

# CITY COUNCIL MINUTES

City Council Chambers  
February 4, 1986

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

Present on roll call: 9 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warrnick, and Mayor Sutherland.

The Flag Salute was led by Council Member Warrnick.

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## CONSENT AGENDA

Approval of the minutes of the regular meeting of January 28, 1986.

### PETITIONS:

Comfort, Davis and Blangy, Inc. requesting the reclassification of the property located at the northwest corner of 25th Street and Tacoma Avenue South from a "C-3" to a "M-1" District.

Flannigan and McLaughlin requesting the reclassification of the property located between 67th and 70th Streets west of Sprague Avenue from a "C-P-N" to an "R-4-L" District.

Mayco Fish Products, Inc. requesting the reclassification of the property located at South 25th Street and Jefferson Avenue intersected by South Fawcett Street from a "M-1" to a "M-2" District.

Wild West Post No. 91, V.F.W. requesting the reclassification of the property located at 2000 South Union Avenue, 19th Street and South Union Avenue from an "R-2" to an "R-4" District.

For referral to the Hearings Examiner.

### RESOLUTIONS:

Resolution No. 29066

Authorizing the execution of a concomitant zoning agreement with Stuart Mattles for the development of a 168-unit apartment complex on the southwest corner of Center and Tyler Streets.

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ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, February 4, 1986.
- b. Minutes of the meeting of the Citizens Energy Conservation Advisory Committee, January 6, 1986.
- c. Minutes of the meeting of the Citizens Transportation Advisory Committee, December 5, 1985.
- d. Minutes of the meetings of the Pacific Avenue Advisory Committee, January 9, 1986 and January 16, 1986.
- e. Minutes of the meeting of the Public Utility Board, January 8, 1986.
- f. Minutes of the meetings of the Urban Policy Committee, January 15, 1986 and January 16, 1986.
- g. Petitions from business owners and residents requesting a vehicular overpass over SR-16 at Mildred Street.
- h. Tacoma Employees' Retirement System - report of purchases and sales of investments, December 1985.
- i. Tacoma-Pierce County Humane Society & S.P.C.A. Total Work Report for December 1985.

Deputy Mayor Rasmussen moved that the Consent Agenda, including Resolution No. 29066, be approved. Seconded by Council Member Hyde. Voice vote was taken and carried. The Consent Agenda was declared approved.

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Mayor Sutherland called on Steve Olson, Operations Specialist in the MCATV Division, thanked him for his services, and wished him well in his new position at the Fire Department.

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R E G U L A R   A G E N D A

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Resolution No. 29067

Appointing members to various committees, boards, and commissions.

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

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COMMUNICATIONS:

City Attorney submitting the Findings, Conclusions, and Decision of the Council in the matter of the appeal of Robert Bjork relative to the granting of a 125' X 30' access easement over City owned property located at South 19th and Grandview Street.

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Mayor Sutherland moved to concur in the Findings, Conclusions and Decision as presented by the City Attorney. Seconded by Council Member Harnick. Voice vote was taken and carried. The motion was declared adopted.

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FINAL READING OF ORDINANCES:

Ordinance No. 23560

Amending Section 9.28.180 of the Official Code relative to pedestrian malls to make a violation of certain sections regarding vehicular traffic a traffic infraction rather than a misdemeanor in compliance with State law.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Harnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23561

Amending Sections 3.03.110 and 3.06.100 of the Official Code relating to piers and wharves and fire alarm systems by eliminating imprisonment as a penalty for the violation thereof.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Harnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23565

Authorizing the establishment of Consolidated Local Improvement District No. 34 and creating Consolidated Local Improvement District No. 34 Bond Redemption Fund.

