

CITY COUNCIL MINUTES

City Council Chambers
May 17, 1988

The meeting was called to order at 5:09 p.m.

Present on roll call: 7 - Hyde, Moss, Mykland, Nielsen, Stenger, Vialle,
and Mayor Sutherland. Absent: 2 - McElliott and Warnick.

(Council Member Warnick arrived at 5:20 p.m.)

The Flag Salute was led by Council Member Vialle.

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

National Police Week Presentation.

Mayor Sutherland called on Police Patrol Officer Mark Mann of the Tacoma Police Department, who gave an overview of the National Police Week presentation.

Chief Ray Fjetland presented seven roses, symbolic of the seven fallen police patrol officers, while Officer Lee Revelle called the roll of honor for the fallen officers.

Mayor Sutherland proclaimed the week of May 16 - 20, 1988, to be "Police Week," and further proclaimed the 17th day of May, 1988 as "Peace Officers Memorial Day" and presented the proclamation to Chief Ray Fjetland.

Chief Fjetland introduced Assistant Chief Duane Ottgen, who announced the Tacoma Police Department awards for the following individuals: Rita Ruth, Sergeant William Parkhurst, Officer William Berger, Lieutenant Gary Whigand, Sergeant Stanley Fisk, Margaret Pinchak, Detective James Williams, and Sergeant Phil Gainey.

Mr. Joseph Ellis, Chair of the Mary Bridge Foundation, and Judy Davis of the Mary Bridge Behavioral Sciences Division presented an award to Chief Fjetland and the Tacoma Police Department in appreciation of the Tacoma Police Department support in the "Bacon Bowl."

Chief Fjetland then made comments regarding National Police Week.

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Council Member Warrnick arrived at 5:20 p.m.

CONSENT AGENDA

Approval of the minutes of the regular meeting of May 10, 1988.

RESOLUTIONS:

Resolution No. 30029

Setting Thursday, July 7, 1988 at 9:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate portions of Waterview and Dale Streets. (Department of Public Works; File No. 124.872)

APPEALS:

Pro-Fac Cooperative, Inc., appealing Jeopardy Assessment Notice AD 5627 by the Department of Tax and License.

Setting Thursday, October 20, 1988 at 9:00 a.m. as the date for hearing by the Hearings Examiner.

ASSESSMENT ROLLS:

The Director of Public Works presents the Assessment Roll for the following:

L.I.D. No. 2604 for the permanent pavement on North Bennett Street from North 44th to North 45th Streets, South "G" Street from South 53rd to South 54th Streets, South Pine Street from South 15th to South 17th Streets, Grandview Avenue from Sherman Street to Division Lane, and the cul-de-sac at the south end of Panorama Drive.

Setting Monday, June 13, 1988 at 5:00 p.m. as the date for hearing by the Hearings Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, May 17, 1988.
- b. Minutes of the meeting of the Citizens Transportation Advisory Committee, May 5, 1988.
- c. Minutes of the meeting of The Municipal Authority, April 21, 1988.
- d. Minutes of the meeting of the Tacoma Employees' Retirement System Investment Committee, March 24, 1988.
- e. Minutes of the meeting of the Urban Policy Committee, April 13, 1988.
- f. Annual Report of the Sewer Utility Division, 1987.
- g. Monthly Report of the Director of Finance, March 1988.

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2

Council Member Vialle moved that the Consent Agenda, including Resolution No. 30029, be approved. Seconded by Council Member Nielsen. Voice vote was taken and carried. The Consent Agenda was declared approved.

REGULAR AGENDA

COMMUNICATIONS:

- a. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.434 to allow the replacement of the timber trestle south approach to the Hylebos Bridge located at East 11th Street and the Hylebos Waterway (Hylebos Bridge on State Route 509) with a like structure, except the deck will be widened four feet. (Washington State Department of Transportation; File No. 141.434)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Deputy Mayor Hyde. Roll call vote was taken, resulting as follows: Ayes: 8 - Hyde, Moss, Mykland, Nielsen, Stenger, Vialle, Warrnick, and Mayor Sutherland. Nays: 0. Absent: 1 - McElliott. The motion was declared adopted.

- b. Hearings Examiner recommending approval of modifications to a previously-approved site plan and amendments to the Concomitant Zoning Agreement the property located on the south side of Center Street between Huson and Ferdinand Streets for the construction of a 20,598 square foot retail building and a 6,200 square foot automobile service center. (Johnson/Saasen Investments Center Street Associates; File No. 120.957a and 124.670)

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

- c. Hearings Examiner recommending approval of modifications to a previously-approved site development plan the property located at the east side of South Orchard Street and approximately 225 feet south of South 40th Street extended to allow the new office space to be constructed as a separate building on the property. (West Coast Vinyl, Inc., and Classic Auto Investments; File No. 120.871B)

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

- d. City Attorney submitting the Findings of Fact, Conclusions of Law, and Decision of the City Council relative to the appeal of Cliff Duvall and Hillsdale Lumber Manufacturing Company.

