

CITY COUNCIL MINUTES

City Council Chambers
June 19, 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. (Council Member Moss arrived at 5:17 p.m.)

The Flag Salute was led by Council Member Nielsen.

Mayor Vialle moved to continue the appeal of the Friends of Narrowmoor to the City Council meeting of July 10, 1990. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

The appeal was continued to July 10, 1990.

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

Approval of the minutes of the meeting of June 12, 1990.

PETITIONS:

Lawrence E. Nelson, requesting the reclassification of the property located at the corner of South 50th and Puget Sound Streets from a "R-4" District to a "C-2" District. (Lawrence E. Nelson; File No. 120.1320)

For referral to the Hearing Examiner.

RESOLUTIONS:

Resolution No. 30936

Setting Tuesday, July 24, 1990, at approximately 5:30 p.m. as the date for a public hearing regarding self-service storage facilities in "C-P-C" Planned Community Shopping Center Districts and "C-2" Commercial Districts.

APPEALS:

Benoy's Carpet, Inc., contesting the Business and Occupation Assessment by the Department of Tax and License.

Setting Thursday, August 2, 1990, at 9:00 a.m. as the date for a hearing by the Hearing Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the meeting of the Tacoma Employees' Retirement Board, April 26, 1990.
- b. Minutes of the meeting of the Tacoma Employees' Retirement Investment Committee, April 26, 1990.
- c. Citizens' petitions regarding banning the sale of fortified wines in the Downtown Central Business District.
- d. Six Year Comprehensive Street Program 1991-1996.
- e. Report of the Director of Finance, April 1990.
- f. Tacoma Public Utilities Budget Performance Analysis - First Quarter of 1990.

Council Member Warnick moved that the Consent Agenda, including Resolution No. 30936, be approved. Seconded by Council Member Nielsen. 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

FINAL READING OF ORDINANCES:

Ordinance No. 24658 (Continued from the meeting of June 12, 1990.)

Authorizing the issuance and sale of Consolidated Local Improvement District Bond Issue No. 42.

Mayor Vialle moved to suspend the rules to consider Substitute Ordinance No. 24658. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, McElliott, Miller, Mykland, Nielsen, Warnick, and Mayor Vialle.

Nays: 0.

Absent: 2 - Moss and Stenger.

The Substitute Ordinance was declared passed.

Ordinance No. 24659

Amending Chapter 9.12 of the Official Code by adding a new section regarding posting address numbers at the entrance to a private road or driveway.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, McElliott, Miller, Mykland, Nielsen, Warnick, and Mayor Vialle.

Nays: 0.

Absent: 2 - Moss and Stenger.

The Ordinance was declared passed.

Ordinance No. 24660

Amending Chapter 1.06 of the Official Code to authorize the establishment of a biennial budget for 1991-1992 and for each biennium thereafter.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, McElliott, Miller, Mykland, Nielsen, Warnick, and Mayor Vialle.

Nays: 0.

Absent: 2 - Moss and Stenger.

The Ordinance was declared passed.

Council Member Moss arrived at 5:17 p.m.

Ordinance No. 24661

Transferring \$2,214,728.00 from the General Fund to the Miscellaneous Grants Summary Fund; appropriating said sum from the Miscellaneous Grants Summary fund to pay for Police security, Fire Department, transportation and other miscellaneous costs associated with the 1990 Goodwill Games; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, McElliott, Miller, Moss, Nielsen, Warnick, and Mayor Vialle.

Nays: 1 - Mykland.

Absent: 1 - Stenger.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 24662

Amending Chapter 10.26 of the Official Code regarding Minority and Women's Business Enterprise Equal Employment Opportunity Regulations.

The Ordinance was set over for final reading next week.

Mayor Vialle stated that the Council would next consider public hearings and appeals.

PUBLIC HEARINGS AND APPEALS: (Began at 5:30 p.m.)

- a. This is the date set for hearing the appeal of Friends of Narrowmoor of the Hearing Examiner's decision on the request for a site plan approval and height exception for the development of an 84-unit townhouse community in a "R-3-PRD" Planned Residential Development District on the property located between Jackson Avenue and Mountain View Avenue immediately southwest of SR-16.

Mayor Vialle stated that this appeal had been continued earlier in the meeting to July 10, 1990.

- b. This is the date set for hearing the appeal of Annabelle F. Reed of the decision of the Hearing Examiner regarding the application for a Special Use Permit to allow the construction of a new nature center building at Snake Lake Nature Center.

Council Member Warnick stated that the attorney for the Metropolitan Park Board has been his personal and company attorney for a number of years. He stated they had not discussed this matter. He stated this would not affect his decision on this matter.

