

CITY COUNCIL MINUTES

City Council Chambers
March 3, 1992

The meeting was called to order by Mayor Vialle at 5:07 p.m.

Present on roll call: 8 - Baarsma, Evans, McElliott, Miller, Mykland, Nielsen, Silas, and Mayor Vialle. Absent: 1 - Moss.

The Flag Salute was led by Council Member Evans.

CONSENT AGENDA

Approval of the minutes of the Tacoma City Council study sessions of February 4, 11, and 18, 1992.

FIRST READING OF ORDINANCES:

Ordinance No. 25073

Accepting the donation of a Magnavox TV valued at \$571.21 from Kathleen Anderson to be used by senior citizens at the Lighthouse Senior Center.

RESOLUTIONS:

Resolution No. 31657

Setting Monday, March 23, 1992, at 5:00 p.m. as the date for a hearing by the Hearings Examiner on L.I.D. No. 2615 for the placement of a two-inch asphalt surface on Trafton Street from South 70th to South 72nd Streets.

Resolution No. 31658

Setting Monday, March 23, 1992, at 5:00 p.m. as the date for a hearing by the Hearings Examiner on L.I.D. No. 8560 for the placement of a two-inch asphaltic concrete surface on the alley between Anderson Street and Oakes Street from North 15th to North 17th Streets.

Resolution No. 31659

Setting Monday, March 23, 1992, at 5:00 p.m. as the date for a hearing by the Hearings Examiner on L.I.D. No. 7717 for the conversion of existing overhead primary electrical, telephone, and cable television lines to underground in various areas in North Tacoma.

Resolution No. 31660

Setting Tuesday, March 31, 1992, at approximately 5:30 p.m. as the date for a public hearing by the City Council to consider a draft ordinance to amend Chapter 13.10 of the Land Use Regulatory Code to revise the existing use and development regulations for the "S-3" Western Slope North Shoreline District.

Resolution No. 31661

Setting Tuesday, March 17, 1992, at approximately 5:30 p.m. as the date for a public hearing by the City Council on the 18th Year 1992-93 Proposed Statement of Community Development Block Grant Objectives and Projected Use of Funds.

Resolution No. 31662

Authorizing the submittal of a grant in the amount of \$100,000 from the National Park Service under the Urban Park and Recreation Recovery Program for a year-round recreational program for at-risk youth.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, March 3, 1992.
- b. Minutes of the meeting of the Beautification Committee, January 15, 1992.
- c. Minutes of the meeting of the Human Rights Commission, January 16, 1992.
- d. Minutes of the meeting of the Board of Trustees of the Tacoma Public Library, January 15, 1992.
- e. Volunteer Services Division, Year End Report, 1991.

Council Member Miller moved that the Consent Agenda, including Ordinance No. 25073, Resolution Nos. 31657, 31658, 31659, 31360, 31661, and 31662, be approved. Seconded by Council Member Moss. Voice vote was taken and carried. The Consent Agenda was declared approved.

PROCLAMATION

Mayor Vialle proclaimed the day of April 3, 1992, to be "Red Nose Day," and presented the proclamation to Mr. Steve Seher.

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

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Presentation of Police Citizens' Awards.

Mr. Norman Stone, Boy Scouts of America, Mt. Rainier Council, presented an award to the Tacoma Police Department for the Tacoma Police Explorer Program.

Mayor Vialle presented an award to Mr. Bruce Hess for intervening in the robbery of the 56th Street Market on December 22, 1991.

Resolution No. 31663

Appointing Robert W. Denomy, Jr. to the Planning Commission through December 31, 1994.

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

Resolution No. 31664

Appointing members to various committees, boards, and commissions.

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

COMMUNICATIONS:

City Attorney submitting the Findings, Conclusions and Decisions of the City Council regarding the appeal of Edward and Margaret Hudson relative to the decision of the Hearings Examiner on the reclassification of the property located north of South 13th Street between South Pine and South Junett Streets from a "R-2" One-Family Dwelling District to a "C-2" Commercial District to allow the expansion of the existing Peerless Laundry building. (Edward and Margaret Hudson; File No. 120.1339)

Mayor Vialle moved to continue the communication item to the meeting of March 17, 1992. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

The communication item will be considered at the regular City Council meeting of March 17, 1992.

FINAL READING OF ORDINANCES:

Ordinance No. 25058 (Continued from the meeting of February 25, 1992.)

Amending Chapter 11 of the Official Code to restrict the parking of commercial vehicles in residential areas.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Baarsma, Evans, McElliott, Miller, Mykland, Silas, and Mayor Vialle.

Nays: 1 - Nielsen.

Absent: 1 - Moss.

The Ordinance was declared passed.

