

CITY COUNCIL MINUTES

City Council Chambers
June 11, 1985

The meeting was called to order at 5:05 p.m.

Present on roll call: 8 - Bichsel, Hyde, Kirby, Rasmussen, Stenger, Strege, Warnick, and Mayor Sutherland. Absent: 1 - Ladenburg. (Council Member Ladenburg arrived at 6:04 p.m.)

The Flag Salute was led by Council Member Kirby.

CONSENT AGENDA

PETITIONS:

American Commercial Fund Partnership requesting reclassification of the property located on the south side of South 74th Street approximately 600 feet west from South Tacoma Way from an "R-2" and "C-2" to a "CPC" and "PDD."

For referral to the Hearings Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Public Utility Board Agenda, Wednesday, June 12, 1985.
- b. Minutes of the meeting of the Civil Service Board, May 20, 1985.
- c. Amended minutes of the meetings of the Public Art Task Force, May 9, 1985 and May 23, 1985.
- d. Minutes of the meeting of the Public Utility Board, May 15, 1985.
- e. Minutes of the meeting of the Tacoma Employees' Retirement System Board of Administration, April 25, 1985.
- f. Monthly Report of the Director of Finance, April 1985.
- g. Monthly Financial Reports of the Belt Line Division, Data Processing Division, Fleet Services Fund, Light Division, Self-Insurance Claim Fund, and Water Division, April 1985.
- h. Monthly Report of Tacoma Police Department, April 1985.
- i. Tacoma Employees' Retirement System Reports of Purchases and Sales of Investments, April 1985.

Council Member Bichsel moved that the Consent Agenda be approved. Seconded by Deputy Mayor Strege. Voice vote was taken and carried with Council Member Rasmussen abstaining.. The Consent Agenda was declared approved.

NOTE: If the microfilmed document is less clear than this notice, it is due to the quality of the original document.

REGULAR AGENDA

COMMUNICATIONS:

Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.357 to allow the construction of a 35,000 gallon muriatic (hydrochloric) acid storage tank within an existing chemical processing facility located at the southwesterly side of the Hylebos Waterway, approximately one-fourth mile west of East 11th Street. (Occidental Chemical Corporation; File No. 141.357)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Hyde. Roll call vote was taken, resulting as follows: Ayes: 8 - Bichsel, Hyde, Kirby, Rasmussen, Stenger, Strege, Warrnick, and Mayor Sutherland. Nays: 0. Absent: 1 - Ladenburg. The motion was declared adopted.

FINAL READING OF ORDINANCES:

Ordinance No. 23410

Amending Section 8.17.015 of the Official Code relative to obstructing public servants in the discharge of their duties.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hyde, Kirby, Rasmussen, Stenger, Strege, Warrnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Ladenburg

The Ordinance was declared passed.

Ordinance No. 23411

Amending Chapter 1.30 of the Official Code to enable the City to implement the "Employer Pick-Up Plan" relating to employee contributions to the City Retirement System.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hyde, Kirby, Rasmussen, Stenger, Strege, Warrnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Ladenburg

The Ordinance was declared passed.

NOTE: If the microfilmed document is less clear than this notice, it is due to the quality of the original document.

Ordinance No. 23412

Authorizing the Finance Director to issue and sell bond anticipation notes, warrants, or installment notes to finance construction costs when those short-term obligations have been otherwise authorized by an ordinance creating a Local Improvement District.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hyde, Kirby, Rasmussen, Stenger, Strege, Warrnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Ladenburg

The Ordinance was declared passed.

Ordinance No. 23413

Authorizing the execution of a grant award contract in the amount of \$28,615.00 with the Washington State Energy Office and appropriating the sum of \$28,615.00 from the Miscellaneous Grants Summary Fund for the operation of the joint City of Tacoma/Pierce county Energy Information Center.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hyde, Kirby, Rasmussen, Stenger, Strege, Warrnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Ladenburg

The Ordinance was declared passed.

Ordinance No. 23414

Amending Section 2 of Ordinance No. 23390 which provides for the formation of L.I.D. No. 2596, to revise the legal description.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hyde, Kirby, Rasmussen, Strege, Warrnick, and Mayor Sutherland.

Nays: 0.

Absent: 2 - Ladenburg and Stenger.

The Ordinance was declared passed.

NOTE: If the microfilmed document is less clear than this notice, it is due to the quality of the original document.

Ordinance No. 23415

Providing for the formation of L.I.D. No. 2597 for the placement of 2-inch asphalt surface treatment on East "I" Street from East 38th Street to East 40th Street, East 90th Street from East "F" Street to McKinley Avenue, and South 88th Street from South "J" Street to South "K" Street.

