

CITY COUNCIL MINUTES

City Council Chambers
January 24, 1989

The meeting was called to order at 5:08 p.m.

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

Mayor Sutherland called on members of Brownie Troop #639 to post the colors and lead the flag salute. He noted that their leaders were Mrs. Delores Luttrupp and Mrs. Dorothy Hudson. He stated that Troop #639 were third graders from Pt. Defiance and Stanley Elementary Schools.

Brownie Troop #639 posted the colors and led the flag salute and then recited the Girl Scout pledge.

Mayor Sutherland announced that the Port of Tacoma Commissioner's would not be meeting with the Council tonight. The joint meeting would be rescheduled later in the agenda to February 14, 1989.

Mayor Sutherland also announced that the appeal of Pac-Tech Engineering (George Schilling; File No. 120.1256) had been continued to February 14, 1989.

C O N S E N T A G E N D A

Approval of the minutes of the regular meeting of January 17, 1989.

RESOLUTIONS:

Resolution No. 30305

Authorizing the submission of a grant application to the Washington State Department of Ecology in the amount of \$15,000.00 for the "Household Hazardous Waste Turn-In-Day" on September 23, 1989.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, January 24, 1989.
- b. Minutes of the meeting of the Tacoma Arts Commission, December 12, 1988.
- c. Minutes of the meetings of the Natural Systems Citizens Advisory Committee, November 10, 1988 and December 8, 1988.
- d. Minutes of the meeting of the Public Utility Board, December 14, 1988.
- e. Minutes of the meeting of the Tacoma Planning Commission, January 4, 1989.
- f. Minutes of the special meeting of the Public Utility Board, December 20, 1988.

- g. Citizens' petition objecting to the proposed East-West Corridor.
- h. Monthly Financial Reports of the Belt Line Division, Data Processing Division, Fleet Services Fund, Light Division, Self-Insurance Claim Fund and Water Division, November 1988.

Council Member Stenger moved that the Consent Agenda, including Resolution No. 30305, be approved. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The Consent Agenda was declared approved.

Deputy Mayor Hyde complimented the Department of Public Works for their past efforts regarding the hazardous waste turn-in day.

R E G U L A R A G E N D A

COMMUNICATIONS:

Hearings Examiner recommending approval of the request for modification to the Concomitant Zoning Agreement for the property located at the northeast corner of South 72nd Street and the Interstate 5 Freeway to allow a third freestanding sign for the Tacoma Place Shopping Center. (Bruce Klein/ Tacoma Place; File Nos. 120.1093C and 130.3106)

Council Member Mykland moved to not concur in the recommendations of the Hearing Examiner and deny approval of the request. Seconded by Council Member Vialle.

Roll call vote was taken, resulting as follows:

Ayes: 3 - Mykland, Vialle, and Mayor Sutherland.

Nays: 6 - Hyde, McElliott, Moss, Nielsen, Stenger, and Warnick.

The motion was declared failed.

Council Member Nielsen moved to concur in the recommendations of the Hearings Examiner. Seconded by Council Member Warnick. Voice vote was taken and carried, with Council Member Mykland, Council Member Vialle, and Mayor Sutherland voting nay. The motion was declared adopted.

FINAL READING OF ORDINANCES:

Ordinance No. 24272 (Continued from the meeting of January 10, 1989)

Authorizing the execution of a grant award agreement with the Washington State Interagency Committee for Outdoor Recreation in the amount of \$150,000.00; depositing said sum in the Miscellaneous Grant Summary Fund; transferring \$150,000.00 from the Open Space Fund to the Miscellaneous Grant Summary Fund;

appropriating \$300,000.00 from the Miscellaneous Grants Summary Fund for designing and constructing a transient moorage facility at the Old Town Dock on Ruston Way; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

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

Nays: 1 - McElliott.

The Ordinance was declared passed.

