

CITY COUNCIL MINUTES

City Council Chambers
April 12, 1988

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

Present on roll call: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warrick, and Mayor Sutherland.

The Flag Salute was led by Council Member Warrick.

CONSENT AGENDA

RESOLUTIONS:

Resolution No. 29976

Setting Tuesday, May 17, 1988 at 9:30 a.m. as the date for a hearing by the Hearings Examiner the request to vacate various streets and alleys in the southeasterly area of South 19th Street and Bantz Boulevard. (Metropolitan Park District; File No. 124.871)

Resolution No. 29977

Setting Tuesday, May 17, 1988 at 9:30 a.m. as the date for a hearing by the Hearings Examiner the request to vacate the south 13 feet of South 11th Street west from Washington Street. (Gary G. Brazeau; File No. 124.870)

Resolution No. 29978

Setting Tuesday, May 31, 1988 at 9:30 a.m. as the date for a hearing by the Hearings Examiner the request to vacate a portion of Wright Avenue, east of Pacific Avenue. (Oscar T. Hokold; File No. 124.868)

APPEALS:

Cliff Duvall and Hillsdale Lumber and Manufacturing Company, appealing the denial of his request for reclassification of the property located on the northwest corner of East 60th Street and McKinley Avenue from a "R-2" One-Family Dwelling District and a "C-2" Commercial District to a "M-2" Heavy Industrial District to allow a lumber manufacturing business and storage yard.

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Setting Tuesday, May 3, 1988 at approximately 5:30 p.m. as the date for hearing by the City Council.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the meetings of the Civil Service Board, March 7, 1988 and March 21, 1988.
- b. Minutes of the meeting of the Landmarks Preservation Commission, March 23, 1988.
- c. Minutes of the meeting of The Municipal Authority, March 17, 1988.
- d. Minutes of the meeting of the Tacoma Employees' Retirement System Investment Committee, February 25, 1988.
- e. Minutes of the meeting of the Tacoma-Pierce County Board of Health, March 2, 1988.
- f. Minutes of the meeting of the Tacoma Planning Commission, March 21, 1988.
- g. Minutes of the meeting of the Urban Policy Committee, March 3, 1988.
- h. Report of the Director of Finance, December 1987.
- i. Citizens' petition opposing the increase of the electric rates, March 15, 1988.

Council Member Nielsen moved that the Consent Agenda, including Resolution Nos. 29976, 29977, and 29978, be approved. Seconded by Council Member Warrnick. Voice vote was taken and carried. The Consent Agenda was declared approved.

Mayor Sutherland introduced the 1988 Daffodil Queen and Princesses to the City Council. Queen Heidi Johnson and Princesses Colleen Knutson, Rose Villanueva, Amanda Fox, Erika Consa invited all to the Daffodil and Marine Daffodil Parades.

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

COMMUNICATIONS:

- a. Hearings Examiner recommending approval of modifications to the previously-approved site plan for the property located on the easterly side of Orchard Street southerly of South 40th Street to better adapt the development, including interior circulation, to the topography of the site, and to permit tilt-up concrete panels with a ribbed metal wall system. (Land Partnership IV (Berry and Berry Associates); File No. 120.1217 & 130.2876)

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

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- b. Hearings Examiner recommending approval of modifications to the Concomitant Agreement for the property located on the north side of South 23rd Street approximately 250 feet east of South Adams relating to conditions pertaining to height of the buildings' design and access to South Washington Street. (2010 Union Ltd. Partnership by Steven Severson/Don Bell; File No. 120.1203A)

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

- c. Hearings Examiner recommending approval of the deletion of condition 2.f of the Hearings Examiner report and recommendation of September 4, 1987 relative to the vacation of the property located between "J" and "K" Streets from South 16th Street to South 17th Street which provided that the existing street and alley return should be removed and replaced with cement concrete curbs, gutters, sidewalks and driveways. (St. Joseph Hospital; File No. 124.848)

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

FINAL READING OF ORDINANCES:

