

CITY COUNCIL MINUTES

City Council Chambers  
February 21, 1989

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

Present on roll call: 8 - Hyde, McElliott, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland. Absent: 1 - Moss.

The Flag Salute was led by Council Member Stenger.

Mayor Sutherland moved to excuse Council Member Moss from tonight's Council meeting. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

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Mayor Sutherland moved to recess to Executive Session to discuss personnel matters and possible litigation, the session not to exceed 15 minutes. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 5:06 p.m. and reconvened at 5:15 p.m.

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C O N S E N T   A G E N D A

Approval of the minutes of the regular meetings of February 7, 1989 and February 14, 1989.

RESOLUTIONS:

Resolution No. 30336

Setting Tuesday, March 7, 1989 at approximately 5:30 p.m. as the date for a public hearing regarding proposed amendments to Chapter 1.29 of the Official Code to add familial status, sexual orientation, political ideology and source of income as protected classes.

APPEALS:

American Savings Bank (File No. T-47428) appealing Audit-Assessment Notice No. AD 5723 by the Department of Tax and License.

Setting Thursday, March 30, 1989 at 9:00 a.m. as the date for hearing by the Hearing Examiner.

Raymond J. Missler, appealing the decision of the Hearing Examiner relative to the preliminary plat of ROOF ADDITION located in the vicinity of 35th Street N.E. and 49th Avenue N.E. to subdivide a 5-acre parcel of land into 29 residential building sites. (Roof Addition/Jim and Stephanie Roof; File No. 125.294)

Setting Tuesday, February 28, 1989 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. Hearing Examiner Agenda for Tuesday, February 21, 1989.
- b. Minutes of the meeting of the Landmarks Preservation Commission, February 8, 1989.
- c. Minutes of the meeting of the Tacoma–Pierce County Board of Health, January 4, 1989.
- d. Minutes of the meeting of the Urban Policy Committee, December 1, 1988.
- e. Findings of Fact, Conclusions of Law and Order, Century 21 Prudential Realty Inc. and Findings of Fact Conclusions of Law, and Decision, Enhanced TeleManagement, Inc.

Council Member Mykland moved that the Consent Agenda, including Resolution No. 30336, be approved. Seconded by Council Member Warnick. Voice vote was taken and carried. The Consent Agenda was declared approved.

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R E G U L A R   A G E N D A

COMMUNICATIONS:

Hearing Examiner submitting Shoreline Management Substantial Development Permit No. 141.445 to allow the replacement of open moorage slips with one one-unit boathouse and one three-unit boathouse and the placement of seven additional support pilings at the northeasterly side of the Hylebos Waterway, southerly of East 11th Street (1928 Marine View Drive). (Hylebos Boat Haven, Inc.; File No. 141.445)

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

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FINAL READING OF ORDINANCES:

Ordinance No. 24111

Amending Chapter 13.06 of the Official Code to reclassify the property located on the northwest corner of East 60th Street and McKinley Avenue from a "C-2"

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Commercial District and an "R-2" One-Family Dwelling District to an "M-2" Heavy Industrial District, to allow a lumber remanufacturing business and storage yard as a permitted use and to allow construction of a two-story combination office, retail/wholesale lumber sales and sawing/dry lumber storage building on the site. (Cliff Duvall & Hillsdale Lumber & Manufacturing Company; File No. 120.1234)

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Moss.

The Ordinance was declared passed.

Ordinance No. 24303

Authorizing the execution of an amendment to the County-City Health Department Agreement relative to various funding and fiscal issues.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Moss.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 24280 (Continued from the meeting of January 17, 1989.)

Amending Chapter 12.06 of the Official Code to revise rates for Street Lighting and Traffic Signal Service and Private Off-Street Lighting Service effective March 1, 1989.

Council Member Nielsen moved to suspend the rules to consider Substitute Ordinance No. 24280. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland stated that the Substitute Ordinance changes the effective date of the Ordinance to March 13, 1989 from March 1, 1989.

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

Ordinance No. 24304

Transferring \$60,000.00 from the Contingency Fund to the General Fund; appropriating said sum from the General Fund for retaining special counsel to assist the City Attorney in litigation involving substantial tax revenue to the City of Tacoma; authorizing the execution of an agreement with Albert Malanca for said purpose; and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 24305

Appropriating \$241,000.00 from the Visitor and Convention Promotions Fund; authorizing an agreement with the Tacoma-Pierce County Chamber of Commerce for the purpose of tourism and convention promotion in the City of Tacoma; and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Substitute No. 2 Resolution No. 30326 (Continued from the meeting of February 14, 1989.)

Finding that the reconstruction of a hazardous sidewalk in the 300 block of South "G" Street is necessary and required for the public interest and setting forth the procedure for said reconstruction.

Mayor Sutherland moved to suspend the rules to consider Substitute No. 3 Resolution No. 30326. Seconded by Council Member Vialle. Voice vote was taken and carried. The motion was declared adopted.

Voice vote was taken and carried on Substitute No. 3 Resolution No. 30326. The Resolution was declared adopted.