Ordinance No. 24145

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northeast corner of South 12th and Washington Streets from a "R-2" One-Family Dwelling District to a "R-2-T" Residential Commercial Transitional District to allow the development of an office building. (Michael A. Johnson; File No. 120.1251)

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24281

Amending Title 8 of the Official Code by adding a new chapter 8.72 relative to telephone harassment.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24282

Amending Section 11.14.070 of the Official Code relative to failure to respond to notices of traffic infractions.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24283

Amending Section 11.18.060 of the Official Code to add a new subsection relative to the transfer of ownership and license registration within forty-five days after the delivery of the vehicle.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24284

Amending the Pay and Compensation Plan to implement 1988 and 1989 rates of pay in accordance with a collective bargaining agreement with United Transportation Union.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24285

Amending Chapter 2.05 of the Official Code relating to the sign code and permits for the erection of billboards.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24286

Amending Chapter 2.09 of the Official Code relating to permit fees for billboards; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24288

Approving and confirming the assessment roll for L.I.D. No. 5675 for the installation of water mains and fire hydrants in South 50th Street and South 51st Street from Alaska Street to Asotin Street and in Alaska Street from South 50th Street to South 51st Street.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Nielsen.

The Ordinance was declared passed.

Ordinance No. 24270

Providing for the formation of L.I.D. No. 3913 for sanitary sewer construction in South Mullen Street from South 19th Street north 270 feet, more or less, and west 190 feet.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Nielsen.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 24287 (Continued from the meeting of January 17, 1989.)

Amending Sections 1.18.040 and 1.19.010 of the Official Code relating to compensation for the Mayor and Council members.

Mayor Sutherland moved to continue Ordinance No. 24287 to the meeting of January 31, 1989. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance will be considered at the regular City Council meeting of January 31, 1989.

Ordinance No. 24290

Accepting \$892.00 from the Tacoma Southeast Lioness Club and Mary Bridge Hospital; and depositing in and appropriating said sum from the Miscellaneous Trust Summary Fund to support the Police Department Drug Awareness Resistance Education (DARE) Program.

The Ordinance was set over for final reading next week.

Ordinance No. 24291

Accepting \$3,304.21 from the Federal Drug Enforcement Administration; and depositing in and appropriating said sum from the Uniform Controlled Substance Trust Fund for payment to the Tahoma Narcotics Enforcement Team.

The Ordinance was set over for final reading next week.

Ordinance No. 24292

Authorizing the execution of an amended agreement with the Pierce County Area Agency on Aging and Pierce County; accepting \$3,000.00 from Pierce County; and depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for reimbursement of a WATS line for senior information and assistance.

The Ordinance was set over for final reading next week.

Ordinance No. 24293

Amending Section 10.04.160 of the Official Code to revise the charges for collection services for L.I.D. assessment rolls.

The Ordinance was set over for final reading next week.

Ordinance No. 24294

Amending Section 9.22.070 of the Official Code entitled "Public Hearings" to correct a typographical error.

The Ordinance was set over for final reading next week.

Ordinance No. 24295

Amending Chapter 8.66 of the Official Code relative to carrying loaded rifles and shotguns in a motor vehicle to bring the Code in compliance with State Law.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Substitute Resolution No. 30253 (Continued from the meeting of January 3, 1988.) (It is the intent of the Council to continue this item to a date to be determined.)

Expressing the intent of the City, in cooperation with the Port of Tacoma, to designate the East-West Corridor as the prime vehicular transportation arterial across the Port of Tacoma harbor industrial area and to request that federal funding for the Blair Bridge be transferred to East-West Corridor development.

Mayor Sutherland moved to continue Substitute Resolution No. 30253 to the meeting of February 14, 1989. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

The Substitute Resolution will be considered at the regular City Council meeting of February 14, 1989.

Resolution No. 30248 (Continued from the meeting of January 10, 1989)

Authorizing the execution of a renewal of lease for five years with Western Fish and Oyster, Inc., for the property located at 1137 Dock Street.

Council Member Nielsen moved to remove Resolution No. 30248 from the agenda. Seconded by Council Member Vialle. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 30248 was removed from the agenda.

