

CITY COUNCIL MINUTES

City Council Chambers
August 16, 1988

The meeting was called to order at 5:11 p.m.

Present on roll call: 6 - McElliott, Moss, Nielsen, Stenger, Harnick,
and Deputy Mayor Hyde. Absent: 3 - Mykland, Vialle, and Mayor Sutherland.

The Flag Salute was led by Council Member Stenger.

CONSENT AGENDA

Approval of the minutes of the regular meeting of August 2, 1988.

PETITIONS:

Phillips Colleges, Inc., requesting the reclassification of the property located on the north side of 90th Street adjacent to Interstate 5 from a "C-F-P" to a "R-4-T" District to construct a proprietary school of 21,000 square feet with approximately 450 parking spaces.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 30136

Setting Monday, September 12, 1988 at 5:00 p.m. as the date for a hearing by the Hearings Examiner on L.I.D. No. 5683 for the construction of water mains and fire hydrants in East "M" Street from East 32nd Street to East 34th Street.

Resolution No. 30137

Setting Tuesday, August 30, 1988 at approximately 5:30 p.m. as the date for a public hearing by the City Council to consider draft amendments to Chapter 13.06 of the Official Code relative to billboards and outdoor advertising.

APPEALS:

Continental Grain Company, (File No. T-31155) appealing Audit Assessment No. AD 5655 by the Department of Tax and License.

Setting Thursday, November 10, 1988 at 9:00 a.m. as the date for hearing by the Hearings Examiner.

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Professional Services Unlimited, Inc., (File No. T-40091) appealing Audit Assessment Notice No. AD 5652 by the Department of Tax and License.

Setting Thursday, October 6, 1988 at 1:30 p.m. as the date for hearings by the Hearings Examiner.

Ted Allen Brown, (T-58889) appealing Penalty Assessment Notice B 39193 by the Department of Tax and License.

Setting Thursday, September 1, 1988 at 1:30 p.m. as the date for hearing by the Hearings Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the meeting of the Civil Service Board, July 11, 1988.
- b. Minutes of the meeting of the Landmarks Preservation Commission, July 27, 1988.
- c. Minutes of the meetings of the Natural Systems Citizens Advisory Committee, June 9, 1988 and July 21, 1988.
- d. Minutes of the meeting of the Public Utility Board, July 13, 1988.
- e. Minutes of the meeting of the Tacoma Employees' Retirement System's Investment Committee, June 16, 1988.
- f. Minutes of the meeting of the Board of Administration of the Tacoma Employees' Retirement System, June 30, 1988.
- g. Minutes of the special meeting of the Board of Trustees of the Tacoma Public Library, June 7, 1988.
- h. Minutes of the meeting of the Board of Trustees of the Tacoma Public Library, June 15, 1988.
- i. Minutes of the meeting of The Municipal Authority, July 21, 1988.
- j. Minutes of the meeting of the Urban Policy Committee, May 12, 1988.
- k. Workload Report of the Hearings Examiner, January - June 1988.
- l. Tacoma Employees' Report System report of purchases and sales of investments, June 1988.
- m. Annual Report of the Tacoma Public Library, 1987.
- n. Monthly Financial Reports of the Belt Line Division, Data Processing Division, Fleet Services Fund, Light Division, Self-Insurance Claim Fund and Water Division, June 1988.
- o. City of Tacoma Comprehensive Annual Financial Report 1987.

Council Member Moss moved that the Consent Agenda, including Resolution Nos. 30136 and 30137, be approved. Seconded by Council Member Stenger. Voice vote was taken and carried. The Consent Agenda was declared approved.

Council Member Nielsen moved to suspend the rules to consider Resolution No. 30139. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

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Resolution No. 30139

Approving the preliminary plat for SHILO MANOR located on 45th Avenue Northeast and 41st Street Northeast to subdivide a parcel of land into ninety-three (93) single-family dwelling sites. (Dick Butco; File No. 125.293)

Council Member Nielsen moved to continue Resolution No. 30139 to the meeting of August 23, 1988. Seconded by Council Member Stenger. Voice vote was taken and carried. The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting of August 23, 1988.

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

COMMUNICATIONS:

- a. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.435 to allow the construction of a 625 square foot addition onto the existing Cliff House Restaurant located on the southerly side of Marine View Drive North, east of Slayden Road extended (6300 Marine View Drive North). (Guido Brendicke; File No. 141.435)

Council Member Moss 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: 5 - McElliott, Moss, Stenger, Warrnick, and Deputy Mayor Hyde. Nays: 0. Absent: 4 - Mykland, Nielsen, Vialle, and Mayor Sutherland. The motion was declared adopted.