Ordinance No. 23947

Vacating the alley between "J" and "K" Streets from South 16th Street to South 17th Street to improve the existing hospital parking lots to provide additional stalls. (St. Joseph Hospital; File No. 124.848)

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warrnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24038

Vacating a portion of Union Avenue northerly of South Tacoma Way, southerly of the Burlington Northern right-of-way, near the Union Avenue Viaduct to exchange the vacated right-of-way for property required for a future east-west route between South Tacoma Way and Orchard Street at South 38th-South 40th Street. (City of Tacoma; File No. 124.864)

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Mayor Sutherland moved to suspend the rules to consider revised Ordinance No. 24038. Seconded by Council Member Vialle. Voice vote was taken and carried. The motion was declared adopted.

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

Ayes: 8 - Hyde, McElliott, Moss, Nielsen, Stenger, Vialle, Warrick, and Mayor Sutherland.

Nays: 1 - Mykland.

The Ordinance was declared passed.

Ordinance No. 24059

Vacating a portion of North 28th Street easterly of Starr Street to "clear" an existing encroachment. (Patrick J. Murto; File No. 124.853)

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warrick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24061

Authorizing the City Attorney to prosecute an action in Superior Court under the right of eminent domain to acquire necessary rights of way and easements for the widening of South Stevens Street between 6th Avenue and South 19th Street and the construction of related improvements.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warrick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24062

Authorizing the acceptance of \$90,000.00 from the Federal Aviation Administration; depositing said sum in the Airport Construction Fund; transferring \$90,000.00 from the General Fund to the Airport Construction Fund; and appropriating \$180,000.00 from the Airport Construction Fund to pay additional costs related the construction of improvements at the Tacoma Narrows Airport.

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Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warrick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24063

Amending the Pay and Compensation Plan to implement 1988 rates of pay for certain Refuse and Sewer Division employees in accordance with collective bargaining agreements with Teamsters Local 313.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warrick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24064

Placing a moratorium on the issuance of permits for billboards through October 1, 1988 and ordaining that no further permit applications for billboards in the "C-2", "C-3", "M-C", "M-1", "M-2", and "M-3" zoning districts be processed.

Mayor Sutherland moved to suspend the rules to consider Substitute Ordinance No. 24064. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland read Substitute Ordinance No. 24064 into the record.

Mayor Sutherland stated that it was the intent of the Council to allow public testimony during second reading of this Ordinance.

Speaking to the Council were:

Ron Meyers

Sun Outdoors Advertising

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warrick, and Mayor Sutherland.

Nays: 0.

Mayor Sutherland stated that Planning Commission should take quality time to review and consider this matter and bring their recommendations to the Council.

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The Ordinance was declared passed.

Ordinance No. 24065

Providing for the formation of L.I.D. No. 8484 for the placement of pavement and storm drains in:

1. South Cheyenne Street from South 12th to South 16th Streets;
2. The alley between South 7th and South 8th Streets from Puget Sound to Union Avenue; and
3. The alley between North 24th and North 25th Streets from North Lawrence to North Warner Streets.

Mayor Sutherland moved to delete Segment No. 2 from the Ordinance. Seconded by Council Member Vialle. Voice vote was taken and carried. The motion was declared adopted.

Segment No. 2 was deleted from Ordinance No. 24065

Speaking to the Council was:

Ron Green

1402 South Verde

Council Member Moss moved to delete Segment No. 1 from the Ordinance. Seconded by Council Member Mykland.

Mayor Sutherland requested that Council Members Moss and Mykland delay the vote on their motion subsequent to testimony and discussion of this matter with staff.

Council Member Nielsen suggested that the Ordinance be set over for one week to allow the legal staff to review possible options relative to this matter.

Speaking to the Council was:

Terry Owen

Property Developer

Mayor Sutherland acknowledged that he had received Mr. Owen's letter on March 23, 1988 and had asked staff to comment on it.

Council discussed various options and concerns regarding Segment No. 1 of the Ordinance.