Purchase Resolution No. 30306

Awarding contracts to:

1. Lone Star Northwest, on their bid of \$90,341.47 for the annual supply of concrete products - Specification No. G-110-88 (Continued from the meeting of January 17, 1989.);
2. Six Robblee's, in the amount of \$4,220.21 to increase their contract with Six Robblee's - Open Purchase Order No. 22559;
3. Rhine Equipment Company, in the amount of \$11,536.78 for the purchase of a recycling crane truck by the Refuse Utility Division;
4. City Glass and Upholstery, Inc., on their bid of \$17,217.94 for auto glass and flat glass - Specification No. G-003-89;

- 5. E.J. Rody and Sons, Inc., on their bid of \$197,383.96 for the west end transmission main relocation at the landfill - Specification No. DPU-1467-W;
- 6. Rescinding the contract for street tree planting and beautification program, 1st and 2nd year - Work Order No. SA0718 - Specification No. G-273-88 and returning the bid bond to MJR Landscaping; and
- 7. Mario's Nursery, Inc., on their bid of \$33,769.15 for street tree planting and beautification program, 1st and 2nd year - Work Order No. SA0718 - Specification No. G-273-88.

Deputy Mayor Hyde moved that the Purchase Resolution be adopted, including waiving the formal bidding procedures on purchase item No. 3. Seconded by Council Member Stenger.

Speaking to the Council was:

Mozella Pooley

8041 East Sherwood

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

Resolution No. 30307

Authorizing the execution of a Stipulated Agreement and Order for Dismissal with the Washington State Department of Ecology relative to the delegation of the Wastewater Pretreatment Program.

Mayor Sutherland moved to continue Resolution No. 30307 to the meeting of January 31, 1989. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting of January 31, 1989.

Resolution No. 30308

Establishing a five step compensation range for the positions of Senior Case Management Assistant and Information & Assistance Assistant for the Senior Case Management Project employees.

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

CITIZEN'S REQUEST TO BE HEARD: (Began at 5:47 p.m.)

Ted Amell, requesting to speak relative to the homeless in Tacoma.

Mr. Amell, 1423 South Ferdinand, spoke to the Council regarding his concerns on the homeless.

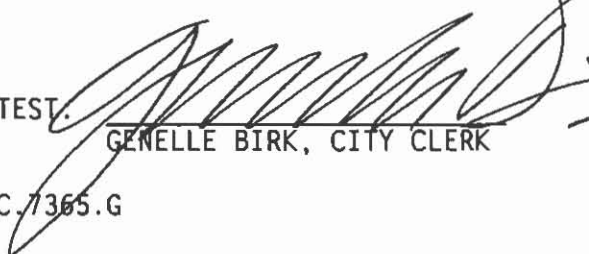
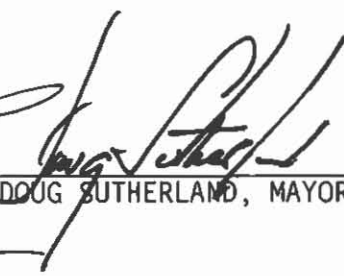
COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Warnick requested that the City Attorney keep the Council informed of the recent U.S. Supreme Court ruling regarding equal employment laws and the apparent rejection of certain of those laws. He requested also that the City Attorney advise the Council as to how the City should be proceeding and what the City might do, if our laws are not constitutional, to rectify the situation.

Council Member Stenger noted that recently the federal regulatory agencies had stated that certain savings and loan banks had a high rate of turndowns for minority mortgage applicants. He asked that the Human Rights Department look into this matter and report back to the Council.

Council Member Mykland stated that the Environmental Protection Agency had been involved with the City of Ruston in their arsenic clean up procedures. He indicated that some of their clean up activities were inside the city limits and requested to know what communication they had had with the city.

On proper motion, the meeting was adjourned at 6:00 p.m.



 ATTEST. _____ DOUG SUTHERLAND, MAYOR
 GENELLE BIRK, CITY CLERK

WPC.7365.G