Ordinance No. 25070

Authorizing the execution of a grant award contract with the State of Washington Department of Community Development in the amount of \$184,371; depositing said sum in the Miscellaneous Grants Summary Fund; transferring \$61,500 from the Uniform Controlled Substance Drug Fund to the Miscellaneous Grants Summary Fund; and appropriating \$245,871 from the Miscellaneous Grants Summary Fund for the 1991 Drug Control and System Improvement Formula Grant Program.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Baarsma, Evans, McElliott, Miller, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

Absent: 1 - Moss.

The Ordinance was declared passed.

Substitute Ordinance No. 25071

Transferring \$2,728,851 from various funds to the Union Station Renovation Fund, appropriating \$5,932,449 from said fund for the renovation of Union Station, and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Baarsma, Evans, McElliott, Miller, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

Absent: 1 - Moss.

The Substitute Ordinance was declared passed.

Substitute Ordinance No. 25072

Amending Chapter 6.69 of the Official Code relative to exemptions for licensing compliance requirements for the annual business license fee effective January 1, 1992.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Baarsma, Evans, McElliott, Miller, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

Absent: 1 - Moss.

The Substitute Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 25067 (Continued from the meeting of February 25, 1992.)

Amending Chapter 13.06 of the Official Code to reclassify the property located 160 feet north of the northwest corner of East 38th Street and Portland Avenue from a "R-2" One-Family Dwelling District and a "R-2SRD" Special Review District to a "R-2T" Residential Commercial Transitional District to allow the development of a mental health and drug prevention counseling service. (Consejo Counseling and Referral Service; File Nos. 120.1344A & 122.465)

Mayor Vialle moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was set over to a date to be determined.

PUBLIC HEARINGS AND APPEALS: (Began at 5:40 p.m.)

This is the date set for hearing the appeal of David Sheean on the decision of the Hearings Examiner relative to the reclassification of the property located at the northeast corner of South 90th and Hosmer Streets from a "R-2" One-Family Dwelling District and "R-2-T" Residential Commercial District to a "C-2" Commercial District and "R-2-T" Residential Commercial Transitional District. (David Sheean; File No. 120.1331)

Mr. Rod Kerlake, Hearings Examiner, spoke regarding his decision to the reclassification of the property located at the northeast corner of South 90th and Hosmer Streets from a "R-2" One-Family Dwelling District and "R-2-T" Residential Commercial District to a "C-2" Commercial District and "R-2-T" Residential Commercial Transitional District. (David Sheean; File No. 120.1331)

Mr. Bill Lynn, attorney representing appellant, David Sheean, requested that Council remand this issue back to the Hearings Examiner for a new site plan.

Mr. Clifford Taylor spoke in support of the Hearings Examiner's decision.

Council Member Miller moved to remand this matter back to the Hearings Examiner for a new proposed site plan to comply with the Hearings Examiner's recommendations. SEconded by Council Member Nielsen.

Roll call vote was taken, resulting as follows:

Ayes: 3 - Miller, Nielsen and Silas.

Nays: 5 - Baarsma, Evans, McElliott, Mykland and Mayor Vialle.

Absent: 1 - Moss.

The motion failed.

Deputy Mayor Mykland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner and deny the appeal. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

PROCLAMATION

Mayor Vialle proclaimed Dr. David Calleo as Honorary Citizen of Tacoma, Washington.

Ordinance No. 25068 (Continued from the meeting of February 25, 1992.)

Amending Chapter 13.06 of the Official Code to reclassify the property located on the northwest corner of California Avenue and Skagit Place from a "R-4" Multiple Family Residential District to a "C-2" Commercial District to allow development of a parking lot and landscaping for a previously-approved retail commercial building. (COSTCO Wholesale Corporation; File No. 120.1345)

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

The Ordinance was set over to a date to be determined.

Ordinance No. 25069 (Continued from the meeting of February 25, 1992.)

Vacating a portion of California Avenue at King Place in Lincoln Heights to combine the vacated right-of-way with the abutting properties and previously-vacated areas for a unified commercial site. (COSTCO Wholesale Corporation; File No. 124.951)

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

The Ordinance was set over to a date to be determined.

RESOLUTIONS:

Resolution No. 31648 (Continued from the meeting of February 25, 1992.)

Opposing the third runway proposed for Seattle-Tacoma International Airport unless planning for that expansion includes revisions to the Four Post Plan, routing all air traffic departing south through the historic I-5/US-99 noise-abatement corridor, and ensuring that no westbound turns are made prior to reaching an altitude of 10,000 feet and a distance of ten miles, and indicating that the Council does not support the use of McChord Air Force Base for civilian air traffic at this time.

