

CITY COUNCIL MINUTES

City Council Chambers
June 27, 1989

The meeting was called to order at 5:07 p.m.

Present on roll call: 7 - McElliott, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland. Absent: 2 - Hyde and Moss.

The Flag Salute was led by Council Member Nielsen.

CONSENT AGENDA

Approval of the minutes of the special meeting and Joint Study Session of June 14, 1989, and the regular meeting of June 20, 1989.

PETITIONS:

- a. Mintercreek Development c/o Geoff Moore, PAC-TECH, requesting the reclassification of the property located on the east side of 49th Avenue N.E. from approximately 41st Street N.E., northerly to the King County line from a "CPN" District to a "R3-PRD" District for the development of a proposed 94 unit multi-family apartment building. (Mintercreek Development c/o Geoff Moore, PAC-TECH; File Nos. 120.1288 and 127.294)
- b. REM Development Company, requesting the reclassification of the property located on the east side of Pearl Street, bounded by North 37th Street to the north, Shirley Street to the east, and North 35th Street to the south from a "R2" District to a "R3-PRD" District for development of a 242 unit multi-family complex. (REM Development Company; File Nos. 120.1289 and 127.295)

For referral to the Hearing Examiner.

RESOLUTIONS:

Resolution No. 30495

Authorizing the submittal of a grant application to the State of Washington Interagency Committee for Outdoor Recreation for the purpose of acquiring the DeLong Wetland and adjoining property in the vicinity of Cheyenne Street between South 12th and South 18th Streets.

Resolution No. 30496

Setting Tuesday, August 22, Tuesday, August 29, and Tuesday, September 12, 1989 at 10:30 a.m. as the dates for public hearings by the Hearing Examiner on view sensitive overlay districts and requesting that the Hearing Examiner make findings, conclusions, and recommendations from the hearings and transmit them to the City Council.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, June 27, 1989.
- b. Minutes of the meeting of the Capital Projects Advisory Committee, May 31, 1989.
- c. Minutes of the meeting of the Public Utility Board, May 24, 1989.
- d. Minutes of the meeting of the Human Rights Commission, May 18, 1989.
- e. Minutes of the meetings of the Citizen Appreciation and Participation Program Steering Committee, February 9, and April 6, 1989.
- f. Amended minutes of the meeting of the Tacoma Planning Commission, June 5, 1989.
- g. Minutes of the meeting of the Tacoma Arts Commission, May 8, 1989.
- h. Minutes of the meetings of the Municipal Authority, May 18, 1989 and June 15, 1989.
- i. Minutes of the meeting of the Appointments Committee, June 19, 1989.
- j. Safe Streets Campaign, Action Plan, June 1989.

Council Member Mykland moved that the Consent Agenda, including Resolution Nos. 30495 and 30496, be approved. Seconded by Council Member Vialle. 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:

Hearing Examiner recommending approval of the request for site plan modifications to expand the building located on the southeast corner of South 60th Street and Sprague Avenue (6003 South Sprague Avenue) to 3,000 square feet and provide additional parking. (Donald Helton; File No. 120.1192A, 121.1149 and 130.3156)

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

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Ms. Debbie Regala, Chair of the Metropolitan Park Board, stated that the Park Board had declared the month of July 1989 as "Play Tacoma" month and presented each member of the Council with a "Play Tacoma" T-shirt.

FINAL READING OF ORDINANCES:

Ordinance No. 24373

Adding \$1,370,000.00 to the Department of Public Utilities Self Insurance Claim Fund Budget; appropriating \$1,370,000.00 from said fund for the payment of certain settlement costs due in 1989 including a 1988 payment provided for in the settlement of the litigation with the Nisqually Indian Tribe; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 7 - McElliott, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

Absent: 2 - Hyde and Moss.

The Ordinance was declared passed.

Ordinance No. 24374

Authorizing the execution of an agreement with the United States Department of Labor in contemplation of the receipt of \$58,000.00 in federal matching funds; accepting and depositing said sum in the Miscellaneous Grants Summary Fund; transferring \$7,500.00 from the General Fund to the Miscellaneous Grants Summary Fund; and appropriating \$65,000.00 from the Miscellaneous Grants Summary Fund to provide outside case management, employment, and transitional housing services to homeless veterans.

Roll call vote was taken, resulting as follows:

Ayes: 7 - McElliott, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

Absent: 2 - Hyde and Moss.

The Ordinance was declared passed.

Ordinance No. 24375

Providing for changes in the Second Annual Business Improvement Area (BIA) budget including the appropriation of \$41,380.00 of unexpected 1988-89 funds; and authorizing an amendment to the agreement with the Downtown Local Development Council relative to changes in the work program and budget.

Roll call vote was taken, resulting as follows:

Ayes: 7 - McElliott, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

Absent: Hyde and Moss.

The Ordinance was declared passed.

Ordinance No. 24376

Transferring \$769,765.00 from the Capital Improvement Fund and \$84,000.00 from the Stadium and Convention Center Trust Fund to the Tacoma Dome Operating Fund; appropriating \$853,765.00 from the Tacoma Dome Operating Fund to improve the Tacoma Dome seating; and declaring an emergency making necessary the passage of this ordinance.