Purchase Resolution No. 30337

Awarding contracts to:

1. Konica Royal Business Machines, in the amount of \$48,510.00 for the annual maintenance agreement for convenience copiers - Single Source;
2. Brodsky's Uniforms, in the amount of \$6,177.27 to increase their contract for police uniform equipment - Specification No. G-037-88;
3. RGR AMMO, on their bid of \$19,315.17 to extend and increase contract for reloaded ammunition - Specification No. G-123-87;
4. Motorola Communications and Electronics, Inc., in the amount of \$30,000.00 to extend and increase their contract for Motorola radio maintenance - Specification No. G-218-83;
5. Pape and Sons Construction, Inc., on their bid of \$22,471.80 for sanitary sewer extension - South Mullen Street from South 19th Street, L.I.D. No. LD 3913 - Specification No. G-287-88; and

6. Allied Paper Co. in the amount of \$5,441.21, Western Paper Co., in the amount of \$9,123.27 and Kaplan Paper Co., in the amount of \$59,071.25 for annual paper supplies - Specification No. G-008-89.

Mayor Sutherland moved that the Purchase Resolution be adopted, including waiving the formal bidding requirements on Purchase Item No. 1. Seconded by Council Member Nielsen.

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

Resolution No. 30338

Authorizing the execution of an agreement with Pierce County Department of Assigned Counsel in the amount of \$159,950.00 to furnish legal services to indigent defendants appearing in the Municipal Courts.

Mayor Sutherland moved to continue Resolution No. 30338 to the meeting of February 28, 1989. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting of February 28, 1989.

Resolution No. 30339

Authorizing the execution of an agreement with Pierce County in the amount of \$133,460.00 to utilize the Pierce County District Court Probation Department to furnish rehabilitation and treatment programs for 1989.

Mayor Sutherland moved to continue Resolution No. 30339 to the meeting of February 28, 1989. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting of February 28, 1989.

Resolution No. 30340

Accepting the Offer to Sell for the property located in the vicinity of East 30th and "M" Streets for \$22,000.00 for open space purposes and authorizing the execution of related documents.

Mayor Sutherland moved to remove Resolution No. 30340 from the agenda. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 30340 was removed from the agenda.

Resolution No. 30341

Authorizing the execution of an amendatory agreement with the Comprehensive Mental Health Center's Mentally Ill Housing Assistance Program in the amount of \$8,700.00 for the provision of life skill training for lower income, mentally ill adults.

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

Resolution No. 30342

Authorizing the expansion of the agreement with Absher Construction Company for the exterior restoration of the Tacoma Union Station building by adding alternates 4 through 7 and further authorizing a loan from the UDAG Trust Fund to the Union Station Renovation Fund in the amount of \$200,000.00.

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

Resolution No. 30343

Authorizing the execution of an agreement with Merritt + Pardini/TRA to provide programming services for the Ninth District Federal Court facility to be located at the Tacoma Union Station complex.

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

Resolution No. 30344

Declaring an emergency and waiving formal bidding procedures for a contract for the replacement of seating at Cheney Stadium; and further authorizing the expenditure of \$296,000.00 for said project.

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

Roll call vote was taken resulting as follows:

Ayes: 8 - Hyde, McElliott, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nayes: 0.

Absent: 1 - Moss.

The Resolution was declared adopted.

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COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Sutherland stated that there would not be a quorum present for the Council meeting of March 14, 1989. Mayor Sutherland moved to cancel the City Council meeting of March 14, 1989. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland stated that he had distributed to the Council a draft of a Resolution for the proposed Capital Improvements Committee. He state it was his intention to bring this before the Council on the agenda next week and that the draft included all the comments recommended by the Council. He added that if there were any further changes to let him know before next week.

Mayor Sutherland noted that on the dias was a notice regarding the City Council budget meeting scheduled for February 23, 1989.

Mayor Sutherland also noted that Ted Coates, Director of Public Utilities, had provided information to the Council regarding the Steam Plant project discussions to be held throughout the City.

Mayor Sutherland then discussed with the Council what their intentions were for interviewing the Planning Commission applicants.

After discussion, Council Member Nielsen moved to adjourn the meeting and meet with the applicants in the adjacent Council Conference Room. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

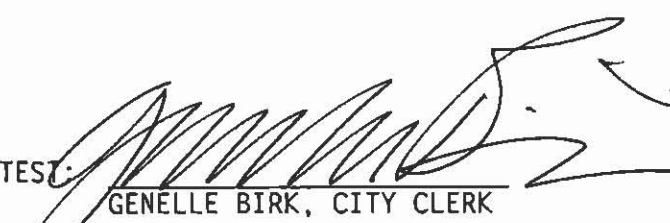

Mayor Sutherland stated that Mr. Stephen Sheehy had withdrawn his name from consideration. Mayor Sutherland then stated that the Council would move to the conference room to interview the remaining candidates: Ms. Joyce Ninen and Mr. Kenneth Hewkin.

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On proper motion, the meeting was adjourned at 6:10 p.m.

Council interviews with Planning Commission applicants. (Began at approximately 6:11 p.m.)

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 ATTEST: \_\_\_\_\_ DOUG SUTHERLAND, MAYOR  
 GENELLE BIRK, CITY CLERK