

CITY COUNCIL MINUTES

City Council Chambers
February 27, 1990

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

Present on roll call: 7 - Evans, McElliott, Miller, Mykland, Nielsen, Warnick, and Mayor Vialle. Absent: 2 - Moss and Stenger. (Deputy Mayor Stenger arrived at 5:07 p.m.)

The Flag Salute was led by Council Member Evans.

Joe Stortini, Pierce County Executive, presented a bouquet of daffodils, the Pierce County official flower, to Mayor Vialle in honor of the game played between the Tacoma Police and the Pierce County Sheriff's at the half time of a recent Tacoma Stars game.

Deputy Mayor Stenger arrived at 5:07 p.m.

Mayor Vialle proclaimed the week of March 4 - 10 of 1990, to be "Support KTPS Channel 28 week," and presented the proclamation to Ms. Betty Drost.

Mayor Vialle read a proclamation, which endorsed the 25th Anniversary commemoration of the Land and Water Conservation Fund, administered by the National Parks Service of the U.S. Department of the Interior, and presented the proclamation to Mr. Bob Karotko.

C O N S E N T A G E N D A

Approval of the minutes of the meeting of February 20, 1990.

PETITIONS:

Blair Adkins, requesting the reclassification of the property located at 4803 South Oakes Street, on the southeast corner of the intersection at South 48th and Oakes Streets from a "R-2" to a "R-2T" District.

For referral to the Hearing Examiner.

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FIRST READING OF ORDINANCES:

Ordinance No. 24571

Authorizing the acceptance of a vacuum cleaner valued at \$700.00 from Big Vac, Inc., to be used at the Lighthouse Senior Center.

RESOLUTIONS:

Resolution No. 30787

Directing the Hearing Examiner to conduct a public hearing and make findings, conclusions and recommendations regarding the expansion of the view sensitive overlay zoning district in the vicinity of South 19th Street and Jackson Avenue.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, February 27, 1990.
- b. Minutes of the meeting of the Municipal Authority, January 23, 1990.
- c. Minutes of the meeting of the Public Utility Board, January 24, 1990.
- d. Minutes of the meetings of the Urban Policy Committee, February 7, 8, and 14, 1990.

Council Member Nielsen moved that the Consent Agenda, including Resolution No. 30787 be approved. Seconded by Council Member Mykland. Voice vote was taken and carried. The Consent Agenda was declared approved.

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

COMMUNICATIONS:

- a. Hearing Examiner submitting Shoreline Management Substantial Development Permit No. 141.462 to allow the development of a six stall off-street parking area on the property located on the southerly side of Ruston Way, between North Junett and Pine Streets extended (2720 Ruston Way). (C & I Company; File No. 141.462)

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

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- b. Hearing Examiner recommending approval of modifications to a previously granted reclassification to change the use of the property located on the east side of Hosmer Street between South 86th and South 87th Streets from commercial to motel use. (Song and Kil Ja Lee; File No. 120.1136D)

Council Member Nielsen moved to concur in the recommendations of the Hearing Examiner. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

FINAL READING OF ORDINANCES:

Ordinance No. 24566

Amending Chapter 1.12 of the Official Code to change various sections of the Compensation Plan relative to mileage reimbursement and classification and wage rate revisions.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Evans, McElliott, Miller, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

Absent: 1 - Moss.

The Ordinance was declared passed.

Ordinance No. 24567

Transferring \$726,000.00 from the General Fund to the Capital Improvements Fund, and appropriating said amount of money from the Capital Improvements Fund, for the purpose of transferring said amount of money in conjunction with \$2,250,000.00 already appropriated to the Union Station Renovation Fund, for the purpose of purchasing land for the Tacoma Union Station Renovation Project.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Evans, McElliott, Miller, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

Absent: 1 - Moss.

The Ordinance was declared passed.

Ordinance No. 24568

Appropriating \$257,000.00 from the Capital Improvement Fund for the purpose of transferring said sum to the Tacoma Dome Operating Fund to pay for the construction of restroom facilities and seating at the Tacoma Dome.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Evans, McElliott, Miller, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

Absent: 1 - Moss.

The Ordinance was declared passed.

Ordinance No. 24569

Establishing rates and charges for railway switching performed by the Tacoma Municipal Beltline Railway to take effect April 1, 1990.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Evans, McElliott, Miller, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

Absent: 1 - Moss.

The Ordinance was declared passed.

Ordinance No. 24570

Authorizing the issuance and sale of \$40,000,000.00 of GSA Lease Revenue Bonds for the Tacoma Union Station Federal Court House Project.

David Dow, Finance Director, stated that staff requested that Ordinance No. 24570 be considered later in the council agenda. He indicated there would be some additional changes to Ordinance No. 24570.

Mayor Vialle moved to consider Ordinance No. 24570 under Unfinished Business. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

PUBLIC HEARINGS AND APPEALS: (Began at 5:27 p.m.)