Mayor Sutherland stated that he had been working with the Dome and Public Works staffs regarding the repair of the restrooms at the Dome and called on Fred Thompson, Director of Public Works, who spoke regarding the seats and restroom refurbishment at the Dome. Mayor Sutherland stated there was a substitute ordinance brought by Council Member McElliott for consideration. He asked Mr. Thompson if this could be brought as a new ordinance on next week's agenda. Mr. Thompson stated that it could be brought as a new ordinance next week.

Council Member McElliott stated that it would be all right with her to address this as a new ordinance on next week's agenda.

Discussion followed regarding options and building schedules for these projects. Mayor Sutherland stated that the new ordinance would be brought back at the July 5, 1989 Council meeting.

Roll call vote was taken, resulting as follows:

Ayes: 6 - McElliott, Mykland, Nielsen, Vialle, Warnick, and Mayor Sutherland.

Nays: 1 - Stenger.

Absent: 2 - Hyde and Moss.

The Ordinance was declared passed.

PUBLIC HEARINGS AND APPEALS: (Began at 5:36 p.m.)

- a. This is the date set for hearing the appeal of Joe Trucco and Colonial Fruit and Produce of the decision of the Hearing Examiner to approve Shoreline Management Substantial Development Permit No. 141.436 to allow an 18-slip pleasure craft marina located on the easterly side of Dock Street approximately 630 feet south of East 11th Street (1155 Dock Street). (Investco Financial Corporation; File No. 141.436)

Mayor Sutherland called on Gordon Scraggin, attorney representing Joe Trucco and Colonial Fruit and Produce, and Robert Denomy, attorney representing Investco Financial Corp.

Mayor Sutherland explained the procedure for appeals before the City Council.

Rod Kerslake, Hearing Examiner gave a presentation on his Findings, Conclusions and Recommendations regarding this matter.

Council Member Nielsen expressed concerns regarding whether the reasons stated for this appeal were sufficient.

Gordon Scraggin stated that he would like to make his presentation which would respond to Council Member Nielsen's concerns.

Council Member Stenger stated that he was a friend of Mr. Corliss, a developer of this project, a friend of Mr. Denomy, and a friend of Mr. Scraggin, who in turn was a friend of his parents. He stated this would have no bearing on his decision on this matter.

Mayor Sutherland stated that he knows most all of the parties involved on both sides of this issue; however, this would not affect his decision.

Mr. Scraggin, attorney representing Joe Trucco and Colonial Fruit and Produce, stated the reasons for the appeal.

Mr. Robert Denomy, attorney representing Investco Financial Corp., spoke in support of the Hearing Examiner's decision.

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

The appeal was denied.

Mayor Sutherland stated that the Council would consider Public Hearing item c., prior to Public Hearing b.

- c. This is the date set for a public hearing relative to the issuance of Industrial Revenue Bond financing by the Economic Development Corporation of Pierce County in an amount not to exceed \$6,200,000.00 for the expansion of the McFarland Cascade Facility at 1640 East Marc Street.

(Began at 6:15 p.m.)

Liz Heath, Economic Development Corporation, spoke regarding the proposed issuance of the industrial revenue bond financing.

Mr. Corry McFarland, Present of McFarland Cascade, spoke regarding the proposed use of the funding at the McFarland Cascade facility.

Mayor Sutherland called for public testimony.

Speaking to the Council was:

Louise Batchelor	5123 North 45th Street
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There being no further testimony, Mayor Sutherland declared the public hearing closed at 6:27 p.m.

- b. This is the date set for a public hearing on the submission of an application to the U.S. Department of Housing and Urban Development for approximately \$2,300,000.00 for the development of a shopping center, park and open space west of Sprague Avenue between South 56th and South 64th Streets.

(Began at 6:27 p.m.)

Keith Palmquist, Director of Community Development, spoke regarding the proposed funding application.

Mayor Sutherland called for public testimony.

There being no testimony, Mayor Sutherland declared the public hearing closed at 7:28 p.m.

CITIZEN'S REQUEST TO BE HEARD: (Began at 6:29 p.m.)

Mr. Jonathan Feste, representing the Sons of Norway, requesting to speak on the proposed renaming of City Waterway to Thea Foss Waterway.

Jonathan Feste, representing the Sons of Norway, spoke regarding the Thea Foss Waterway proposal.

Mayor Sutherland stated that he was requesting that a public hearing be set before the City Council on August 1, 1989 regarding the renaming of City Waterway to allow for public input and discussion on this matter.