Robert Backstein, City Attorney, made recommendations relative to options open to the Council on this matter.

After discussion, Council Member Moss moved to delete Segment No. 1 from LID 8484 (Ordinance No. 24065). Seconded by Council Member Mykland.

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Roll call vote was taken, resulting as follows:

Ayes: 6 - Hyde, McElliott, Moss, Mykland, Nielsen, and Vialle.

Nayes: 3 - Stenger, Harnick, and Mayor Sutherland.

The motion was declared adopted.

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

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Harnick, and Mayor Sutherland.

Nayes: 0

The Ordinance, as amended, was declared passed.

Ordinance No. 24066

Providing for the formation of L.I.D. No. 3902 for the construction of sanitary sewers in South Cheyenne Street from South 12th to South 16th Streets.

Speaking to the Council was:

Katherine A. Gleason

1248 South Verde

Roll call vote was taken, resulting as follows:

Ayes: 3 - Stenger, Harnick, and Mayor Sutherland.

Nays: 6 - Hyde, McElliott, Moss, Mykland, Nielsen, and Vialle..

The Ordinance was declared failed.

Mayor Sutherland moved to suspend the rules to consider citizen's request to be heard. Seconded by Council Member Vialle. Voice vote was taken and carried. The motion was declared adopted.

CITIZEN'S REQUEST TO BE HEARD: (Began at 6:47 p.m.)

Ronald E. Thompson, representing concerned citizens of the Hilltop district, requesting to speak on possible solutions to drug problems within the district.

Ronald Thompson, Attorney, spoke to the Council and made recommendations to the Council regarding the stated problems in the Hill Top area. Mr. Thompson, in turn, introduced the following individuals who spoke and made recommendations to the Council:

Nick Weinstein
Steven Smith
Reverend Vernon Burrough

Co-owner Browne's Star Grill
Co-owner Small Wonders
Allen A.M.E. Church
1223 South K
Thorp's Shade Shop
Tacoma Urban League

Ray Manning
Tom Dixon

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Among the suggestions of the concerned citizens were that more uniformed officers be placed in the Hill Top area and the appointment of a Task Force/Coordinating Committee to work with the Health, Public Works, Police and Fire Departments to work toward solution of problems in the Hill Top area.

Council members then discussed possible actions, frustrations with the problem, and made recommendations for staff action.

Mayor Sutherland stated that at a future study session, the staff would bring together members from the prosecutor's office and others to discuss this particular problem.

Reverend Charles Price, Tacoma Ministerial Alliance, made a brief presentation to the Council regarding this problem.

Ordinance No. 24067

Providing for the formation of L.I.D. No. 2605 for the placement of 2-inch asphalt surface with storm drainage on Bismarck Street from East "B" to East "D" Street.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hyde, McElliott, Moss, Nielsen, Stenger, Warnick, and Mayor Sutherland.

Nays: 2 - Mykland and Vialle.

The Ordinance was declared passed.

Ordinance No. 24068

Providing for the formation of L.I.D. No. 8486 for the placement of permanent pavement on streets and alleys on:

1. East "G" Street from East 26th to East 27th Streets;
2. East 36th Street from East "T" Street to Roosevelt Avenue;
3. The alley between "D" Street and Fawcett Avenue from Division Lane to South 36th Street; and
4. Junett Street from South 48th Street north 225 feet.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hyde, McElliott, Moss, Nielsen, Stenger, and Warnick, and Mayor Sutherland.

Nays: 0.

Absent: 2 - Mykland and Vialle.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

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)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Warnick. 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. 24070

Appropriating \$26,819.99 from the General Fund to provide for the insulation of the Beacon and Lighthouse Senior Centers as a result of the asbestos removal projects; and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 24071

Accepting \$327.00 from the Exchange Club of Tacoma; and depositing in and appropriating said sum from the Miscellaneous Trust Summary Fund for the Tacoma Police Department Crime Prevention Program.

The Ordinance was set over for final reading next week.