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Mayor Sutherland moved to continue Communication Item d to the meeting of May 24, 1988. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

The Communication item will be considered at the regular City Council meeting of May 24, 1988.

FINAL READING OF ORDINANCES:

Ordinance No. 23892

Vacating the south 30 feet of South 11th Street between Monroe and Tyler Streets to construct a new home on the existing substandard-size lot where the original dwelling burned. (Alfred A. Pasquale; File No. 124.839)

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - McElliott.

The Ordinance was declared passed.

Ordinance No. 24069

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northwest corner of South 39th Street and South "M" Street from a "C-1" Commercial District to a "M-1" Light Industrial District to utilize the existing 16,000 square foot building as a florist shop. (Steven M. Farber; File No. 120.1236)

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - McElliott.

The Ordinance was declared passed.

Ordinance No. 24093

Amending Chapter 13.06 of the Official Code to correct the zoning for the property located in the vicinity of Montana Avenue and Arizona Avenue from a "C-2" Commercial District to a "R-4" Multiple Family Dwelling District. (H.C. Harned; File No. 120.1184B)

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4

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - McElliott.

The Ordinance was declared passed.

Substitute Ordinance No. 24095

Transferring \$100,000.00 from the Capital Improvement Program Fund, \$60,000.00 from the Stadium and Convention Center Trust Fund, and \$190,000.00 from the Contingency Fund; depositing in and appropriating \$350,000.00 from the Tacoma Dome Operating Fund to clean and recoat the Tacoma Dome roof; and declaring an emergency making necessary the passage of this ordinance.

Mayor Sutherland moved to suspend the rules to consider second Substitute Ordinance No. 24095. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken on the second Substitute Ordinance, resulting as follows:

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

Nays: 0.

Absent: 1 - McElliott.

The second Substitute Ordinance was declared passed.

Ordinance No. 24096

Appropriating \$75,000.00 from the Capital Projects Waterway Fund to transfer the ownership of the steam plant property on City Waterway from the Department of Public Utilities to General Government; 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,
Warrnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - McElliott.

The Ordinance was declared passed.

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5

Ordinance No. 24097

Authorizing the sale and issuance of the City's Sewer Revenue Bonds, 1988 in the aggregate principal amount of \$37,500,000.00 to provide part of the funds necessary to redeem and retire outstanding sewer revenue bond anticipation notes of the City.

Mayor Sutherland moved to suspend the rules to consider Substitute Ordinance No. 24097 providing for the sale and issuance of sewer revenue bonds in the aggregate principal amount of \$35,000,000.00. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Speaking to the Council were:

Catherine Roach, Attorney

Preston, Thorgrimson, Ellis
& Holman

Jim Hattori

Seattle Northwest Securities

Roll call vote was taken on the Substitute Ordinance, resulting as follows:

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

Nays: 0.

Absent: 1 - McElliott.

The Substitute Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 24098

Authorizing the execution of an amendment to the grant award agreement with the U.S. Equal Employment Opportunity Commission in the amount of \$770.00; and depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for training purposes.

The Ordinance was set over for final reading next week.

Ordinance No. 24099

Accepting a donation of \$7,500.00 from Pacific Northwest Bell; transferring \$5,000.00 from the General Fund to the Miscellaneous Grants Summary Fund and appropriating \$12,500.00 from the Miscellaneous Grants Summary Fund to support of BalleTacoma's performances of "La Fille Mal Gardee," and ARTSLINE-UP.

The Ordinance was set over for final reading next week.

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Ordinance No. 24100

Transferring \$290,536.00 to the City Street Fund, \$145,096.00 to the Library Fund, and \$4,083.00 to the Airport Fund from the General Fund and appropriating said sums from said funds to pay for the cost of living increases in wages and medical/dental costs for 1988.

The Ordinance was set over for final reading next week.

Ordinance No. 24101

Amending Title 5 of the Official Code to add a new chapter designed as 5.47 regulating the removal of commercial underground storage tanks for hazardous materials.

The Ordinance was set over for final reading next week.

Ordinance No. 24102

Appropriating \$2,000.00 from the General Fund for the Tacoma Arts Commission to allow for the receipt and disbursement of ticket sales for the 1988 Excellence in the Arts Award Luncheon.

The Ordinance was set over for final reading next week.

Mayor Sutherland moved that the Council consider Public Hearings and Appeals. Seconded by Council Member Warrnick. Voice vote was taken and carried. The motion was declared adopted.

PUBLIC HEARINGS AND APPEALS: (Began at 6:00 p.m.)

This is the date set for a public hearing by the City Council to consider an amendment to the 1987-1988 Community Development Block Grant Statement of Objectives and Use of Funds to provide an interim loan to Pioneer Business Forms, Inc., to retain jobs. (Continued from the meeting of May 10, 1988)

Keith Palmquist, Director of the Community Development Department, gave a presentation regarding the proposed interim loan.

Speaking to the Council were:

Ron Macholtz

President, Pioneer Business Forms

Ryan Petty

President, Economic Development Board

David Graybill

Tacoma-Pierce County Chamber of Commerce

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After discussion, the Council allowed more testimony:

Ron Macholtz	President, Pioneer Business Forms
Mark Mathieson	Urban Policy Committee

There being no further testimony, Mayor Sutherland declared the public hearing closed at 6:25 p.m.