Deputy Mayor Mykland moved to suspend the rules to consider Substitute Resolution No. 31648. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Mykland moved that the Substitute Resolution be amended by deleting the words "property devaluation and" line 18. Seconded by Mayor Vialle. Voice vote was taken and carried. The amended Substitute Resolution was declared adopted.

Purchase Resolution No. 31665

Awarding contracts to:

1. Thermo Jarrell Ash Corporation, in the amount of \$65,891 for the upgrade of inductively coupled plasma spectrophotometer - Sole Source;
2. Trecon, Inc., on their bid of \$119,042.46 for a Tot Lot at Celebration Park located at South 80th and D Streets - Specification No. G-005-92; and
3. Ameron, Inc., in the amount of \$44,250.00 for ornamental streetlight standards - Sole Source.

Council Member Nielsen moved that the Purchase Resolution, including Substitute Exhibit 'A' and waiving formal bidding procedures on Item Nos. 1 and 3, be adopted. Seconded by Mayor Vialle.

Voice vote was taken and carried on the Substitute Purchase Resolution. The Substitute Purchase Resolution, including waiving formal bidding procedures on Item Nos. 1 and 3, was declared adopted.

Resolution No. 31666

Authorizing the execution of an amendment to the agreement with Pierce County in the amount of \$129,996 for legal counsel for indigent defendants.

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

Resolution No. 31667

Authorizing the execution of an amendment to the agreement with Pierce County in the amount of \$30,000 for probation services.

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

Resolution No. 31668

Authorizing the execution of lease agreements with English Bay Batter Cookies Company in the amount of \$10,000, Dreyer's Grand Ice Cream N.W. in the amount of \$2,000, The Country's Best Yogurt (TCBY) in the amount of \$6,000, and Roseheart Flowers, Inc., in the amount of \$3,000 for advertising space in the Tacoma Dome.

Mayor Vialle moved to suspend the rules to consider Substitute Resolution No. 31668. Seconded by Deputy Mayor Mykland. Voice vote was taken and carried. The motion was declared adopted.

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

Resolution No. 31669

Authorizing the execution of a license agreement with Watchtower Bible & Tract Society of New York, Inc., to use the Tacoma Dome for the presentation of the Watchtower Convention from July 3-5, 1992 and July 10-12, 1992.

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

Resolution No. 31670

Authorizing the acquisition and maintenance of a membership in the amount of \$25,000 with the Regional Sludge Management Committee (RSMC) to share information, expertise and assistance between public works and regulatory agencies for 1992.

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

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Resolution No. 31671

Conveying a replacement easement to Charles F. Robb and John and Janice Cramer for the property located at the southerly end of the Tacoma Narrows Airport for roadway purposes.

Council Member Miller moved to correct a typographical error on line 18 to read "navigation." Seconded by Mayor Vialle. Voice vote was taken and carried. The motion was declared adopted.

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

Resolution No. 31672

Authorizing the release of a partial road easement located near North 27th Street and Bridgeview Drive to clear title to the property.

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

Resolution No. 31673

Adopting the 5-Year Recovery Action Program as a guide to further implementation of the Urban Park and Recreation Recovery Program.

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

Resolution No. 31674

Authorizing the execution of an amendment to the agreement with KPMG Peat Marwick in the amount of \$46,000 to facilitate the development of a Strategic Plan.

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

UNFINISHED BUSINESS:

None.

REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr. City Manager, reported that there have been significant changes to the regional transportation bill in the Legislature and suggested that Council may want to redefine its plan on regional transportation issues.

Mr. Corpuz requested an Executive Session not to exceed 15 minutes to discuss potential litigation.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Vialle announced that the Council meeting of March 10, 1992 is cancelled. Council will resume its regular meeting schedule on March 17, 1992.

Mayor Vialle moved to excuse the absence of Council Member Moss. Seconded by Deputy Mayor Mykland. Voice vote was taken and carried. The motion was declared adopted.

Mayor Vialle thanked staff who participated in making the guests from our Russian Sister City feel welcomed to our community. Mayor Vialle requested that a resolution be prepared for the March 17, 1992 meeting to establish a sister committee for Vladivostock.

Mayor Vialle reported that she was informed by Channel 11 that AT&T was closing its office in Tacoma because of the high crime and lack of parking in downtown Tacoma. Mayor Vialle indicated that the violent crime rate has dropped significantly in Tacoma and had hoped AT&T would have talked to the City about their concerns before making the decision to leave Tacoma.

Mayor Vialle moved to recess to Executive Session for 15 minutes to discuss potential litigation matters. Seconded by Council Member Nielsen. Council recessed to Executive Session at 6:50 p.m. and reconvened at 7:05 p.m.

On proper motion, the meeting was adjourned at 7:05 p.m.

ATTEST:


GENELLE BIRK, CITY CLERK


KAREN L. R. VIALLE, MAYOR

OS.6703G.