

C I T Y C O U N C I L M I N U T E S

City Council Chambers
April 28, 1992

The meeting was called to order by Mayor Vialle at 5:10 p.m.

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

The Flag Salute was led by Council Member Silas.

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

Approval of the minutes of the Tacoma City Council meetings of April 14 and 21, 1992.

RESOLUTIONS:

Resolution No. 31730

Setting Monday, June 22, 1992, at 5:00 p.m. as the date for a hearing by the Hearings Examiner regarding the abatement of hazardous sidewalks.

Resolution No. 31731

Setting Tuesday, May 26, 1992 at approximately 5:30 p.m. as the date for a public hearing by the City Council relative to the adoption of annexed land into the City's "Land Use Management Plan," "Shoreline Master Program," and "Generalized Land Use Plan."

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, April 28, 1992.
- b. Minutes of the meeting of the Human Rights Commission, March 19, 1992.
- c. Minutes of the meeting of the Landmarks Preservation Commission, April 8, 1992.
- d. Minutes of the meeting of the Board of Trustees of the Tacoma Public Library, February 19, and March 18, 1992.
- e. Minutes of the meeting of The Municipal Authority, March 19, 1992.
- f. A Walk on the Mountain, Pacific Avenue to Foss Waterway Pedestrian Overpass, 1992.

Council Member Nielsen moved that the Consent Agenda, including Resolution Nos. 31730 and 31731, be approved. Seconded by Deputy Mayor 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

COMMUNICATIONS:

Hearings Examiner recommending approval of Shoreline Management Substantial Development/Conditional Use Permit and Waiver No. 141.515 to allow a 580-square-foot bedroom/bath addition and a 580-square-foot garage; a 20-foot by 75-foot floating dock structure with a 10-foot by 25-foot mooring slip and a ramp and roller connection to an existing overwater single-family dwelling and deck structures at 1622 Wilton Road. (John and Connie Linn; File No. 141.515)

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

Deputy Mayor Mykland proclaimed the day of April 28, 1992, to be "National Youth Service Day," and presented the proclamation to Mr. Kim.

Deputy Mayor Mykland moved to suspend the rules to consider Resolution No. 31735 at this time. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 31735

Authorizing the execution of a Memorandum of Understanding with Tacoma School District No. 10 and the Metropolitan Park District for the Manitou Elementary School project.

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

FINAL READING OF ORDINANCES:

Substitute Ordinance No. 25097

Accepting \$1,000 from Telecommunications, Inc.; and depositing in and appropriating said sum from the General Fund for participation in the National Academy of Cable Programming's Annual Local ACE Award Ceremony.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 25098

Authorizing the execution of agreements with the Department of Public Utilities for the design and construction of energy conserving lighting fixtures and mechanical equipment to be installed in the Federal Courthouse at the Tacoma Union Station; transferring \$169,949 from the BPA Grant Summary Fund and \$29,991 from the Light Division Current Fund to the Union Station Fund; appropriating \$199,940 from the Union Station Fund to partially defray the costs of the project; 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, Moss, Nielsen, Silas, and Deputy Mayor Mykland.

Nays: 0.

Absent: 1 - Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 25092

Providing for the formation of L.I.D. No. 3949 for the construction of sanitary sewers in South 94th Street from Alaska Street east 700 feet and Sweet Street from Portland Avenue to East Q Street.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 25099

Providing for the formation of L.I.D. No. 8558 for the installation of permanent paving on East G Street from 74th to 75th Streets and South 94th Street from Alaska Street east 760 feet.

Hearings Examiner requested Council adoption of the Hearings Examiner's Findings, Conclusions and Recommendations and delete Segment 3 of L.I.D. 8558.

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

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Mayor Vialle.

PUBLIC HEARINGS AND APPEALS: (Began at 5:35 p.m.)

This is the date set for a public hearing on amending Chapters 5.26 and 6.60 of the Official Code relating to animal control and license fees.

Speaking before the Council were:

Penny Drost

Chair, Tacoma-Pierce Humane Society Board

Chuck Granowski

Tacoma-Pierce Humane Society Board

Mycki Fulda

33911 4th Ave. S., Roy

Joe Fulda

33911 4th Ave. S., Roy

Marilyn Wilfong

22601 138th Ave. E., Graham

Cathy Prevost

915 S. 281st, Redondo

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B. R. Pinckney	502 North Eye
Sally Bishop	Kennel Owner
Vicky Pearson	Puyallup Animal Rescue
Alice Rhea	International Cat Association
Mack Ingle	Citizen
Dr. Chuck Root	Spayed Neuter Coalition
Louise Batchelor	Resident
Jane Anderson	Resident
Mathew Tedder	Student at TCC
Shirley Arnold	Citizen

The hearing was declared closed at 7:15 p.m.

At 7:30 p.m. Deputy Mayor Mykland moved to recess for five minutes. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

Council reconvened at 7:40 p.m.

FIRST READING OF ORDINANCES:

Ordinance No. 25100

Amending Chapter 13.06 of the Official Code to reclassify the property located on the northwest corner of North Parkway and Bristol Street from a "R-2" One-Family Dwelling District to a "R-3-PRD" Planned Residential Development District Retirement Homes to allow the development of eight duplexes and an addition to an existing residence hall. (Paul J. Casey/The Franke Tobey Jones Home; File No. 120.1343)

Deputy Mayor Mykland moved to suspend the rules to consider Substitute Ordinance No. 25100. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Mykland 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.

