

CITY COUNCIL MINUTES

City Council Chambers
February 22, 1994

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

Present on roll call: 8 - Baarsma, Crowley, De Forrest, Evans, Kirby, Miller, Silas, and Mayor Moss.

The Flag Salute was led by Council Member Evans.

Approval of the minutes of the Tacoma City Council meeting of February 15, 1994.

RESOLUTIONS:

Resolution No. 32510

Setting Monday, March 14, 1994, at 5:00 p.m. as the date for a hearing by the Hearing Examiner on L.I.D. No. 2624 for the placement of two-inch asphalt surface treatment with storm drainage on Tacoma Avenue South from South 92nd Street, south to the dead end.

Resolution No. 32511

Setting Monday, March 14, 1994, at 5:00 p.m. as the date for a hearing by the Hearing Examiner on L.I.D. No. 8576 for the placement of permanent pavement on South 45th Street from Cedar to Alder Streets.

Resolution No. 32512

Setting Monday, March 14, 1994, at 5:00 p.m. as the date for a hearing by the Hearing Examiner on L.I.D. No. 8580 for the placement of permanent pavement on Prospect Street from South 8th to South 10th Streets.

Resolution No. 32513

Setting Monday, March 14, 1994, at 5:00 p.m. as the date for a hearing by the Hearing Examiner on L.I.D. No. 8581 for the placement of two-inch asphaltic concrete pavement on the alley between Trafton and Steele Streets from South 8th to South 10th Streets.

Resolution No. 32514

Setting Tuesday, April 5, 1994, at 1:30 p.m. as the date for a hearing by the Hearing Examiner on the request to vacate a small portion of North 33rd Street between Huson and Orchard Streets. (Scott and Jeanne Nelson; File No. 124.995)

Resolution No. 32516

Authorizing the submission of a grant application to the Washington State Department of Ecology in the amount of \$2,500,000 for improvements to the North End Wastewater Treatment Plant.

APPEALS:

Oakland Madrona Neighborhood Group and Jan Bejarano, appealing the decision of the Hearing Examiner relative to a Wetland Development Plan and site plan to construct three, three-story, twelve-plexes for a total of 36 apartment units located at the property south of South 29th Street between South Proctor and Adams Streets. (Len Zickler/AHBL, Inc.; File Nos. 110.033 and 127.319)

Setting Tuesday, March 29, 1994, at approximately 6:00 p.m. as the date for a hearing by the City Council.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, February 22, 1994.
- b. Minutes of the meeting of the Environmental Commission of January 24, 1994 and revised minutes of the meeting of January 10, 1994.
- c. Minutes of the meeting of the Municipal Authority, January 27, 1994.
- d. Minutes of the meeting of the Tacoma Arts Commission, January 10, 1994.
- e. Minutes of the meeting of the Public Utility Board, January 26, 1994.
- f. Hearing Examiner report of workload for 1993.
- g. Criminal Justice Plans and Programs, February 10, 1994.
- h. Volunteer Services Quarterly Report, December 31, 1993.

Council Member Miller moved that the Consent Agenda, including Resolution Nos. 32510 - 32516, be approved. Seconded by Council Member Evans.

Council Member De Forrest moved to amend pages 5 and 8 of the February 15, 1994 minutes to read as follows:

Page 5 - "Council Member Baarsma moved to remove Substitute Resolution No. 32488 from the agenda for the purpose of postponing Substitute Resolution No. 32488 to an indefinite period of time."

Page 8 - "Mayor Moss moved to authorize moving expenses in the amount not to exceed \$7,804 for the new Deputy of Public Assembly Facility to relocate to Tacoma. Seconded by Council Member Silas. Voice vote was taken and carried with Council Member De Forrest voting in opposition. The motion was declared adopted."

Seconded by Council Member Miller.

Council Member De Forrest moved that Resolution No. 32515 be removed from the Consent Agenda and be placed in the Regular Agenda after Resolution No. 32520. Seconded by Council Member Kirby. Voice vote was taken and carried. The motion was declared adopted.

Voice vote was taken on the amended Consent Agenda, including Resolution Nos. 32510, 32511, 32512, 32513, 32514, 32516 and the amendments to the February 15, 1994 Council minutes. The amended Consent Agenda was declared adopted.

REGULAR AGENDA

ANNOUNCEMENTS, PRESENTATIONS, AND APPOINTMENTS:

Presentation of Police Department citizens' awards. Mayor Moss called upon Assistant Chief Jim Hairston who presented citizens' awards to the following individuals:

- Rebecca Vader
- Tim Vader
- John Hickman
- Mary Heustess
- Paul Jefferson
- Anthony Fay

FINAL READING OF ORDINANCES:

Ordinance No. 25444

Accepting \$475 from TCI Cablevision of Washington, Inc.; depositing in and appropriating said sum from the General Fund for entrance fees for the National Academy of Cable Programming's Local CableACE Awards competition.

