

CITY COUNCIL MINUTES

City Council Chambers
January 9, 1990

The meeting was called to order at 5:03 p.m.

Present on roll call: 8 - Evans, McElliott, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

The Flag Salute was led by Council Member Moss.

CONSENT AGENDA

Approval of the minutes of the meeting of December 26, 1989 and January 2, 1990.

PETITIONS:

Sprague Street Associates, requesting the reclassification of the property located on the east side of Tacoma Mall Boulevard between South 60th and South 72nd Streets just north of the Farmers Insurance Group claims office from a "R-2-T" District to a "C-2" District to construct a 4,600 square foot retail building with off-street parking. (Sprague Street Associates; File No. 120.1303)

For referral to the Hearing Examiner.

RESOLUTIONS:

Resolution No. 30718

Setting Tuesday, February 13, 1990, at 5:30 p.m. as the date for a public hearing by the City Council to consider amending the penalty section of the zoning ordinance to identify parties responsible for compliance with Chapter 13.06 of the Official Code.

Resolution No. 30719

Setting Tuesday, February 13, 1990, at 5:30 p.m. as the date for a public hearing by the City Council on a zoning amendment for a special review district for Pacific Avenue.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, January 9, 1990.
- b. Minutes of the meeting of the Tacoma Planning Commission, December 4, 1989.
- c. Minutes of the meetings of the Tacoma Public Library Board of Trustees, October 18, and November 15, 1989.
- d. Minutes of the special meetings of the Tacoma Public Library Board of Trustees, November 6, and 28, 1989.

Council Member Nielsen moved that the Consent Agenda, including Resolution Nos. 30718 and 30719 be approved. Seconded by Council Member Mykland. 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

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Resolution No. 30720

Appointing Thomas R. Stenger as Deputy Mayor of the City of Tacoma.

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

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Resolution was declared adopted.

Council Member Stenger moved to suspend the rules to consider Resolution No. 30727. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 30727:

Appointing Council Members to various committees, boards, and commissions.

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

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COMMUNICATIONS:

Hearing Examiner submitting Shoreline Management Substantial Development Permit No. 141.455 to allow retention of a 2,060 square foot building and the construction of a 2,600 square foot warehouse addition to an existing wood products plant and to allow the conversion of an existing storage area into an office area at the property located between City Waterway and East "D" Street at East 19th Street extended (2102 East "D" Street). (Gordon Pickering; File No. 141.455)

Mayor Vialle moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Mykland. Roll call vote was taken, resulting as follows: Ayes: 8 - Evans, McElliott, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle. Nays: 0. The motion was declared adopted.

FINAL READING OF ORDINANCES:

Ordinance No. 24438

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northwest corner of 29th Street Northeast and Norpoint Way from a "R-3-PRD" Planned Residential Development District to a "R-2-T" Residential Commercial Transitional District and a "C-1" Commercial District to allow a service station on the site. (George Schilling; File No. 120.1256A)

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24468

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northwest corner of South 19th and State Streets from a "R-2" One-Family Dwelling District to a "R-2-T" Residential Commercial Transitional District to allow the development of a two-story 29,000 square foot medical office building. (Northwest Therapy and Rehabilitation; File No. 120.1269)

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24539

Authorizing the execution of an agreement with Pierce County Area Agency on Aging, and Pierce County; accepting \$178,691.00; and depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund to provide various case management services for senior citizens.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24540

Accepting \$8,000.00 from Pierce County; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for continuing the operation of the Tacoma/Pierce County Child Care Resource and Referral System.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24541

Authorizing the execution of an agreement with Work/Family Directions Inc., and agreements with various Pierce County employers for reimbursement for provision of child care resource and training services; providing for acceptance by the City of \$37,000.00; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for said purpose.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24542

Amending Section 1.24.800 of the Personnel Rules titled Medical Exams to include licensed clinical psychologists and amending Section 1.24.805 titled Retirement for Service to specify that there is no mandatory retirement age from City service.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 1 - McElliott.

The Ordinance was declared passed.

Ordinance No. 24543

Accepting \$1,000.00 from the Tacoma Athletic Commission; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund to acquire models of proposed works of art which will commemorate Morley Brotman's contribution to the construction of the Tacoma Dome; and further authorizing the execution of agreements with Paul Marioni/Ann Troutner and Phillip Levine for said purpose.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24544

Amending Section 9.22.010 of the Official Code relating to vacation of streets; and appropriating \$31,218.00 from the Open Space Fund for the installation of a traffic light at the intersection of South Tacoma Way and Washington Street and amending the 1990 Budget for the expenditure of said funds.

Council Member Stenger moved to suspend the rules to consider Resolution No. 30728 in lieu of Ordinance No. 24544. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 30728

Directing City staff to arrange and pay for installation of a traffic signal at the intersection of South Tacoma Way and Washington Street in the amount of \$31,218.

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

After discussion, Council stated that staff would study the feasibility of installation of the traffic signal and report back to Council within the next three weeks.

Council Member Nielsen moved to amend the Resolution on line 13 to eliminate the words "and directed." Seconded by Council Member Stenger.