Council Member Miller stated that he was a long-time friend of one of the persons speaking on behalf of the appellant. He stated this would have no affect on his decision tonight.

Council Member McElliott stated that she had attended various Metropolitan Park Board meetings and the item had been discussed; however, it was discussed in an open meeting format.

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

Rod Kerlake, Hearing Examiner, spoke regarding his decision on this matter.

Discussion followed regarding the authority of the City Council relative to the decision of the Metropolitan Park Board to locate the building on the site.

Mayor Vialle requested a memorandum from the City Attorney regarding the relationship between the City Council and the Metropolitan Park Board on these matters.

Annabelle F. Reed, 4205 North 27th Street, stated that Rich Paul and Cheryl Bennett will speak on her behalf tonight.

Rich Paul, 315 South 35th Street, gave the reasons for the appeal.

Cheryl Bennett, spoke on behalf of the appellant and stated she had slides for presentation to the Council.

Rod Kerlake, Hearing Examiner stated that the slides had not been presented during his hearing.

Dennis Seinfeld, Attorney representing Metropolitan Park District, stated that he objected to the introduction of the slides in the appeal.

After discussion, Council concurred to allow the viewing of the slides for illustrative purposes only.

Dennis Seinfeld, spoke in support of the Hearing Examiner's decision.

Cheryl Bennett and Rich Paul spoke in rebuttal using the remaining time for the appellant.

Council Member Nielsen moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner and deny the appeal. Seconded by Council Member Moss.

Roll call vote was taken, resulting as follows:

Ayes: 3 - Moss, Nielsen, and Warnick.

Nays: 4 - Evans, McElliott, Miller, and Mayor Vialle.

Absent: 2 - Mykland and Stenger.

The motion was declared failed.

The appeal was upheld.

Council Member Nielsen changed his vote from an aye to a nay for purposes of reconsideration next week.

Council recessed at 7:14 p.m. and reconvened at 7:29 p.m.

Ordinance No. 24663

Amending Chapters 8.27 and 11.14 of the Official Code regarding notice of traffic infractions, removal of plants from the park and the issuance of permits.

The Ordinance was set over for final reading next week.

Ordinance No. 24664

Appropriating \$185,514.00 from the unexpended fund balance of the Tacoma-Pierce County Health Department Summary Fund to purchase modular furniture and paneling for \$165,514.00; and to expand the Needle Exchange Program by \$20,000.00.

The Ordinance was set over for final reading next week.

Ordinance No. 24665

Authorizing the execution of an agreement with the United States Department of Labor in contemplation of receipt of \$57,000.00 in federal matching funds; depositing said sum in the Miscellaneous Grants Summary Fund; appropriating and transferring \$7,500.00 from the unreserved General Fund balance to the Miscellaneous Grants Summary Fund; authorizing a non-interest-bearing loan of \$20,000.00 from the General Fund to the Miscellaneous Grants Summary Fund; appropriating \$64,500.00 from the Miscellaneous Grants Summary Fund to provide outside case management, employment, and transitional housing services to homeless veterans; and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Council Member Nielsen moved to suspend the rules to consider Resolution No. 30948. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 30948

Approving the issuance of Industrial Revenue Bonds in the amount of \$4,000,000.00 by the Economic Development Corporation of Pierce County on behalf of Atlas Foundry & Machine Company.

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

Speaking to the Council were:

Liz Heath
Terry Snider

Economic Development Board
Vice President, Atlas Foundry

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

Purchase Resolution No. 30937

Awarding contracts to:

1. Chemical Processors, Inc., in the amount of \$12,453.00 to increase their contract for the coordination of household hazardous waste disposal - Specification No. G-040-90;
2. Safety Signal Systems, Inc., in the amount of \$102,720.00 to increase their contract for solid state traffic actuated signal controller - Specification No. G-109-88;
3. Printmore Products Company, in the amount of \$9,000.00 to increase their contract for quick copy printing - Open Purchase Order No. 35495;
4. Sahlberg Equipment, Inc. in the amount of \$10,206.26, Rice Safety Equipment Company in the amount of \$10,548.13, Sanderson Safety Supply, in the amount of \$20,637.45 and Firesafe Fire and Safety Equipment Company in the amount of \$54,905.99 for safety supplies - Specification No. G-058-90;
5. Lige & Wm. B. Dickson Company, on their bid of \$69,528.96 for building demolition and parking lot paving at 1531 Market Street - Specification No. G-213-90;
6. PacLease Northwest, Inc., on their bid of \$9,800.00 and Environmental Pollution Control, Inc., on their bid of \$9,800.00 for Central Wastewater Treatment Plant maintenance and repair of new sludge truck fleet;
7. Collins Ambulance Corp./McPherson Supply Company, on their bid of \$65,657.00 for one 1990 Ford F-350 Type I Walkthrough Ambulance with options - Specification No. G-044-90; and
8. Lakewood Lawn Equipment, Inc., in the amount of \$9,378.60 to increase their contract for one front mounted rotary mower - Specification No. G-028-90.