Roll call vote was taken, resulting as follows:

Ayes: 8 -- Baarsma, Crowley, De Forrest, Evans, Kirby, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25445

Amending the Pay and Compensation Plan to implement rates of pay for the Tacoma Police Union Local No. 6.

Roll call vote was taken, resulting as follows:

Ayes: 8 -- Baarsma, Crowley, De Forrest, Evans, Kirby, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25446

Providing for the formation of L.I.D. No. 2618 for the placement of two-inch asphalt surface treatment on South 67th Street from Monroe to Tyler Streets.

Roll call vote was taken, resulting as follows:

Ayes: 8 -- Baarsma, Crowley, De Forrest, Evans, Kirby, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25447

Providing for the formation of L.I.D. No. 2621 for the placement of two-inch asphalt surface treatment on Monroe Street from South 67th to South 69th Streets.

Roll call vote was taken, resulting as follows:

Ayes: 8 -- Baarsma, Crowley, De Forrest, Evans, Kirby, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25448

Providing for the formation of L.I.D. No. 2622 for the placement of two-inch asphalt surface treatment on Monroe Street from South 66th to South 67th Streets.

Roll call vote was taken, resulting as follows:

Ayes: 8 -- Baarsma, Crowley, De Forrest, Evans, Kirby, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25449

Providing for the formation of L.I.D. No. 2623 for the placement of two-inch asphalt surface treatment on South 67th Street from Madison to Monroe Streets.

Roll call vote was taken, resulting as follows:

Ayes: 8 -- Baarsma, Crowley, De Forrest, Evans, Kirby, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 25450

Amending Chapter 13.06 of the Official Code to reclassify the property located west of Tacoma Mall Boulevard approximately 750 feet north of South 64th Street from a "R-2" One-Family Dwelling District to a "R-4-T" Residential Commercial Transitional District to construct a five-story office building. (Bruce J. Dunn; File No. 120.1367)

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

The Ordinance was set over to a date to be determined.

Ordinance No. 25451

Authorizing the execution of a grant award contract with the State of Washington Department of Community Development, in the amount of \$105,000 and depositing said sum in the Miscellaneous Grants Summary Fund; transferring \$44,000 from the General Fund, \$4,000 from the City Street Fund and \$9,000 from the Light Current Fund to the Miscellaneous Grants Summary Fund; and appropriating \$162,000 from the Miscellaneous Grants Summary Fund for the Neighborhood Impact on Drugs project; and authorizing a non-interest bearing loan of \$20,000 from the General Fund to the Miscellaneous Grants Summary Fund to be repaid before February 28, 1995.

The Ordinance was set over for final reading next week.

Ordinance No. 25452

Accepting a grant award from the Pierce County Conservation Futures Program, in the amount of \$200,000 for the acquisition of waterfront property along Ruston Way, and authorizing the execution of an interlocal agreement with Pierce County for the Conservation Futures Program.

The Ordinance was set over for final reading next week.

Ordinance No. 25453

Creating a Regional Transit Authority Agency Summary Fund for the accounting and treasury functions of the Regional Transit Authority; and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 25454

Authorizing the execution of an agreement with Richard K. Kato and Judson D. Bailey, dba K & B Investments, in the amount of \$215,000 for the purchase of property at 3524 McKinley Avenue; accepting and depositing a gift of \$225,000 from Mr. L. Keith Stone in the General Fund; and authorizing a temporary interest bearing loan in the amount of \$25,000 from the General Fund to the Capital Improvement Summary Fund for a police substation.

Speaking before Council were:

Maurice Forsythe	Business Owner
Charlene Ikner	Resident
Evan McChord	Resident
Mr. McGoldrick	Resident
Ruth McElliott	Former Council Member
Louise Batchelor	Resident
Doug Delin	Resident
L. Keith Stone	Resident

The Ordinance was set over for final reading next week.

CITIZENS' REQUEST TO BE HEARD: (Began at 6:25 p.m.)

a. Mr. Roy Young, requesting to speak on the Tacoma-Pierce County Sister City Baseball Exchange.

Mr. Roy Young spoke to the Council about the upcoming Tacoma-Pierce County Sister City Baseball Exchange in August 1994 and requested \$5,000 for a welcoming banquet, tours and a sayonara party.

b. Mrs. Pat Magill, requesting to speak on fluoridation.

Mrs. Pat Magill and Mrs. Silco spoke on the affects of fluoridation.

Council Member De Forrest moved to recess for five minutes. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted. Council recessed at 6:45 p.m. and reconvened at 6:50 p.m.

PUBLIC HEARINGS AND APPEALS: (Began at 6:50 p.m.)