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

(Ordinance No. 24544 was not voted on, and as a result, Ordinance No. 24544 dies.)

Ordinance No. 24529

Vacating South 41st Street between South Tacoma Way and Union Avenue to unify the property which is occupied by an automobile dealership on both sides of the right-of-way. (Brian Wilson; File No. 124.903)

Council Member Nielsen moved to continue Ordinance No. 24529 to the meeting of January 30, 1990. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance will be considered at the regular City Council meeting of January 30, 1990.

FIRST READING OF ORDINANCES:

Ordinance No. 24546

Vacating a portion of the alley between South "K" and South "L" Streets northerly from Sixth Avenue to combine the vacated portion of the alley with the abutting properties, demolish the existing buildings, level the ground, and construct a parking lot. (Multicare Medical Center; File No. 124.901)

Council Member Nielsen moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member McElliott. 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. 24547

Appropriating \$320,000.00 from the Visitor and Convention Promotions Fund; authorizing an agreement with the Tacoma-Pierce County Chamber of Commerce for

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the purpose of tourism and convention promotion in the City of Tacoma, and declaring an emergency making necessary the passage of this ordinance.

Council Member Stenger moved to add a new section to Ordinance No. 24547 or the subsequent resolution to be placed before Council next week. To read:

NEW SECTION

Of the \$320,000 appropriated, \$20,000 shall be allocated to establish a Tacoma Cultural Marketing Program in cooperation with the Tacoma Arts Commission and the Tacoma Landmarks Commission. The program shall promote the Pantages Centre, the Tacoma Actors Guild, the Tacoma Art Museum, and the Washington State Historical Society throughout South King County and Southwestern Washington. The program shall also promote public awareness of the city's history and landmarks (whether official or not), especially the Union Station/Warehouse and Old City Hall Districts.

Seconded by Council Member Nielsen.

Council Member Mykland moved to amend the motion on line 1 to delete the figure "\$20,000" and insert the figure "\$30,000." Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

Voice vote was taken and carried on the amended motion. The amended motion was declared adopted.

Mayor Vialle moved to remove Ordinance No. 24547 from the agenda. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 24547 was removed from the agenda.

Mayor Vialle stated that a Resolution with the previous amendment would be before the Council at next week's meeting.

RESOLUTIONS:

Purchase Resolution No. 30721

Awarding contracts to:

1. U.S. Oil and Refining, in the amount of \$231,864.86 for the annual supply of asphalt material - Washington State Contract 135-87;
2. Western Peterbilt, in the amount of \$222,607.00 to increase their contract for two automated refuse trucks - Specification No. G-046-89;
3. Dionex Corporation, on their bid of \$13,050.00 for a gas chromatograph data system - Specification No. G-089-89;
4. Siemens Company, in the amount of \$17,824.54 for replacement and spare parts for the main electrical power controls on the secondary treatment effluent pumping system at the Central Treatment Plant - sole source;

5. The Waterclear Company, in the amount of \$100,000.00 to increase their contract for polymers for belt filter press - Purchase Order No. 31318;
6. City Glass and Upholstery, Inc., in the amount of \$17,217.94 to extend and increase their contract for auto glass and flat glass - Specification No. G-003-89;
7. Government Computer Sales, on their bid of \$10,346.00 for personal computers, hardware, and software - Specification No. G-088-89;
8. Northwest Cascade, Inc., on their bid of \$790,000.00 for disposal of excess raw sewage sludge from North End Treatment Plant No. 3 - sole source;
9. Jones Chemicals, Inc., on their bid of \$27,800.00 and Pennwalt Corporation, on their bid of \$22,404.80 for chlorine gas - Specification No. 1497-W;
10. Mercer, Meidinger, Hanson, Inc., on their bid of \$12,000.00 for actuary services - Specification No. G-073-89;
11. Delta Rail, on their bid of \$201,000.00 for Taylor Way Railroad Crossing signals at Lincoln Avenue and East-West Road - Specification No. G-265-89; and
12. Topcat Club of Lindfield College, in the amount of \$6,213.33 for surplus aluminum bench seats - Specification No. G-085-89.

Council Member Nielsen moved that the Purchase Resolution be adopted, including waiving the formal bidding procedures on Item Nos. 1, 4, 5, 8, 9 and 12. Seconded by Council Member Mykland.

Mayor Vialle moved to continue Purchase Item No. 11 to the meeting of January 16, 1990. Seconded by Council Member Mykland.

Speaking to the Council was:

Steve Sheehy

Attorney for Delta Rail

Roll call vote was taken, resulting as follows:

Ayes: 4 - McElliott, Mykland, Nielsen, and Mayor Vialle.

Nays: 4 - Evans, Moss, Stenger, and Warnick.

The motion was declared failed.

Council Member Warnick moved that Purchase Item No. 11 remain on the agenda with the condition that it is awarded contingent upon the availability of federal funds to pay for the costs of the improvement and further directing the staff not to execute the contract until that question is resolved. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

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

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Resolution No. 30722

Authorizing the execution of agreements with The Metropolitan Development Council and the Comprehensive Mental Health Center in the amounts of \$10,000.00 to provide mental health counseling to senior citizens.