FIRST READING OF ORDINANCES:

Ordinance No. 24378

Amending Chapter 1.24 of the Official Code by creating a new section in the Personnel Rules to be known as Section 1.24.655, regarding absence of eligible list; and amending Section 1.24.710 regarding temporary appointments and Section 1.24.955 regarding the pre-disciplinary procedure.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 30497

Awarding contracts to:

1. Wardel Rogers Corporation, on their bid of \$246,770.37 for polymer and sodium chlorite - single source;
2. Madsen Electric, on their bid of \$131,870.00 for streetlighting at South 19th Street and South Hosmer Street - Specification No. G-223-89;
3. Hydraulics Northwest, Inc., in the amount of \$15,200.00 to increase their contract for hydraulic parts and repairs - Open Purchase Order No. 29679;
4. Northwest Cascade, Inc., on their bid of \$41,630.00 for storm sewer replacement at East "T" street from East 32nd Street to East 34th Street - Specification No. G-207-89;
5. Kustom Electronics, Inc. in the amount of \$15,809.63 for 15 Falcon Rodal Units for police motorcycles - Washington State Contract No. 55-87; and
6. Dictaphone Corporation, on their bid of \$53,361.00 for multi-channel logging recorder - Specification No. G-031-89.
7. Irwin Seating on their bid of \$734,534.12 for Tacoma Dome Seating Replacement - Specification No. G-233-89.

Council Member Mykland moved to suspend the rules to consider Substitute Exhibit A. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland stated that Substitute Exhibit A added Item No. 7, which was Irwin Seating on their bid of \$734,534.12 for Tacoma Dome Seating Replacement - Specification No. G-233-89.

Council Member Nielsen moved that the Purchase Resolution be adopted, including Substitute Exhibit A, and waiving formal bidding procedures on item Nos. 1 and 3. Seconded by Council Member Mykland.

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

Resolution No. 30498

Approving the preliminary plat of "The Narrows" to subdivide 50.3 acres of land at Sixth Avenue and Sunset Drive into 138 residential building sites. (HCE, Inc., The Narrows; File No. 125.296)

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

Speaking to the Council was:

Louise Batchelor

5123 North 45th Street

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

Resolution No. 30499

Closing the Cumulative Reserve for Art Account in the Cumulative Reserve Summary Fund; and transferring \$575.36 to the Joint Sponsorship Account of the Miscellaneous Grants Summary Fund.

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

Resolution No. 30500

Approving the issuance of Industrial Revenue Bonds on behalf of McFarland Cascade in an amount not to exceed \$6,200,000.00 by the Pierce County Economic Development Corporation.

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

Resolution No. 30501

Approving the submittal of a UDAG grant application in the amount of \$2,300,000.00 to the Department of Housing and Urban Development for partial funding of a mixed-use development proposed by the Schurgin Development Company at the Wapato Hill site located west of Sprague Avenue between South 56th and South 64th Streets.

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

Resolution No. 30502

Authorizing the execution of an agreement with Robert J. Remen in the amount of \$40,800.00 to provide financial analysis and technical assistance to businesses from July 1, 1989 to June 30, 1990.

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

Resolution No. 30503

Authorizing the execution of an agreement in the amount of \$427,997.00 with Envirosphere Company for the Environmental Assessment process (EIS) for the potential installation of a Pyrolytic Gasification Plant at the Tacoma Landfill.

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

Speaking to the Council was:

Louise Batchelor 5123 North 45th Street

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

UNFINISHED BUSINESS:

Council Member Stenger moved to suspend the rules to confirm a tentative decision reached yesterday at the joint meeting with the Washington State Historical Society Board of Curators. Seconded by Council Member Vialle. Voice vote was taken and carried. The motion was declared adopted.

Council Member Stenger moved that the Council agree to appoint three of its members to serve with three Curators as a committee to return by August 31, 1989 with recommendations with how best for the two bodies to proceed together on the Union Station Museum issues before them.

The Council would appoint these members at its next regular business meeting of July 5, 1989. Seconded by Council Member Vialle. Voice vote was taken and carried. The motion was declared adopted.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Sutherland stated that next week's Council meeting would be on Wednesday, July 5, 1989. He stated that Council rules indicate that if Tuesday of any week be a legal holiday, the regular meeting of that week shall be held at 5:00 p.m. on the first business day following, in place of Tuesday.

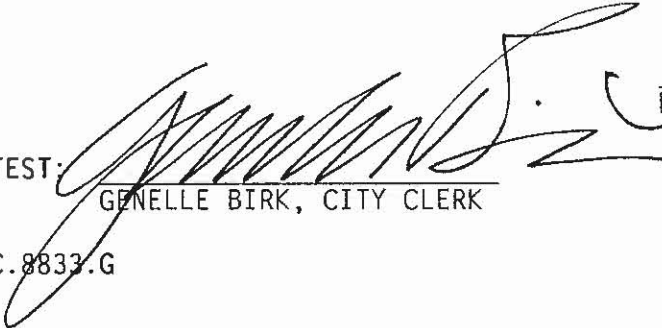
Council Member Vialle stated that she had enjoyed working with Ginger Ferguson as Special Intern in the City Manager's office and felt that she had done a fine job.

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

On proper motion, the meeting was adjourned at 7:10 p.m.

ATTEST:

WPC.8833.G



GENELLE BIRK, CITY CLERK



DOUG SUTHERLAND, MAYOR