This is the date set for hearing the appeal of William Ostruske on the decision of the Hearing Examiner for denial of a Shoreline Management Substantial Development/Conditional Use Permit No. 141.534 to allow the development of an overwater, single-story, single-family, pile-supported residence with an attached carport and deck at 1516 Wilton Road. (George Lund; File No. 141.534)

Mr. Robert Mack disclosed his business affiliation with the City of Tacoma. Mayor Moss and various members of the Council declared their affiliation with Mr. Mack and indicated this would not affect their decision on the appeal.

Mr. Dick Wufford, Hearing Examiner Pro Tem, spoke regarding his decision on a Shoreline Management Substantial Development/Conditional Use Permit No. 141.534 to allow the development of an overwater, single-story, single-family, pile-supported residence with an attached carport and deck at 1516 Wilton Road.

Mr. Jim Handmacher, representing appellant William Ostruske, presented reasons for the appeal.

Mr. Robert Mack, representing the applicant George Lund, spoke in support of the Hearing Examiner Pro Tem's decision.

Council Member Kirby moved to concur in the findings, conclusions and recommendations of the Hearing Examiner and deny the appeal and to add conditions at some point. Seconded by Council Member Crowley.

Council Member Miller moved to amend the motion to include the following conditions:

- 1) That the perimeter of the Lund house shall extend no further from the west boundary of Wilton Road than the Ostruske house does at its farthest point from the west boundary of Wilton Road.
- 2) That the deck of the Lund house extend no farther westward from the western boundary of Wilton Road than the Ostruske's deck extends from the western boundary of Wilton Road.
- 3) That the Lund's adhere to all legal setbacks as required by the building codes, taking into account the information provided the Council regarding the deeded property to the Ostruske's.

Council Member Miller clarified his amended motion to include that the westward extension of the Lund house would be perpendicular to the western boundary of Wilton Road in all cases. Seconded by Council Member Crowley.

Council Member De Forrest moved to continue the appeal to March 1, 1994. Seconded by Council Member Kirby. Voice vote was taken and failed. The motion failed.

Voice vote was taken on the amended motion and carried with Council Members De Forrest and Silas voting in opposition.

Voice vote was taken on the original motion and the motion carried with Council Member Silas voting in opposition.

RESOLUTIONS:

Resolution No. 32329

Authorizing the execution of agreements with Pierce County and the City of Fife to enable Pierce County to assume sewerage services for the City of Fife.

Council Member Miller moved to continue Resolution No. 32329 to the meeting of March 1, 1994. Seconded Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32329 will be considered at the regular City Council meeting of March 1, 1994.

Purchase Resolution No. 32517

Awarding a contract to:

RT & T Construction, on their bid of \$58,446.57 for sanitary sewer extension on Browns Point Boulevard from approximately 750 feet south of 41st Street N.E. to a point 1,250 feet south of 41st Street N.E., L.I.D. No. 3950 - Specification No. G-206-94.

Council Member De Forrest moved to correct a typographical error on the bid for S&W Utility Contractors to read \$59,986.04. Seconded by Council Member Kirby.

Council Member Miller moved that the amended Purchase Resolution be adopted. Seconded by Council Member Silas.

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

Resolution No. 32518

Expressing support for proposed federal legislation giving local communities more authority over the handling and shipping of spent nuclear fuel at or through their ports.

Speaking before Council was:

Louise Batchelor

Resident

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

Resolution No. 32519

Authorizing the execution of an amendment to the agreement with Tahoma Center Association, in the amount of \$16,900 for the Tahoma Center Rehabilitation Project.

Council Member Baarsma moved that the Resolution be adopted. Seconded by Council Member Evans. Voice vote was taken and carried with Council Member Evans abstaining. The Resolution was declared adopted.

Resolution No. 32520

Authorizing the execution of a Memorandum of Understanding with the City of Fircrest to resolve the urban growth area overlaps of Fircrest and Tacoma.

Council Member Miller moved to continue Resolution No. 32520 to the meeting of March 1, 1994. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32520 will be considered at the regular City Council meeting of March 1, 1994.

Resolution No. 32515

Authorizing the submittal of project applications with the Washington State Department of Transportation and authorizing the execution of related agreements for the Intermodal Surface Transportation Efficiency Act.

Speaking before Council were:

Louise Batchelor	Resident
Kenneth Swanson	Resident

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

UNFINISHED BUSINESS:

10

Mayor Moss moved to recess for five minutes and then recess to Executive Session, not to exceed one hour, to discuss the qualifications of candidates for elective office and to discuss pending litigation. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted. The Council recessed at 9:50 p.m. and reconvened at 10:47 p.m.

REPORTS BY CITY MANAGER:

None.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

None.

On proper motion, the meeting was adjourned at 10:47 p.m.


HAROLD MOSS, MAYOR

ATTEST: 
GENELLE BIRK, CITY CLERK