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. 30723

Authorizing the execution of an agreement with the Tacoma-Pierce County Chapter of the American Red Cross Nutrition Program in the amount of \$75,000.00 to provide hot meals five days a week to senior citizens at Tacoma mealsites and to homebound senior citizens.

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. 30724

Authorizing the sale of surplus Local Improvement Guaranty Fund property located near 37th and East "T" Streets to William C. Calkins and Nike A. Beckner-Calkins for the sum of \$4,115.00.

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. 30725

Authorizing the execution of amendments to agreements with the Economic Development Administration and the Municipal Authority to allow certain changes in the EDA Title IX Revolving Loan Fund Plan.

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. 30726

Authorizing an amendment to the agreement with Daniel Little in the amount of \$26,100.00 to extend his contract for an additional six months for combination truck training for Public Works drivers.

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 Nos. 30727 and 30728 were considered earlier in the meeting.)

UNFINISHED BUSINESS:

Mayor Vialle moved to reconsider Resolution No. 30716. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 30716

Authorizing the execution of an amended agreement with the Tacoma-Pierce County Economic Development Board in the amount of \$33,250.00 to provide for developing recommendations for a long-range strategy for economic development.

Bill Barker, City Attorney, spoke regarding the reasons for the reconsideration. He also stated that the Acting City Manager and Council Member Nielsen were members of the Economic Development Board.

Council Member Nielsen stated that he was a member of the Economic Development Board and would not be participating in this matter. Council Member Nielsen would be abstaining on consideration of this matter and then absented himself from the Council Chambers.

Mayor Vialle moved that the Council rescind and reconsider Resolution No. 30716 adopted at the meeting of January 2, 1990, authorizing the execution of a contract with EDB, to allow certain changes and corrections to be made in said contract. Seconded by Council Member Mykland. Voice vote was taken and carried with Council Member Nielsen abstaining. The motion was declared adopted.

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

REPORTS BY CITY MANAGER:

James Walton, Acting City Manager requested an Executive Session to discuss real estate matters.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Moss asked the City Attorney why Council Member Nielsen being on a board was in conflict with Resolution No. 30716.

Bill Barker, City Attorney, explained the reasons why Council Member Nielsen may be in conflict and why he needed to abstain on the matter.

Council Member Mykland spoke regarding the extension of the alarm permit ordinance. He stated that the intent was to make it easier for citizens to get permits, but noted that in the letter from the Police Chief the process covered only handicapped and senior citizens. He stated that he requested it to make it easier for all citizens to obtain permits.

James Walton, Acting City Manager stated that the City has a mailing provision which would allow individuals to obtain their permits through that process.

Council Member Warnick complimented the Metropolitan Park Department on their Zoo Lights at Pt. Defiance. He stated that they had a good attendance and it was in keeping with the season.

Council Member Warnick also stated that he wished to recognize the Fred Meyer stores for their recycling containers and recycling efforts.

Council Member McElliott concurred with the recognition of the Fred Meyer stores.

Council Member Nielsen reminded the Council of the problems in the past with the Drainage District No. 19 with overlapping boundaries in Pierce County and City of Tacoma. He stated that legislative action would be needed to take the City out of this matter. He requested that the City Attorney's office look into the proper course of action to get legislation into the hands of state legislators for this session.

Mayor Vialle complimented the Emergency Management Services of Tacoma and Pierce County along with the Police, Fire and Public Works departments in their work in dealing with the excessive rain and flooding. She stated that this was the worst storm in thirty years and that through the efforts of the various agencies, no state of emergency was declared in Tacoma.

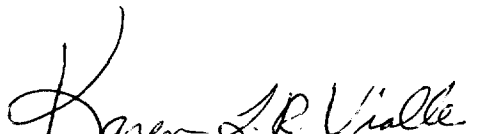
Council recessed from 6:15 p.m. to 6:24 p.m.

Interviews of candidates for the vacant City Council District 1 position were conducted in the City Council Chambers at approximately 6:24 p.m. The candidates interviewed were: William H. Baarsma, C. W. "Bud" Kinsman, Paul Miller, Dale Parsons, Timothy J. Reid, Rebecca Summers, and Dean Wilson.

Mayor Vialle moved to recess to executive session to discuss real estate matters and qualifications for elected office, the session not to exceed one hour. Seconded by Council Member Stenger. Council recessed to executive session at 7:29 p.m. and reconvened at 8:15 p.m.

Mayor Vialle announced that the Council had reached the decision on the selection of candidate for the vacant Council District No. 1 position. She stated that the Council had chosen Mr. Paul Miller to fill that vacancy. She stated that a resolution would be coming to appoint Mr. Miller to this position next Tuesday.

On proper motion, the meeting was adjourned at 8:19 p.m.


KAREN VIALLE, MAYOR

ATTEST: 
RICK ROSENBLADT, ACTING
CITY CLERK

WPC.143G.