

CITY COUNCIL MINUTES

City Council Chambers
March 18, 1986

The meeting was called to order at 5:03 p.m.

Present on roll call: 9 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warnick, and Mayor Sutherland.

The Flag Salute was led by Council Member Mykland.

CONSENT AGENDA

Approval of the minutes of the regular meeting of March 4, 1986.

PETITIONS:

Bruce Dees & Associates requesting the reclassification of the property located at the south side of Division Avenue between Sheridan Avenue and Cushman Avenue from an "R-4" to an "R-4-T" District.

Edgewater Development Company requesting the reclassification of the property located at the west side of Pearl Street between North 11th Street and North 14th Street extended west from an "R-2" to a "C-1", "R-4-LT", and "R-4-LPRD" Districts.

Schneider, Ronald L. requesting the reclassification of the property located at the south side of South 84th Street between Sheridan Avenue and Cushman Avenue from an "R-2" to an "R-3" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 29105

Setting Tuesday, April 22, 1986, at 9:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate a portion of East "S" Street north of East 57th Street lying southwesterly of the City of Tacoma Pipeline Right-of-Way. (Donald Corriveau; File No. 124.811)

Resolution No. 29106

Setting Tuesday, April 22, 1986, at 9:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate the north 115 feet of the alley between Huson and Ferdinand Streets south of North 49th Street. (David J. Hebert; File No. 124.810)

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

Resolution No. 29107

Authorizing the submittal of a funding proposal to the Bonneville Power Administration for the development of presentations on weatherization information and benefits.

Resolution No. 29108

Setting Monday, April 14, 1986 at 5:00 p.m. as the date for a hearing by the Hearings Examiner on L.I.D. No. 5668 for the construction of water mains and fire hydrants in Gregory Street, East 36th Street and East 37th Street from East "T" Street to Roosevelt Avenue.

Resolution No. 29121

Authorizing the submittal of a proposal to the United States Department of Energy to fund a District Heating and Cooling Study of the Tacoma Port area and parts of the Central Business District.

APPEALS:

- a. Donald N. H. Adams appealing the recommendation and decision of the Hearings Examiner concerning a noise fence at the Highland Golf and Racquet Club.

Setting Tuesday, April 1, 1986, at 6:00 p.m. as the date for hearing by the City Council.

- b. Mary Mason appealing the decision of the Hearings Examiner relative to the denial of the reclassification of the property located at 2215 South Railroad Street.

Setting Tuesday, March 25, 1986, at 6:00 p.m. as the date for hearing by the City Council.

- c. Corrie Angel Rollins appealing the denial of her application for a guard license by the Department of Tax and License.

Setting Thursday, April 3, 1986, at 10:00 a.m. as the date for hearing by the Hearings Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, March 18, 1986.
b. Amended minutes of the meeting of the Citizens Energy Conservation Advisory Committee, January 6, 1986.
c. Minutes of the meeting of the Citizens Energy Conservation Advisory Committee, February 24, 1986.
d. Minutes of the meeting of the City of Tacoma-Metropolitan Park District Liaison Committee, December 11, 1985.

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- e. Minutes of the meeting of the Municipal Authority, February 20, 1986.
- f. Minutes of the meeting of the Public Utility Board, February 11, 1986.
- g. Minutes of the meeting of the Board of Administration of the Tacoma Employees' Retirement System, January 23, 1986.
- h. Amended minutes of the Tacoma Arts Commission, November 19, 1985.
- i. Minutes of the regular meeting of the Tacoma-Pierce County Board of Health, February 5, 1986.
- j. Minutes of the special meetings of the Board of Trustees of the Tacoma Public Library, January 14, 1986 and February 5, 1986.
- k. Minutes of the regular meeting of the Board of Trustees of the Tacoma Public Library, January 15, 1986.
- l. Minutes of the meeting of the Urban Policy Committee, March 6, 1986.
- m. Citizens Initiative Petition to Abolish Storm Drainage "Tax" Surcharge.
- n. Total Work Report of the Tacoma-Pierce County Humane Society & S.P.C.A., January 1986.
- o. Volunteer Services Fourth Quarter Report, 1985.
- p. Police Report for the month of January 1986.
- q. Tacoma Employees' Retirement System - report of purchases and sales of investments, January 1986.
- r. Annual Financial Reports of the Belt Line Division, Data Processing Division, Fleet Services Fund, Light Division, Self-Insurance Claim Fund and Water Division, 1985.
- s. Department of Public Utilities Activities Summaries, 1985.

Deputy Mayor Rasmussen moved that the Consent Agenda, including Resolution Nos. 29105, 29106, 29107, 29108, and 29121, be approved. Seconded by Council Member Nielsen. Voice vote was taken and carried. The Consent Agenda was declared approved.