Ordinance No. 25101

Vacating a portion of the alley west of North Bristol Street and south of North Park Avenue to clear an existing building encroachment. (The Franke Tobey Jones Home; File No. 124.950)

Deputy Mayor Mykland moved to concur in the Findings, Conclusions and 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. 25102

Amending Chapter 12.10 of the Official Code to revise water rates and regulations effective May 16, 1992.

Deputy Mayor Mykland moved to suspend the rules to consider Substitute Ordinance No. 25102. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

The Substitute Ordinance was set over for final reading next week.

Speaking before Council were:

- | | |
|------------------|-----------------------|
| Kim Drury | Resident |
| Ray Tennis | Simpson Kraft Company |
| Paul Ayzn | Resident |
| Louise Batchelor | Resident |

Ordinance No. 25103

Amending Sections 6.02.050 and 6.69.020 of the Official Code and adding Section 6.32.030 relative to the date of payment for the annual business and gas and oil vehicle license fees and allowing the Director of Finance to approve extensions of time for payment of license fees.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 31712 (Continued from the meeting of April 21, 1992.)

Authorizing the execution of a real estate option to purchase agreement with U. S. Generating Company in the amount of \$3,250,000 for 17 acres of surplus property between Taylor Way and Alexander Avenue.

Deputy Mayor Mykland moved to continue Resolution No. 31712 to the meeting of May 5, 1992. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

The Resolution No. 31712 will be considered at the regular City Council meeting of May 5, 1992.

Purchase Resolution No. 31732

Awarding contracts to:

1. Miraldi Welding Supplies, Inc., in the amount of \$19,000, and Oxygen Sales & Services, Inc., in the amount of \$9,000 to increase and extend their contract for assorted welding gases and supplies - Informal Bid No. 007689;
2. InterAcc Northwest, Inc., on their bid of \$95,000, and Kelly Temporary Services on their bid of \$199,000 to extend and increase their contract for temporary services - Pierce County Bid No. 5913;
3. Sanderson Safety Supply, on their bid of \$6,206.24 to increase their contract for safety supplies - Specification No. G-058-90;
4. Western Paper Company, on their bid of \$35,648.52 to increase and extend their contract for janitorial supplies - Specification No. G-107-90;
5. American Building Maintenance Company, on their bid of \$92,124.60 for janitorial services at various City buildings - Specification No. G-209-92;
6. Allied Colloids, on their bid of \$500,000 to increase the contract for polymer for sludge dewatering - Specification No. G-120-90; and
7. Don Small & Sons Oil Dist. Co., in the amount of \$57,000 to extend and increase their contract for motor oil and lubricants - Washington State Contract No. 254-89.

Deputy Mayor Mykland moved that the Purchase Resolution, including waiving formal bidding procedures on Item No. 1, be adopted. Seconded by Council Member Miller.

Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution, including waiving formal bidding procedures on Item No. 1, was declared adopted.

Resolution No. 31733

Authorizing the segregation of the property assessed under L.I.D. No. 8439 into two parcels at the request of Vine Street Investors.

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

Resolution No. 31734

Amending the 17th Year Community Development Block Grant Fund Program to implement the Nehemiah Housing Services program; and authorizing the execution of an agreement with the Upper Tacoma Renaissance Association in the amount of \$12,500 to implement said program.

Council Member Nielsen 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. announced that Martha Anderson and Judith Lorbeir of Planning and Development Services and Megan White of the Washington Department of Ecology will be interviewed on "Cityline" by Bill Ogden at noon on April 29, 1992 on the Municipal TV Channel to discuss the Thea Foss Waterway.

Mr. Corpuz requested an Executive Session, to discuss potential litigation, not to exceed 20 minutes.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Miller requested a status report on the program referenced in Lt. Gainey's correspondence from the Police Department relating to the lack of funding for the SET (Selective Enforcement Team) program.

Council Member Evans requested a Study Session to discuss the issue of properties being devaluated as outlined in a correspondence from Judith Lorbeir of Planning and Development Services.

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

Deputy Mayor Mykland announced that the deadline for submitting nominations for the City of Destiny Awards is Friday, May 1, 1992. Nomination forms may be obtained in the City Clerk's office by calling 591-5175.

Deputy Mayor Mykland moved to recess to Executive Session to discuss potential litigation, the session not to exceed 20 minutes. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 8:25 p.m. and reconvened at 8:40 p.m.


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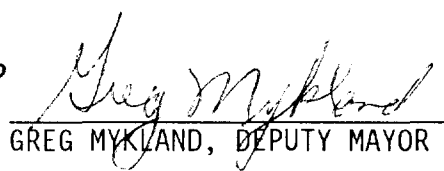
Deputy Mayor Mykland moved that the City settle the case of Katherine Day, personally and guardian ad litem for Vanessa and Dahlia, v. City, and Department of Labor and Industries Claim No. T239267, Board of Industrial Insurance Appeals Docket Nos. 91-0020 and 91-0020A, for the sum of \$50,000. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Mykland moved that Council authorize abating the nuisance at the Grice Landfill site, with the understanding that the abatement action may cost from \$125,000 to \$750,000, depending on the nature of the remediation action needed. The Council further understands that, while the Legal Department will try to recoup the City's costs from the landowner and his insurance companies, this effort may not be successful and, further, that while the remediation at the site will mitigate the damages from the homeowner's suit, it may not settle the homeowner's suit. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 8:45 p.m.

ATTEST:


GENELLE BIRK, CITY CLERK


GREG MYKLAND, DEPUTY MAYOR

OS.71416.