Council Member Nielsen moved that the Purchase Resolution be adopted, including waiving the formal bidding requirements on item numbers 3 and 4. Seconded by Council Member Warnick.

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

Resolution No. 30938

Authorizing the sale of surplus miscellaneous scrap iron and wire and cable.

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. 30939

Authorizing the release of surplus Light Division easements.

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

Resolution No. 30940

Authorizing the execution of an easement with Lewis County to allow ingress and egress to the Lewis County Community Park on Riffe Lake.

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

Resolution No. 30941

Authorizing the execution of an agreement with the Wyatt Company in the amount of \$12,000.00 to provide professional and technical services necessary to meet the Governmental Accounting Standards Board requirements.

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

Resolution No. 30942

Authorizing the execution of an amendment to the agreement with Kathleen Keliher in the amount of \$2,340.00 to provide specialized child care resource and referral services to Pierce County area employers.

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. 30943

Authorizing the execution of an agreement with the Metropolitan Park District in the amount of \$75,000.00 to improve two neighborhood playgrounds within the Salishan Housing Project.

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

Resolution No. 30944

Authorizing the execution of an agreement with Tacoma School District No. 10 in the amount of \$25,000.00 to improve the Edison School playground.

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

Resolution No. 30945

Authorizing the execution of an agreement with Burgess Kennedy & Fitzer in the amount of \$15,000.00 for legal services relative to commercial signage on Ruston Way.

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

Resolution No. 30946

Expressing support for the purpose and activities of the Commencement Bay Cleanup Action Committee.

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

Resolution No. 30947

Adopting annexation policies for extending water, power, and sanitary sewer service beyond Tacoma's city limits.

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

Resolution No. 30949

Supporting reauthorization of the National Endowment for the Arts without restrictive language which in any way limits freedom of artistic expression.

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

Speaking to the Council was:

Laura Jensen

Concerned citizen

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

REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., City Manager, requested an Executive Session to discuss personnel and labor relations issues.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Vialle moved to cancel the City Council meeting of July 3, 1990. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

Mayor Vialle moved that the City Manager and the Mayor be appointed as the City of Tacoma's representatives on the Puyallup Indian Settlement Implementation Assistance Committee. The Implementation Assistance Committee will be comprised of representatives from Congressman Dick's office, the Puyallup Tribe, the State of Washington, Pierce County, Port of Tacoma, City of Tacoma, small cities, the Commencement Bay Tideland Owners Committee, and major companies. Seconded by Council Member Nielsen.

Mayor Vialle stated that the purpose of the Committee is to ensure the proper implementation of the rights, duties, and obligations as set forth in the agreement.

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

Mayor Vialle reminded the Council and the public that "Cityline," the live call-in talk show hosted by Art Popham, would be on the Municipal Channel on Wednesday night at 6:30 p.m. She stated that Art Popham would interview Council Members Evans and Miller. She informed the public that interested parties could call their questions in on 591-5168 or 591-5169.

Council Member Warnick stated that the first page of the sports section of the Morning News Tribune featured information on the Tacoma Tigers baseball team playoff

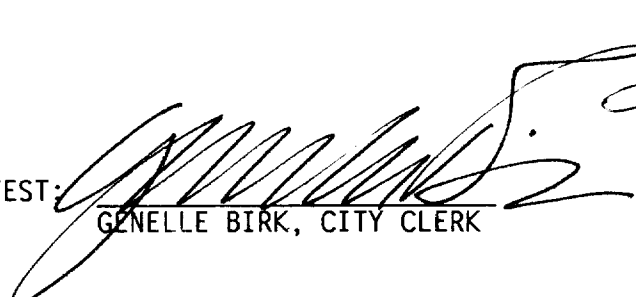
Mayor Vialle moved to recess to Executive Session to discuss personnel and labor relations issues, the session not to exceed 20 minutes. Seconded by

Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

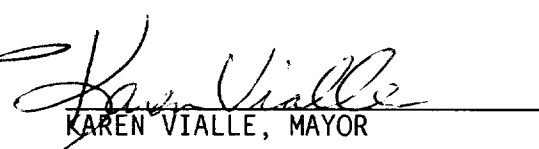
Council recessed to Executive Session at 8:04 p.m. and reconvened at 8:29 p.m.

On proper motion, the meeting was adjourned at 8:30 p.m.

ATTEST:



GENELLE BIRK, CITY CLERK


KAREN VIALLE, MAYOR

WPC.1506G