Speaking to the Council was:

George Baron

3801 East I Street

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hyde, Kirby, Rasmussen, Stenger, Strega, Warrnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Ladenburg.

The Ordinance was declared passed.

Mayor Sutherland proclaimed June 14, 1985, to be Flag Day in Tacoma and urged all citizens to "Pause for the Pledge" at 4:00 p.m. on Friday, June 14, 1985.

FIRST READING OF ORDINANCES:

Ordinance No. 23416

Reclassifying the southeast corner of South 37th Street and Pacific Avenue from an "R-3" Two-Family Dwelling District to an "R-3-T" Residential-Commercial Transitional District to allow the construction of two three-story wood frame professional office buildings totaling 15,000 square feet. (Larry R. Baum; File No. 120.1118)

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

Final reading of the Ordinance was set over to a date to be determined.

Ordinance No. 23417

Amending the Equipment Rental Rate Schedule to reflect 1985 rates and add a new section entitled "Capital/Stationary Equipment Activity."

The Ordinance was set over for final reading next week.

NOTE: If the microfilmed document is less clear than this notice, it is due to the quality of the original document.

Ordinance No. 23418

Amending the Pay & Compensation Plan to implement the provisions of a collective bargaining agreement with the Service Employees International Union Local 123, Sweepers Unit.

The Ordinance was set over for final reading next week.

Mr. David Dow, Finance Director, requested that Ordinance No. 23419 be deferred until later in the meeting.

RESOLUTIONS:

Purchase Resolution No. 28794

Awarding contracts to:

1. Westinghouse Elevator Company on their bid of \$27,941.76 for elevator maintenance service at the Tacoma Municipal Building - Specification No. G-053-85;
2. Electric Construction Company on their bid of \$98,658.70 for traffic signal upgrade 1983/1984 - Specification No. G-067-85;
3. Northwest Signal Supply, Inc. on their bid of \$32,305.50 for solid state traffic actuated controller - Specification No. G-068-85;
4. Harlow Construction Company on their bid of \$19,896.00 for sanitary sewer extension on North 48th Street from Pearl Street to Highland Avenue - L.I.D. No. 3873 - Specification No. G-052-85;
5. Pete Naccarato Construction on their bid of \$46,709.74 for sanitary sewer replacement in the alley between South "K" Street and South "L" Street from South 5th Street to 6th Avenue - Specification No. G-070-85; and
6. Bank and Office Interiors on their bid of \$66,545.60 for office furniture - Contract No. B378009A.

Deputy Mayor Strege moved that the Purchase Resolution be adopted, including waiving the formal bidding procedures on Purchase Item Nos. 1 and 6. Seconded by Council Member Rasmussen.

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

Resolution No. 28795

Approving the preliminary plat for North Shore Country Club Estates, Division 2, to develop 276 dwelling units on 81.43 acres bounded by 45th Avenue N.E., Browns Point Boulevard, 43rd Street N.E., and the North Shore Golf Course. (HSLA Development Corporation; File No. 125.277)

NOTE: If the microfilmed document is less clear than this notice, it is due to the quality of the original document.

Mayor Sutherland moved to continue Resolution No. 28795 to the meeting of June 25, 1985. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting of June 25, 1985.

Resolution No. 28796

Designating the City Clerk/General Services Department as an "advertising agency" and authorizing the execution of an agreement with the Tacoma News Tribune for advertising for 1985-86.

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

Resolution No. 28797

Authorizing the execution of an agreement with Alternate Energy Industries Corporation to allow the installation of a pyrolytic gasification module at the City's solid waste Resource Recovery Facility for a demonstration program relative to refuse derived fuel.

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

Mayor Sutherland moved to consider "Citizens Request to be Heard" next. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

CITIZEN'S REQUEST TO BE HEARD: (Began at 6:03 p.m.)

West Slope neighborhood residents requesting to speak on the preservation of the existing character and quality of their neighborhood and the status of the West End Plan.

Council Member Ladenburg arrived at 6:03 p.m.

Mr. Rex Lester, representing the West Slope neighborhood, spoke to the Council on this matter.

Mr. Lester then called on Ms. Marie Davis, 7435 Geiger Circle, who provided further testimony to the Council on this matter.

NOTE: If the microfilmed document is less clear than this notice, it is due to the quality of the original document.

Mayor Sutherland instructed the City Manager to have the Land Use Administrator review the data provided, review the zoning ordinance and the variance that was granted at the time to allow construction of the building to determine whether or not there were violations to the ordinance, and whether or not the builder had complied with the terms and conditions and understandings of the variance and the application conditions.

Mayor Sutherland then requested that the City Attorney determine if removing the offending portions of the building would be appropriate.

Deputy Mayor Strege requested that Planning staff bring material to the Council that will advise whether a moratorium would be needed until after a decision is made on the West Slope Plan.