- b. Hearings Examiner recommending dismissal of the street vacation petition of Floyd Montgomery for the vacation of a portion of South 2nd Street west of Broadway. (Floyd Montgomery; File No. 124.808)

Council Member Moss moved to concur in the Findings, Conclusions and 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 a site plan modification to allow the development of a 113-unit apartment complex, recreation building and associated off-street parking area and the retention of an existing 10-unit apartment building located on the east side of Pacific Avenue between Interstate 5 and East 34th Street. (Oscar and Olivann Hokold; File No. 120.1200A and 130.3049)

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

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FINAL READING OF ORDINANCES:

Ordinance No. 24162

Accepting \$1,000.00 from the Allied Arts of Tacoma/Pierce County; depositing said sum in the Miscellaneous Grants Summary Fund; transferring \$1,000.00 from the General Fund to the Miscellaneous Grants Summary Fund; and appropriating \$2,000.00 from the Miscellaneous Grants Summary Fund for the Kate Foley and World Trade Dancers residency in Tacoma for the production of dance workshops with dancers and special populations.

Roll call vote was taken, resulting as follows:

Ayes: 6 - McElliott, Moss, Nielsen, Stenger, Warrnick, and Deputy Mayor Hyde.

Nays: 0.

Absent: 3 - Mykland, Vialle, and Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 24163

Appropriating \$100,000.00 from the Miscellaneous Trust Summary Fund to support law enforcement activities relative to controlled substances.

Roll call vote was taken, resulting as follows:

Ayes: 6 - McElliott, Moss, Nielsen, Stenger, Warrnick, and Deputy Mayor Hyde.

Nays: 0.

Absent: 3 - Mykland, Vialle, and Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 24164

Amending Chapter 1.24 of the Official Code regarding "lateral-entry lists".

Roll call vote was taken, resulting as follows:

Ayes: 5 - Moss, Nielsen, Stenger, Warrnick, and Deputy Mayor Hyde.

Nays: 1 - McElliott.

Absent: 3 - Mykland, Vialle, and Mayor Sutherland.

The Ordinance was declared passed.

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Ordinance No. 24165

Amending Chapter 8.27 of the Official Code to bring the Code into compliance with State law and allow park police and Tacoma police to deal with specific problems in the parks.

Council Member Nielsen moved to suspend the rules to consider Substitute Ordinance No. 24165. Seconded by Council Member Stenger. Voice vote was taken and carried. The motion was declared adopted.

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

Ayes: 6 - McElliott, Moss, Nielsen, Stenger, Warnick, and Deputy Mayor Hyde.

Nays: 0.

Absent: 3 - Mykland, Vialle, and Mayor Sutherland.

The Substitute Ordinance was declared passed.

Ordinance No. 24166

Amending Chapter 6.27 of the Official Code relating to massage practitioners and massage parlors to bring the City Code into compliance with State law.

Council Member Stenger moved to suspend the rules to consider Substitute Ordinance No. 24166. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

Council Member Nielsen moved to suspend the rules to allow public testimony on the Substitute Ordinance. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

Speaking on the Ordinance was Robyn Lavell, massage therapist.

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

Ayes: 6 - McElliott, Moss, Nielsen, Stenger, Warnick, and Deputy Mayor Hyde.

Nays: 0.

Absent: 3 - Mykland, Vialle, and Mayor Sutherland.

The Substitute Ordinance was declared passed.

Substitute Ordinance No. 24167

Amending the Official Code to add Chapter 8.28A, to prohibit loitering for the purpose of engaging in drug-related activity; and declaring an emergency making necessary the passage of this ordinance.

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Council Member Nielsen moved to suspend the rules to consider Ordinance No. 24167 - Substitute No. 3. Seconded by Council Member Stenger. Voice vote was taken and carried. The motion was declared adopted.

Council Member Stenger moved to amend Ordinance No. 24167 - Substitute No. 3 to delete Section No. 8 and renumber the remaining sections accordingly. Seconded by Council Member Harnick. Voice vote was taken and carried. The motion was declared adopted.

Speaking on the Ordinance were:

- | | |
|-----------------|------------------------------------|
| Jeannine Tullar | 1323 South J Street |
| Paul Miller | 917 Pacific Avenue |
| Sandra Cowey | 730 South Mullen |
| Bill Nevins | 19 Bradley Road |
| John Ladenburg | Pierce County Prosecuting Attorney |
| Scott Zone | 7812 - 59th Avenue West |
| Robert Stevens | Business Owner, 9th and Broadway |
| Bob Crane | 919 Pacific Avenue |

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

Ayes: 6 - McElliott, Moss, Nielsen, Stenger, Harnick, and Deputy Mayor Hyde.