Ordinance No. 24072

Amending the Annual Budget of the City of Tacoma for fiscal year 1988.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 29973 (Continued from the meeting of April 5, 1988.)

Authorizing the execution of an agreement with Merritt + Pardini/TRA of Tacoma to provide architectural and engineering consultant services relative to the restoration and rehabilitation of the Tacoma Union Station building.

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. 29973 was reconsidered and amended later in the meeting.)

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Purchase Resolution No. 29979

Awarding contracts to:

1. Columbia Body and Equipment Company on their bid of \$20,320.30 for the overhaul and safety inspection of Vehicle No. 6661 (Derrick) - Specification No. G-017-88; and
2. Extrel Corporation in the amount of \$15,577.10 for a nine (9) tract tape drive and gate valve to the gas chromatograph/mass spectrophotometer - Single Source.

Deputy Mayor Hyde moved that the Resolution be adopted, including waiving the formal bidding requirements on Item No. 2. Seconded by Council Member Harnick. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 29980

Authorizing the execution of Amendment No. 43 to the agreement with the Municipal Authority for the continued implementation of the Local Homestead Program and the implementation of a construction skills training program involving Neighborhoods First, Inc.

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

Mayor Sutherland moved to reconsider Resolution No. 29973. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 29973 was again before the City Council for consideration.

Mayor Sutherland moved to amend Resolution No. 29973 on line 13 to change the amount of "\$496,821" to "\$435,944." Seconded by Council Member Harnick. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 29973, as amended, was declared adopted.

Resolution No. 29981

Authorizing the execution of Tacoma Dome License Agreement No. 659 to provide for the use of the Tacoma Dome by Media One, Inc., for the presentation of the Bruce Springsteen concert on May 5 and 6, 1988.

Deputy Mayor Hyde moved that the Resolution be adopted. Seconded by Mayor Sutherland.

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Roll call vote was taken, resulting as follows:

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

Nays: 1 - McElliott.

The Resolution was declared adopted.

Resolution No. 29982

Transferring \$1,200,000.00 from the Local Improvement Guaranty Fund and \$700,000.00 from the Self Insurance Claim Fund to the General Fund to balance the 1988 Budget.

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

Mayor Sutherland stated that Ordinance No. 20909, Section 6, which created the self-insurance claim fund, provided that the transfer, appropriation, or expenditure of funds for other than claims purposes requires unanimous approval of the City Council.

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

Mayor Sutherland stated that the vote on Resolution No. 29982 was unanimous.

Resolution No. 29983

Authorizing the execution of an agreement with Preston, Thorgrimson, Ellis & Holman in the amount of \$37,000.00 to provide bond counsel services with respect to the issuance of Sewer Utility revenue bonds.

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

Resolution No. 29984

Authorizing the execution of Amendment No. 5 to the lease agreement with the YWCA of Tacoma and Pierce County and Amendment No. 5 to the operation and use agreement with the YWCA Board of Directors for the renovation of the YWCA Building and the operation of the shelter for battered women and children.

Council Member Nielsen moved to suspend the rules to consider Substitute Resolution No. 29984. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

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

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Council Member Mykland moved to continue Substitute Resolution No. 29984 to the meeting of April 19, 1988. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

The Substitute Resolution No. 29984 will be considered at the regular City Council meeting of April 19, 1988.

Resolution No. 29985

Authorizing payment of \$25,000.00 to Mr. Warren R. Peterson of the firm of Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim for services in the Town Concrete Pipe litigation.

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

Council Member Warrick moved to suspend the rules to consider Resolution No. 29986. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 29986

Creating the Arts Stabilization Task Force to ask as an advisory committee to the City Council to assist current state of the arts in Tacoma-Pierce County, to discuss stabilization issues, and make recommendations relative to those issues.

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

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Sutherland and Mr. Ted Amell announced the beginning of the Tacoma Tigers' baseball season.

On proper motion, the meeting was adjourned at 7:57 p.m.


DOUG SUTHERLAND, MAYOR

ATTEST: 
GENELLE BIRK, CITY CLERK

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