RESOLUTIONS:

Resolution No. 30027 (Continued from the meeting of May 10, 1988.)

Authorizing participation in a settlement agreement with other public agencies and private interests in the amount of \$6,133,000.00 to resolve land claims and jurisdictional issues with the Puyallup Tribe.

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

Speaking to the Council were:

Linda Bowman	Eastside Improvement Group
Carl Anderson	Secretary/Treasurer, Commencement Bay Tide Landowners Committee

Robert Backstein, City Attorney, reviewed the jurisdictional issues of the proposed settlement for the Council.

Mayor Sutherland stated that discussions are continuing and will continue relative to this matter.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - McElliott.

Purchase Resolution No. 30030

Awarding contracts to:

1. Dale's Electric, Inc., on their bid of \$16,434.14 for the YWCA Shelter Weatherization Program - Specification No. G-019-88;
2. Aratex Services, Inc., on their bid of \$72,235.80 for coverall, uniform and linen Service - Specification No. G-025-88;

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8

3. R.E.P. Construction, Inc., on their bid of \$19,658.72 for the Union Station site security lighting - Specification No. G-282-87;
4. Diamond Parking, Inc., in the amount of \$85,000.00 to increase their contract for management services at the North and South Park Plaza Garages;
5. Canyon Sand and Gravel, Inc., on their bid of \$19,619.60 to furnish, haul and stockpile bankrun gravel - Specification No. G-033-88;
6. Long Painting Company, on their bid of \$315,611.45 for the Tacoma Dome roof cleaning and coatings - Unit "A" - Specification No. G-216-88; and
7. Rejecting all bids submitted on the Tacoma Dome Roof-Vinyl Adhesive coating - Unit "B" - Specification No. G-221-88.

Mayor Sutherland moved that the Purchase Resolution be adopted. Seconded by Council Member Warnick.

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

Resolution No. 30031

Authorizing the execution of an agreement with HDR Engineering, Inc. in the amount of \$33,759.00 to perform value engineering services for the design of the Western Slopes Wastewater Treatment Plant pump stations and conveyance systems.

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

Resolution No. 30032

Authorizing the execution of an agreement with Don Miles Associates in the amount of \$115,000.00 to assist in the development of a Master Development Plan for the Union Depot/Warehouse Historic District.

Deputy Mayor Hyde moved that the Resolution be adopted. Seconded by Council Member Warnick.

Council Member Vialle stated that she was a personal friend of Jeffrey Greene, a subcontractor of Don Miles Associates, but that it would not affect her vote on this matter.

Speaking to the Council was:

Linda Bowman

Save Our Station

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

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Resolution No. 30033

Authorizing the execution of an agreement with the Puget Sound Grand Prix Association in the amount of \$5,000.00 for a marketing study to consider the possible future licensing of a Grand Prix type street auto race similar to the Tacoma Grand Prix.

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

Resolution No. 30034

Encouraging Pierce County to undertake a strategy to protect the remainder of the Clover/Chambers Creek Aquifer similar to that which the City Council recently accomplished by the creation of the South Tacoma Groundwater Protection District.

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

Resolution No. 30035

Expressing the intent of the City of Tacoma to submit a Stage I proposal to the Alaska Marine Highway System for a Tacoma location for the Alaska Marine Highway System Ferry Terminal.

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

Council Member Vialle moved to amend Resolution No. 30035 on page 1, line 14, to strike the word "two" and insert the word "a", and on line 15, to strike the letter "s" from the word "sites", and also on line 15, to strike the words "either of these sites" and insert the words "and this site appears to. . ." Seconded by Council Member Mykland.

Council Member Vialle stated that the line would read as follows: "...a possible site, located near Fourth and Dock Streets, on the west side of City Waterway; and this site appears to have the capacity to meet the facility needs. . ."

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

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

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10

REPORTS BY CITY MANAGER:

Erling O. Mork, City Manager, stated that staff had requested an Executive Session to discuss Personnel and real estate matters.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Deputy Mayor Hyde stated that he and Council Member Stenger were reviewing the continuation of the boardwalk and noted several problems. He had requested that the Legal, Planning, and Community Development staff review the original shoreline permit regarding construction and extension of the proposed boardwalk.

Council Member Mykland stated that last week at the appeal, the property owner indicated that he had a septic tank system and noted that this was in Tacoma. He requested to know which properties have septic systems in the city limits, and also if there is any City property on septic systems and requested recommendations from staff on how to get these septic tank systems put into the sanitary sewer system.

Mayor Sutherland moved to recess to Executive Session to discuss personnel and real estate matters, the session not to exceed 30 minutes. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 7:12 p.m. and reconvened at 7:42 p.m.

On proper motion, the meeting was adjourned at 7:43 p.m.


DOUG SUTHERLAND, MAYOR

ATTEST: 
GENELLE BIRK, CITY CLERK

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