This is the date set for hearing the appeal of the Mintercreek Development Company regarding the decision of the Hearing Examiner to deny the reclassification of the property located on the east side of 49th Avenue N.E. between 41st Street N.E. and 42nd Street N.E. from a "CPN" Planned Neighborhood Shopping Center District to a "R-3-PRD" Planned Residential Development District for the development of a 94 unit multiple family dwelling. (Mintercreek Development Company; File No. 120.1288 and 127.294) (Continued from the meeting of January 23, 1990.)

Mayor Vialle reviewed the procedures for appeals before the City Council.

Mr. Rod Kerlake, Hearing Examiner, reviewed his findings, conclusions and recommendations.

Mr. William Lynn, attorney representing Mintercreek Development Company, stated the reasons for the appeal.

Mr. Mike Baker, representing the neighborhood, spoke in support of the Hearing Examiner's decision.

Mr. Joe McNallan, representing the Northeast Community Action Association, spoke in support of the Hearing Examiner's findings, conclusions and recommendations.

Mr. Lynn made comments in rebuttal of Mr. Baker's and Mr. McNallan's arguments.

Next, Mr. Baker rebutted Mr. Lynn's comments.

Council Member Nielsen moved to remand the matter to the Hearing Examiner for questions of density only. Seconded by Deputy Mayor Stenger.

Mr. Bill Barker, City Attorney, stated that the Council could make the down zoning a condition of the remand, either that or it would be an outright denial of the application.

Council Member Miller spoke in favor of the motion to remand.

Council Member Mykland spoke against the motion and stated that he felt Council should uphold the Hearing Examiner's decision and deny the appeal at this time.

Deputy Mayor Stenger moved to amend Council Member Nielsen's motion to make a condition of the remand that the downzone of the entire property be covered. Seconded by Council Member Evans.

Voice vote was taken and carried, with Council Members McElliott and Mykland voting nay. The motion was declared adopted.

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

Ayes: 6 - Evans, Miller, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 2 - McElliott and Mykland.

Absent: 1 - Moss.

The matter was remanded to the Hearing Examiner.

Mayor Vialle stated that staff was now ready to discuss Ordinance No. 24570.

Ordinance No. 24570

Authorizing the issuance and sale of \$40,000,000.00 of GSA Lease Revenue Bonds for the Tacoma Union Station Federal Court House Project.

Leslie Granoski, Assistant Finance Director, reviewed the revisions to Ordinance No. 24570 for the Council.

Council Member Mykland moved to amend Ordinance No. 24570 as indicated by staff. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

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

Ayes: 8 - Evans, McElliott, Miller, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

Absent: 1 - Moss.

The Ordinance, as amended, was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 24572

Vacating a portion of East "E" Street along with East 55th Street and portions of the adjacent alley between East "D" and East "E" Streets to unify abutting residential properties and to eliminate a substantial encroachment by a single-family dwelling residence constructed within the right-of-way of East 55th Street. (Donald L. Rebsamen; File No. 124.906)

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Council Member Nielsen moved to concur in the Findings, Conclusions and Recommendations of the Hearing 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. 24573

Vacating a portion of the alley between South "K" and South "L" Streets southerly from South 5th Street to complete a previously requested vacation and combine the area with the abutting properties. (Multicare Medical Center; File No. 124.907)

Council Member Nielsen moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Evans. 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. 24574

Vacating portions of 31st Street Northeast between 57th and 58th Avenues Northeast to combine vacated areas with the abutting properties for additional yard and driveway space. (James A. Ruff; File No. 124.905)

Council Member Evans moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Deputy Mayor Stenger. 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. 24575

Establishing a Tacoma/Pierce County Commission for Children, Youth and Their Families; authorizing the execution of an inter-local agreement with Pierce County related to said Commission; and appropriating \$20,676.00 from the General Fund as partial payment of the expenses of the Commission for the remainder of 1990.

Speaking to the Council was:

Tom Hilyard

Executive Director, Pierce County
Human Services,

The Ordinance was set over for final reading to March 13, 1990.

Ordinance No. 24576

Amending Chapter 13.06 of the Official Code regarding penalty provisions to specifically identify parties responsible for zoning violations.

The Ordinance was set over for final reading to March 13, 1990.

Ordinance No. 24577

Amending Chapter 13.06 of the Official Code to establish a Special Review District for the downtown Pacific Avenue Corridor.

Council Member Evans requested amendments to the Ordinance for final reading.

Deputy Mayor Stenger stated that he would not be able to attend the Council meeting of March 13 and requested that the final reading of the Ordinance be on March 20, 1990.

The Ordinance was set over for final reading to March 20, 1990.

Ordinance No. 24578

Amending Chapter 12.08 of the Official Code to adopt revised Sanitary Sewer Service Rates effective April 1, 1990.

Speaking to the Council was:

Chet Straw

4130 North Verde

The Ordinance was set over for final reading to March 13, 1990.

Ordinance No. 24579

Authorizing the issuance, appropriation, and sale of Limited Tax General Obligation Bonds in the amount of \$5,000,000.00 for the purpose of acquiring equipment for the General Fund and General Fund supported portions of the City's Equipment Rental Fund.

The Ordinance was set over for final reading to March 13, 1990.