REGULAR AGENDA

COMMUNICATIONS:

Hearings Examiner submitting Shoreline Management Substantial Development/Conditional Use Permit No. 141.376 to allow a 1,600 square foot addition and a new fire access/exit to be constructed on pilings over water and also approximately 350 cubic yards of fill to be faced with riprap to be utilized for vehicular/pedestrian access, landscaping, and parking for the restaurant located at 2317 Ruston Way. (Kuppler-Diel Architects; File No. 141.376)

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: 9 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warnick, and Mayor Sutherland. Nays: 0. The motion was declared adopted.

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FINAL READING OF ORDINANCES:

Ordinance No. 23461

Vacating Ferdinand Street between South 30th and South 31st Streets to secure the area and put an end to indiscriminate dumping. (Fircrest Pre-Fit Door Company; File No. 124.796)

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warrick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23525

Amending Chapter 13.06 of the Official Code to reclassify the property located east of Hosmer Street between South 86th Street and South 87th Street extended from an "R-2" One-Family Dwelling District to a "C-2" Commercial District to construct two retail, commercial, and office buildings on the site. (BAL, Inc.; File No. 120.1136)

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, Ladenburg, McElliott, Nielsen, Rasmussen, Stenger, Warrick, and Mayor Sutherland.

Nays: 1 - Mykland.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 23571

Amending Title 2 of the Official Code to move the Flood Plain regulations from Chapter 2.02 of the Official Code to a new chapter designated as Chapter 2.12.

The Ordinance was set over for final reading next week.

Ordinance No. 23575

Providing for the issuance and sale of tax anticipation notes in the amount of \$7,000,000.00 to provide for current expenses pending receipt of taxes.

Mayor Sutherland moved to suspend the rules to consider Substitute Ordinance No. 23575. Seconded by Council Member Stenger. Voice vote was taken and carried. The motion was declared adopted.

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Speaking to the Council was:

James Ellis

Bond counsel of Preston,
Thorgrimson, Ellis, & Holman

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

Ordinance No. 23576

Amending the Annual Budget of the City of Tacoma for the fiscal year 1986.

Council Member Warnick moved to amend the Ordinance on page 2, line 6, to read: "Airport Fund...\$56,774." Seconded by Council Member Stenger. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance, as corrected, was set over for final reading next week.

Ordinance No. 23577

Amending Chapter 13.06 of the Official Code to reclassify the property located north of North 51st Street between Mildred Street and Park Way from an "R-1PRD" Planned Residential Development District to an "R-2PRD" Planned Residential Development District to allow development of a 225-unit retirement housing project. (Collins Condominium Corporation and Crossings Corporation; File No. 120.1139)

Deputy Mayor Rasmussen announced that he would abstain from consideration of this matter and left the Council Chambers.

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, with Deputy Mayor Rasmussen abstaining. The motion was declared adopted.

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

Ordinance No. 23578

Amending Chapter 13.06 of the Official Code to reclassify the property located at the westerly side of Union Avenue between South 17th and 18th Streets from an "R-2" One-Family Dwelling District to an "R-2-T" Residential-Commercial-Transitional District for development of a magnetic resonance imaging diagnostic center to provide medical diagnostic services at the subject site. (M.R. Associates of Tacoma, Inc.; File No. 120.1147)

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.

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Ordinance No. 23579

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northwest corner of East 44th Street and Portland Avenue from an "R-3" Two and Three-Family Dwelling District to a "C-1" Commercial District for the development of a 9,000 square foot retail/commercial building. (Robert and Zenda Preston; File No. 120.1141)

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. 23580

Amending Chapter 13.06 of the Official Code to reclassify the property located approximately 80 feet south of the southwest corner of North 26th and Pearl Streets from an "R-2" One-Family Dwelling District to a "C-2" Commercial District for a retail nursery/garden center to be operated in conjunction with the Tacoma Urban League's Tacoma Gardens project. (Department of Public Utilities; File No. 120.1140)

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. 23581

Vacating a portion of Olympic Boulevard at Sixth Avenue between Howard Street and Skyline Drive to combine the vacated area with the abutting property as part of the proposed site improvement for the Swasey Branch Library. (Tacoma Public Library; File No. 124.807)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Deputy Mayor Rasmussen. 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. 23582

Repealing and reenacting Chapter 3.02 of the Official Code to adopt the 1985 Uniform Fire Code and the 1985 Uniform Fire Code Standards.

The Ordinance was set over for final reading next week.

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Ordinance No. 23583

Amending Chapter 13.10 of the Official Code relative to zoning and shorelines affecting Ruston Way property and also providing for certain procedural amendments.

The Ordinance was set over for final reading next week.

Ordinance No. 23584

Amending Chapter 2.02 of the Official Code to adopt the 1985 Uniform Building Code.

The Ordinance was set over for final reading next week.

Ordinance No. 23585

Amending Chapter 2.09 of the Official Code to establish fees for grading, grading plan reviews, and grading permits.

The Ordinance was set over for final reading next week.