Council Member Kirby asked if this particular house would have complied with the code prior to the Council's previous revision of that code section. He also requested a chronological list of the events that occurred in the building process, such as the date of application for the variance, when the various decisions were made, and so forth.

Council Member Rasmussen requested a second opinion, by a second building inspector, on the height of the house.

Mr. Joe Iverson, 1513 South Jackson, spoke to the Council regarding his concerns on this matter.

PUBLIC HEARINGS AND APPEALS: (Began at 6:35 p.m.)

This is the date set for hearing the appeal of Mobil Oil Company regarding the decision of the Hearings Examiner relative to the requests for reclassification, vacation, and special use permit for a convenience store and service station to be located on the southeast corner of Orchard Street West and South 56th Street.

Mr. Gary Sullivan, Hearings Examiner, made a presentation to the Council on this matter.

Mr. Geoffrey Moore, representing Mobil Oil, spoke to the Council on the reasons for the appeal.

Mr. Steven Quick-Ruben, Attorney, representing Manor Care, made a presentation in support of the Hearings Examiner's decision.

Mr. Kyle Crews, Assistant City Attorney, spoke in support of the Hearings Examiner's decision.

NOTE: If the microfilmed document is less clear than this notice, it is due to the quality of the original document.

Mayor Sutherland moved to allow the vacation of the alleyway as indicated. Seconded by Council Member Warrick. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Strege moved to uphold the Recommendations, Conclusions, and Findings of the Hearings Examiner relative to the rezone and application for installation of a service station. Voice vote was taken and carried. The motion was declared adopted.

The appeal was denied.

Ordinance No. 23419

Authorizing the issuance of up to \$100,000,000.00 of Bond Anticipation Notes to provide interim financing for the Sewer Utility's Secondary Treatment Project.

Speaking to the Council was:

James Ellis

Law firm of Preston, Thorgrimson,
Ellis and Holman

The Ordinance was set over for final reading next week.

Resolution No. 28798

Authorizing the execution of agreements with Moody's Investors Service, Inc., and Standard & Poor's Corporation for the provision of rating services in connection with the issuance of Bond Anticipation Notes for the Sewer Utility's Secondary Treatment Project.

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

Resolution No. 28799

Adopting the Six Year Comprehensive Street Program for the years 1986 through 1991 and the amended Street Program for 1985.

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

NOTE: If the microfilmed document is less clear than this notice, it is due to the quality of the original document.

City Council Minutes - Page 9 - June 11, 1985

Resolution No. 28800

Authorizing the City Manager to execute Model Conservation Standards Agreements for multi-family buildings in the Tacoma Light Division service area.

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

Resolution No. 28801

Authorizing the execution of a collective bargaining agreement with the Service Employees International Union Local 123, Sweepers Unit, effective January 1, 1985 through December 31, 1986.

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

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Council Member Bichsel moved that Council Member Jack Hyde be appointed to the Cummings Boat Property Design Advisory Committee. Seconded by Council Member Stenger. Voice vote was taken and carried. The motion was declared adopted.

Council Member Bichsel moved to appoint Council Member Tom Stenger to replace Council Member Peter Rasmussen on the Appointments Committee. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

Council Member Hyde stated that he has noticed that many Transit buses do not pull completely in to the curb when they are at bus stops. He stated that this creates a dangerous traffic hazard and requested that staff make Pierce Transit aware of the problem.

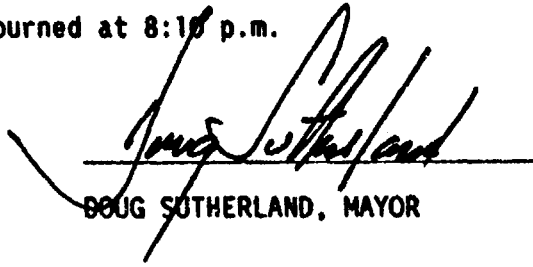
Mayor Sutherland moved to recess to Executive Session to discuss litigation. Seconded by Council Member Bichsel. Voice vote was taken and carried. The motion was declared adopted.


Council recessed to Executive Session at 8:01 p.m. and reconvened at 8:07 p.m.

NOTE: If the microfilmed document is less clear than this notice, it is due to the quality of the original document.

Mayor Sutherland moved that the settlements of the claims of Edna Larson and Darrell Lee against the City of Tacoma be authorized in accordance with the recommendations of the City Attorney. Seconded by Council Member Ladenburg. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting adjourned at 8:10 p.m.


DOUG SUTHERLAND, MAYOR

ATTEST: 
for GENELLE BIRK, CITY CLERK

WPC. 23246

NOTE: If the microfilmed document is less clear than this notice, it is due to the quality of the original document.

0 19