RESOLUTIONS:

Resolution No. 30755

Authorizing the execution of a letter of credit for the financing of the Union Station Federal Courthouse Project.

Deputy Mayor Stenger moved that the Resolution be adopted. Seconded by Council Member Warnick.

Leslie Granoski, Finance Department stated that line 4 on Resolution No. 30755 needed to be amended to strike "two years" and insert "approximately 38 months."

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Deputy Mayor Stenger and Council Member Warnick stated they would accept this as a friendly amendment.

Ms. Granoski stated that on line 10 of Resolution No. 30755 the name of the bank "The Fuji Bank Limited" needed to be inserted.

Deputy Mayor Stenger and Council Member Warnick stated they would accept this as a friendly amendment to the resolution.

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

Resolution No. 30782 (Continued from the meeting of February 20, 1990.)

Authorizing the execution of an amendment to the contract with Dye Plastics Inc., to provide for a revised delivery schedule for 10,000 plastic refuse containers.

Mayor Vialle moved to continue Resolution No. 30782 to the meeting of March 13, 1990. 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 March 13, 1990.

Purchase Resolution No. 30788

Awarding contracts to:

1. Firesafe Fire & Safety Equipment, in the amount of \$10,987.81 to increase their contract for safety supplies - Specification No. G-009-88;
2. Elder Equipment, in the amount of \$5,000.00 to increase their contract for safety overhaul of Manlift Vehicle No. 6660 - Purchase Order No. 35568;
3. Fray Equipment Company, Inc., on their bid of \$15,630.24 for one 250 CFM air compressor, Vehicle No. 1422 - Specification No. G-012-90;
4. Special Asphalt Products, Inc., on their bid of \$27,273.40 for one trailer mounted crack sealing machine, Vehicle No. 1421 - Specification No. G-010-90;
5. Roger Young Automotive, on their bid of \$16,232.00 for electric chain hoists - Specification No. G-019-90;
6. W.F. Stromberg Company, in the amount of \$11,666.00 for one Muffin Monster (in line cutter-grinder) P/N30000-1208 8" GPM - Sole Source;
7. Martin L. Kaiser, Inc., in the amount of \$13,800.00 for one police bombsuit and radio unit - Sole Source;
8. Utility Equipment, Inc., on their bid of \$20,597.77 for one crane body with crane - Specification No. G-011-90; and
9. Sea-Tac Ford Truck Sales, Inc., on their bid of \$125,515.99 for two 43,000 GVW flat bed trucks and one trailer - Specification No. G-013-90.

Council Member Nielsen moved that the Purchase Resolution be adopted, including waiving formal bidding procedures on Item Nos. 2, 6 and 7. Seconded by Council Member Evans.

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

Resolution No. 30789

Authorizing the execution of Amendment No. 2 to the Consulting Engineering Agreement with Parametrix, Inc., for engineering services relative to the North End Wastewater Treatment Plant.

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

Resolution No. 30790

Authorizing the execution of a license agreement with the Christian Outreach Fellowship of Tacoma and the Tacoma Ministerial Alliance for the use of the Tacoma Dome Convention Center on April 15, 1990.

Mayor Vialle moved to continue Resolution No. 30790 to the meeting of March 13, 1990. 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 March 13, 1990.

Resolution No. 30791

Authorizing the execution of an agreement with Puget Sound Bank in the amount of \$200,000.00 for the provision of trustee banking services for the Union Station Renovation Project.

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

UNFINISHED BUSINESS:

Mayor Vialle moved to excuse Council Member Moss from the February 27, 1990 Council meeting. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

REPORTS BY CITY MANAGER:

Ray Corpuz, Jr., City Manager, requested an Executive Session to discuss sale and lease of property and potential litigation.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Warnick requested that staff investigate the traffic configuration of St. Helens Street between South 7th and South 9th Streets. He requested that it be considered to be revised as a one-way street going south. He noted there were a number of problems with the traffic flow and revealed potential problems with accidents in that area.

Council Member Warnick commended Wilson High School on their wining the State Swimming Championship for the second year in a row.

Council Member Miller requested that staff review the timing of lights at South 9th and St. Helens Street as he had been contacted regarding problems for pedestrians in that area.

Council Member Nielsen requested that staff review the parking problem on Broadway between South 7th and South 9th streets. He stated that employers were complaining that employees were parking in that area.

Council Member Miller requested that staff have parking checkers investigate the parking of employees in that particular area. He had been contacted that employees were moving their cars hourly and requested that a check of the parking areas in this area be reviewed.

Mayor Vialle moved to recess to Executive Session to discuss sale and lease of property and potential litigation, the session not to exceed 15 minutes. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 7:47 p.m.

At 7:47 p.m., Mayor Vialle re-entered the Council Chambers and stated that the Executive Session would continue for an additional 15 minutes.

Council reconvened at 7:57 p.m.

On proper motion, the meeting was adjourned at 7:58 p.m.

ATTEST: 
GENELLE BIRK, CITY CLERK


KAREN VIALLE, MAYOR

WPC.0517G