Mayor Sutherland moved to amend page 5, line 13, to change the date to March 1, 1987. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

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Deputy Mayor Rasmussen moved to amend page 10, line 20, to change the date to March 1, 1987. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Rasmussen moved to amend page 17, line 6, to insert the dollar figure of \$311,299.20. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved to amend page 17, line 25, to insert the interest rate of 7.4%. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Rasmussen moved to amend page 18, line 3, to insert the interest rate of 8.23%. Seconded by Council Member Stenger. Voice vote was taken and carried. The motion was declared adopted.

Council Member Warnick moved to adopt Substitute Page 3 for Ordinance No. 23565. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken on the Ordinance, as amended and corrected, resulting as follows:

Ayes: 9 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 23562

Increasing the petty cash funds for the Light Division to \$15,000.00 and the Water Division to \$1,500.00 and establishing a petty cash fund for Fleet Services in the amount of \$300.00.

The Ordinance was set over for final reading next week.

Ordinance No. 23563

Authorizing the acceptance of \$5,000.00 from Puget Sound National Bank and \$5,000.00 from Tacoma News Tribune; transferring \$10,000.00 from the General Fund to the Miscellaneous Grants Summary Fund; and appropriating \$20,000.00 from the Miscellaneous Grants Summary Fund for funding artistic performances in the City of Tacoma.

The Ordinance was set over for final reading next week.

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Ordinance No. 23564

Amending Chapter 5.20 of the Official Code to increase garbage and refuse fee rates for refuse collection and disposal services.

The Ordinance was set over for final reading next week.

Ordinance No. 23566

Amending Section 8.12.010 of the Official Code relative to carrying weapons to bring the City Code into compliance with State law.

The Ordinance was set over for final reading next week.

Ordinance No. 23567

Amending various sections of Title 11 of the Official Code relative to traffic to bring City Code into compliance with State law.

Mayor Sutherland moved to continue Ordinance No. 23567 to the meeting of February 11, 1986. 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 February 11, 1986.

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RESOLUTIONS:

Purchase Resolution No. 29068

Awarding contracts to:

1. Ben-Ko-Matic on their bid of \$19,941.92 for one industrial power sweeper - Specification No. G-202-85; and
2. Pacific Coast Truck Center on their bid of \$65,383.44 for one street flusher truck - Specification No. G-203-85.

Council Member Nielsen moved that the Purchase Resolution be adopted. Seconded by Deputy Mayor Rasmussen.

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

Resolution No. 29069

Authorizing the execution of an agreement with the Pierce County Department of Assigned Counsel in the amount of \$102,680.36 to provide for legal counsel for indigent defendants appearing in Municipal Court during 1986.

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Resolution No. 29070

Authorizing the execution of an agreement with Pierce County in the amount of \$48,500.00 for rehabilitation and treatment services provided by the Pierce County District Court Probation Department.

Mayor Sutherland moved to continue Resolution Nos. 29069 and 29070 to the meeting of February 18, 1986. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

The Resolutions will be considered at the regular City Council meeting of February 18, 1986.

Resolution No. 29071

Authorizing the creation of the Tahoma Narcotics Enforcement Team and approving the participation of the Tacoma Police Department in this multi-jurisdictional task force.

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

Resolution No. 29072

Authorizing the execution of an amendment to the grant award agreement with the Department of Ecology, Environmental Protection Agency, to increase the eligible cost of the secondary treatment facility at the Central Wastewater Treatment Plant from \$24,000,000.00 to \$50,000,000.00.

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

Resolution No. 29073

Authorizing the execution of an agreement with KIRO, Inc. for the lease of office space in the Tacoma Municipal Building.

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

Resolution No. 29074

Authorizing the transfer of \$750,000.00 from the Local Improvement Guaranty Fund to the General Fund.

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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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PUBLIC HEARINGS AND APPEALS: (Began at 5:48 p.m.)

- a. Proposed reconsideration of the appeal of John H. McCormick regarding the development of a proposed shopping center to be located at South 72nd Street and the I-5 Freeway.

Council Member Hyde moved to reconsider the appeal of John H. McCormick. Seconded by Mayor Sutherland.

Council Member McElliott announced that she would abstain from consideration of this item and left the Council Chambers.