Nays: 0.

Absent: 3 - Mykland, Vialle, and Mayor Sutherland.

The Substitute Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 24168

Amending Chapter 13.06 of the Official Code to reclassify the property located on the east side of Lawrence Street extended south between South 47th and 48th Streets from a "R-3" Two- and Three-Family Dwelling District to a "R-4-L" Low-Density Multiple-Family Dwelling District to construct a 108-unit apartment complex. (John Dobler; File No. 120.1254)

Deputy Mayor Hyde moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Nielsen. 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.

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Ordinance No. 24169

Vacating South 48th Street between Lawrence Street and Junett Street, and a portion of the alley between Lawrence and Harner, South 45th and South 47th Streets to combine the vacated rights-of-way with the development or improvement of planned and existing apartment complexes. (John D. Dobler; File No. 124.869)

Council Member Nielsen moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Moss. 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. 24170

Vacating portions of Ferry Street and the alley between Sprague Avenue and Ferry Street, south of South Tacoma Way to unify the property into a single parcel for future development. (Lige & William B. Dickson Company; File No. 124.874)

Council Member Nielsen moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Moss. 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. 24171

Amending Chapter 8.29 of the Official Code to add Section 8.29.065 relating to the use and delivery of drug paraphernalia to incorporate current state law.

The Ordinance was set over for final reading next week.

Ordinance No. 24172

Authorizing the execution of a grant award contract with the Economic Development Administration in the amount of \$7,000.00; and depositing in and appropriating said sum from the Economic Development Assistance Grant Fund to continue economic development planning in the City of Tacoma.

The Ordinance was set over for final reading next week.

Ordinance No. 24173

Appropriating \$20,000.00 from the City Waterway Fund to construct a large scale historical display as part of the City Waterway Boardwalk project; and declaring an emergency making it necessary for the passage of this ordinance.

The Ordinance was set over for final reading next week.

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Ordinance No. 24174

Accepting a donation of \$2,000.00 from Pierce County; and depositing in and appropriating said sum from the Miscellaneous Grant Summary Fund for the operation of the Tacoma/Pierce County Child Care Resource and Referral System.

The Ordinance was set over for final reading next week.

Ordinance No. 24175

Accepting a donation of \$300.00 from the Weyerhaeuser Company; and depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for expenses associated with the "Paint Tacoma Beautiful" project.

The Ordinance was set over for final reading next week.

Deputy Mayor Hyde proclaimed the day of August 20, 1988, to be "Paint Tacoma Beautiful Day," and presented the proclamation to Mike Smith, Chairperson for the Paint Tacoma Beautiful Project.

RESOLUTIONS:

Purchase Resolution No. 30138

Awarding contracts to:

1. Wang Laboratories, Inc., in the amount \$30,770.00 for the Wang VS85 and System 5 Hardware maintenance contract - Single Source;
2. Tacoma Door and Frame, Inc., on their bid of \$23,007.75 to repair/replace the Tacoma Dome outside doors - Specification No. G-060-88;
3. Associated Petroleum Products on their bid of \$12,742.61 and Don Small and Sons, Inc., on their bid of \$13,767.14 for heating fuel - Washington State Contract No. 25-87;
4. Lawrence Ross, in the amount of \$21,000.00 for payment of attorney fees;
5. Carl T. Madsen, Inc., on their bid of \$41,610.00 for Tacoma Dome lighting control system - Specification No. G-251-88; and
6. Amfac Electric, on their bid of \$33,544.45 for streetlight replacement lamps - City of Seattle Contract Nos. B995709A and B995852A.

Council Member Nielsen moved that the Purchase Resolution be adopted, including a waiver of formal bidding procedures on Purchase Item Nos. 1 and 3. Seconded by Council Member Stenger.

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

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Resolution No. 30140

Authorizing an amendment to the interlocal agreement with Pierce County, Port of Tacoma, City of Fife, and the City of Puyallup to provide \$36,000.00 for negotiations with the Puyallup Indian Tribe and extend the agreement through August 31, 1988.

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

Resolution No. 30141

Authorizing the conveyance of an access easement to Charles F. Robb and John and Janice Cramer in exchange for the conveyance of an avigation easement on their property located at the southwesterly end of the Tacoma Narrows Airport.

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

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Deputy Mayor Hyde moved to excuse the absent members of the Council from the meeting. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 6:26 p.m.

ATTEST:


GENELLE BIRK, CITY CLERK


JACK HYDE, DEPUTY MAYOR

HPC 5926G

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