laboratories, Inc. for Wang Comprehensive Hardware and Software Maintenance Service in the amount of \$10,504.04 - Sole Source;
8. Jo-Lynn, Inc. for \$7,500.00 to increase the contract for office supplies - Open Purchase Order No. 29680;
9. Tacoma Lawn and Garden for \$5,200.00 to increase the contract for lawn equipment maintenance and repair parts - Open Purchase Order No. 29650;
10. Gilchrist Chevrolet, Inc. for \$10,000.00 to increase the contract for vehicular equipment, automobile maintenance and repair parts - Open Purchase Order No. 29672; and

11. Anderson Trucking for \$3,500.00 and Grumman Roanoke for \$38,700.00 for salvaged parts from damaged pumper - Single Source.

Council Member Nielsen moved that the Purchase Resolution be adopted and to waive formal bidding procedures on Item Nos. 4, 5, 7, 8, 9, 10 and 11. Seconded by Council Member Warnick.

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

Resolution No. 30539

Directing a formal recommendation to the Washington State Board of Geographic Names to officially request that the name of City Waterway be changed to Thea Foss Waterway.

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

Council Member Stenger moved to consider Substitute Resolution No. 30539. Seconded by Council Member Stenger. Roll call vote was taken, resulting as follows: Ayes: 4 - Moss, Stenger, Vialle and Warnick. Nays: 4 - McElliott, Mykland, Nielsen and Mayor Sutherland. Absent: 1 - Hyde. The motion failed.

Speaking to the Council were:

Jonathan Feste  
Alfred Sortland

Sons of Norway  
1106 South Monroe Street

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

Resolution No. 30540

Approving the proposed Compensation Policy for Unrepresented Employees.

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

Resolution No. 30541

Accepting the bid of Bemmeyer Logging Company and authorizing the sale of approximately 1,275,000 board feet of surplus timber for a total of \$378,400.00.

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

Resolution No. 30542

Authorizing the dedication of surplus Water Division property at the North End Reservoir site to the Public Works Department for additional street right-of-way for sidewalks.

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

Resolution No. 30543

Authorizing the execution of a lease agreement with Osborne-McCann Cadillac for the use of three 1989 Cadillac vehicles for the Drug Awareness Resistance Education (DARE) Program.

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

Speaking to the Council was Mozella Pooley of 8041 East Sherwood.

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

Resolution No. 30544

Authorizing the execution of a temporary loan in the amount of \$250,000.00 from the General Fund to the Tacoma Dome Operating Fund effective July 31, 1989 to May 31, 1990.

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

Speaking to the Council was Alfred Sortland of 1106 South Monroe Street.

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

Resolution No. 30545

Authorizing an amendment to the agreement with Land Recovery, Inc., (LRI) in the amount of \$513,000.00 for the disposal of solid waste at the Hidden Valley Landfill.

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. 30546

Authorizing the execution of an agreement with the D. L. Hansen Company in the amount of \$13,083.33 for technical services relative to the Union Station/Federal Court project.

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Mayor Sutherland moved to suspend the rules to consider Substitute Resolution No. 30546. Seconded by Council Member Vialle. Voice vote was taken and carried. The motion was declared passed.

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

Resolution No. 30547

Authorizing the execution of an agreement with Merritt + Pardini/TRA in the amount of \$198,500.00 for architectural/engineering services relative to the design of the Ninth District Federal Court facility at the Union Station project site.

Mayor Sutherland moved to suspend the rules to consider Substitute Resolution No. 30547. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared passed.

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

Resolution No. 30548

Authorizing the execution of an agreement with United Neighborhoods of Tacoma in the amount of \$72,138.00 for the administration of the Eastside Small Business Incubator Project.

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

Resolution No. 30549

Authorizing a Memorandum of Understanding with the Washington State Energy Office to conduct a technical and market analysis for a district heating and cooling system for the Union Station District.

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.

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UNFINISHED BUSINESS:

Council Member Nielsen noted that on Resolution No. 30540 there was a proposed Page 10 to the Compensation Policy for the unrepresented employees that was not part of the agenda inclusions and Mayor Sutherland stated it was inadvertently omitted from the agenda and was included by the adoption of the resolution.

Council Member Mykland moved to excuse Deputy Mayor Hyde from tonight's meeting. Seconded by Council Member Vialle. Voice vote was taken and carried. The motion was declared adopted.

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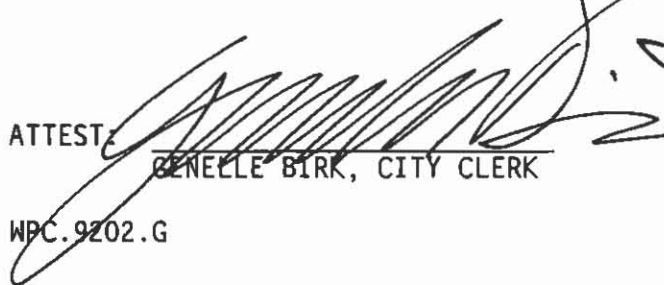
COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:


Council Member Vialle said she would like to ask the staff to draw up a resolution to ask the Planning Commission to look at zoning ordinance revisions to include mini-warehouses in other classifications other than "M-1."

Council Member Mykland said he would like would like an opinion whether or not we can come back and change the designated zoning for mini-warehouses and reduce that zoning from industrial to whatever zoning is deemed appropriate for mini-warehouses.

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On proper motion, the meeting was adjourned at 7:40 p.m.

ATTEST:  \_\_\_\_\_  
 GENELE BIRK, CITY CLERK

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 DOUG SUTHERLAND, MAYOR

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