Roll call vote was taken on the motion, resulting as follows: Ayes: 6 - Hyde, Ladenburg, Mykland, Stenger, Warnick, and Mayor Sutherland. Nays: 2 - Nielsen and Rasmussen. Abstaining: 1 - McElliott.

The motion was declared adopted.

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John H. McCormick appealing the decision and recommendation of the Hearings Examiner concerning the development of a proposed shopping center to be located at South 72nd Street and the I-5 Freeway.

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Mayor Sutherland discussed the additional recommendations of the Hearings Examiner as described in the Examiner's February 3, 1986 letter to the Mayor and Members of the City Council.

Council Member Ladenburg moved to uphold the appeal and deny the rezone. Seconded by Council Member Mykland.

Roll call vote was taken on the motion, resulting as follows:  
Ayes: 3 - Hyde, Ladenburg, and Mykland  
Nays: 5 - Nielsen, Rasmussen, Stenger, Warnick, and Mayor Sutherland.  
Abstaining: 1 - McElliott.

The motion was declared failed.

Mayor Sutherland moved to approve the recommendations of the Hearings Examiner as identified in paragraphs 1, 2, and 3 of the Examiner's letter to the Mayor and City Council dated February 3, 1986 relative to applicant, Michael H. Healy. Seconded by Council Member Warnick. Voice vote was taken and carried with Council Member McElliott abstaining. The motion was declared adopted.

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Mayor Sutherland moved to refer to the Planning Commission the appropriateness of the existing intensity designation north of the Healy project and the relationship of the "Alaska/Hosmer Street transition" to future development abutting Alaska Street and surrounding residential access streets to the south of South 72nd Street. Seconded by Council Member Nielsen. Voice vote was taken and carried with Council Member McElliott abstaining. The motion was declared adopted.

- b. This is the date set for a public hearing to consider proposed sanitary sewer rate increases.

Tom Benston from the Sewer Utility Division made a presentation on the proposed rate increases.

Deputy Mayor Rasmussen called for public testimony.

Speaking to the Council were:

Edward Hipp  
Chet Straw  
Lawrence Falick  
Alfred Sortland

Retired Chemical Engineer  
Citizen's Watchdog  
4224 North Mullen  
1106 South Monroe

There being no further public testimony, Mayor Sutherland declared the hearing closed at 6:36 p.m.

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COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Mayor Sutherland announced that the City Council meeting of December 18, 1986 would be conducted in the Wilson High School Auditorium.

Mayor Sutherland moved to cancel the meeting of March 11, 1986 due to lack of a quorum. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

Council Member Stenger moved to suspend the rules to consider a motion regarding the Municipal Dock Building. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

Council Member Stenger moved that the City Landmarks Preservation Commission be authorized to investigate the placing of the Municipal Dock Building on the City's historic register. It was specified that this motion was not a formal nomination of the structure, but a request preliminary to such action. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

Council Member McElliott requested copies of the new guidelines for Accounts Receivable.

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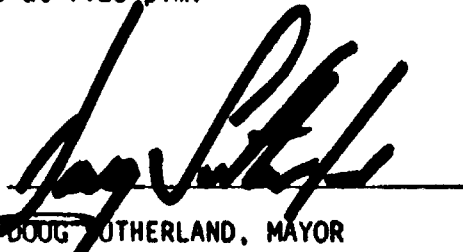


Mayor Sutherland moved to recess to Executive Session to discuss personnel and litigation for approximately 30 minutes. Seconded by Council Member Warrick. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 6:41 p.m. At 7:12 p.m., Mayor Sutherland returned to the Council Chambers and announced that the Council would remain in Executive Session for another 15 minutes. The Council reconvened at 7:28 p.m.

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On proper motion, the meeting adjourned at 7:28 p.m.



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DOUG SUTHERLAND, MAYOR

ATTEST:



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GENELLE BIRK, CITY CLERK

WPC. 5403G

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