Ordinance No. 23586

Authorizing the City Attorney to purchase or initiate an action under the right of eminent domain for the acquisition of certain lands in the Swan Creek Canyon for open space and park purposes.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 29109

Awarding contracts to:

1. Wang Laboratories, Inc. on their bid of \$217,219.32 for the cooperative purchase of a Wang VS-85A Word Processing System - Washington State Contract No. G81-024;
2. Hiatt Pontiac GMC on their bid of \$118,551.99 for Six 10,000 Pound GVW (Dual Wheel) Cab and Chassis - Specification No. G-204-85;
3. Hiatt Pontiac GMC on their bid of \$17,210.65 for One 16,000 Pound GVW (Dual Wheel) Cab and Chassis - Specification No. G-205-85;
4. Various vendors on 1986 open purchase orders and increasing existing open purchase orders; and
5. Rejecting the bid on one 10-yard and one 20-yard self-contained refuse containers - Specification No. G-011-86.

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

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

Resolution No. 29110

Authorizing the execution of an agreement with Harold Mather, Inc., Auctioneers, to conduct a public auction for the sale of surplus office furniture and equipment.

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

Resolution No. 29111

Initiating the reclassification of properties for downzoning as recommended by the West End Plan, the South Tacoma Plan and the wetland identification study and directing the Hearings Examiner to conduct the necessary public hearings to consider such area-wide zoning reclassifications.

Deputy Mayor Rasmussen moved that the Resolution be adopted. Seconded by Mayor Sutherland. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 29112

Authorizing the execution of an agreement with Chalker Engineers, Inc. in the amount of \$15,700.00 for engineering and architectural services required for the construction of additional emergency exits at the Jones Building at 909 Broadway.

Mayor Sutherland moved that the Resolution be adopted. Seconded by Council Member Nielsen. Voice vote was taken and carried, with Council Member Hyde voting "nay." The Resolution was declared adopted.

Resolution No. 29113

Authorizing the execution of an agreement with the Washington State Department of Transportation for the improvement of 6th Avenue from Pearl Street to Howard Street.

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

Resolution No. 29114

Adopting the revised General Government Fee Schedule for Special and Miscellaneous Services to increase the fees for services rendered by various City departments.

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

Resolution No. 29115

Authorizing the acquisition of 1.75 acres adjacent to Lake Kapowsin from CMC Real Estate Corporation.

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

Resolution No. 29116

Authorizing the sale of City property to Pierce County for the extension of Canyon Road East south to 192nd Street East.

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

Resolution No. 29117

Authorizing the termination of the Lease Agreement, Power Purchase Agreement, and Participation Agreement with Energy Products of Idaho relative to Steam Plant No. 2.

Council Member Hyde moved that the Resolution be adopted. Seconded by Council Member Mykland.

Mr. William Barker, Public Utilities Department, Legal Division, requested that Resolution No. 29117 be delayed until after an Executive Session to discuss pending litigation.

Council Member Harnick moved that Resolution No. 29117 be heard subsequent to an Executive Session later in the Council meeting. Seconded by Council Member Stenger. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 29118

Authorizing the execution of an amendment to the Neighborhood Preservation Program Agreement to increase funding of the Local Homestead Program and authorizing further amendments to the Neighborhood Preservation Program Agreement upon approval of the City Manager on amounts not exceeding \$10,000.00.

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

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Resolution No. 29119

Authorizing the execution of amendments to agreements relative to the financing of the Tacoma Holiday Inn Project.

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

Resolution No. 29120

Authorizing the execution of an amendment to the agreement with the Tacoma-Pierce County Chamber of Commerce to increase the contract amount up to \$35,000.00 for the providing of certain additional services.

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

REPORTS BY CITY MANAGER:

Erling O. Mork, City Manager, requested an Executive Session to discuss pending litigation.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Nielsen moved to recess to Executive Session to discuss pending litigation, the session not to exceed 15 minutes. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 5:50 p.m. and reconvened at 6:12 p.m.

Mayor Sutherland moved to consider Resolution No. 29117. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 29117

Authorizing the termination of the Lease Agreement, Power Purchase Agreement, and Participation Agreement with Energy Products of Idaho relative to Steam Plant No. 2.

Council Member Ladenburg moved to adopt Resolution No. 29117. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

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Mr. Ruben Nieto, Assistant Personnel Director, stated that he had two residency waivers to present to the Council. He then requested a one-year residency waiver for the position of Assistant Operations Director at the Department of Public Assembly Facilities for Mr. Melvin J. Weisgerber

Mayor Sutherland moved to grant the residency waiver for Mr. Weisgerber. Seconded by Council Member Warrick. Voice vote was taken and carried. The motion was declared adopted.

Mr. Nieto then requested a one-year extension of the residency waiver for Ms. Kim Gerhardt, City Attorney's Office.

Mayor Sutherland moved to grant the residency waiver for Ms. Gerhardt. Seconded by Council Member Warrick. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved that the claim of Julie Dentinger be settled in the amount of \$25,000 plus \$4,500 for medical expenses, all as recommended by the Public Utility Board in its motion 86-15, passed on March 12, 1986. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting adjourned at 6:17 p.m.


DOUG SUTHERLAND, MAYOR

ATTEST:


GENELLE BIRK, CITY CLERK

WPC.5979G

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