

CITY COUNCIL MINUTES

City Council Chambers
February 14, 1984

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

Present on roll call: 9 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strega, Warnick, and Mayor Sutherland.

The Flag Salute was led by Council Member Warnick.

CONSENT AGENDA

Approval of the minutes of the regular meeting of February 7, 1984.

RESOLUTIONS:

Resolution No. 28218

Authorizing the submittal of a grant application jointly with Pierce County to the State of Washington Traffic Safety Commission for the provision of funds for the continuation of the County-City DWI Task Force.

Resolution No. 28219

Setting Tuesday, February 21, 1984 at 6:00 p.m. as the date for a public hearing on the Proposed Statement of Community Development Objectives and Projected Use of Funds for the Tenth Year Community Development Block Grant Program.

APPEALS:

Everett W. Miller appealing the denial of his For-Hire Vehicle Drivers License by the Department of Tax & License.

Setting Monday, February 27, 1984 at 3:00 p.m. as the date for hearing by the Hearings Examiner.

ASSESSMENT ROLLS:

The Director of Public Works presents the Assessment Roll for the following:

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L.I.D. 3862 for the construction of sanitary sewers in South Mason avenue from South 60th Street south 260 feet, more or less.

Setting Monday, March 12, 1984 at 5:00 p.m. as the date for hearing by the Hearings Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the meeting of the Tacoma Arts Commission, January 16, 1984.
- b. Minutes of the meetings of the Citizens Transportation Advisory Committee, September 29 and November 17, 1983.
- c. Minutes of the meeting of the Civil Service Board, January 16, 1984.
- d. Minutes of the meeting of the Landmarks Preservation Commission, January 25, 1984.
- e. Minutes of the meeting of the Urban Policy Committee, January 26, 1984.
- f. Hearings Examiner 1983 Workload Report.
- g. Volunteer Services Division, Fourth Quarter Report, 1983.
- h. Department of Public Utilities Annual Budget for 1984.

Deputy Mayor Strege moved that the Consent Agenda, including Resolution Nos. 28218 and 28219, be approved. Seconded by Council Member Bichsel. Voice vote was taken and carried. The Consent Agenda was declared approved.

REGULAR AGENDA

COMMUNICATIONS:

City Clerk advising that the Civil Service Board has filed a proposed amendment to Personnel Rule 1.24.420 of the Civil Service and Personnel Rules.

Mayor Sutherland advised that this is informational only and no action is required.

FINAL READING OF ORDINANCES:

Ordinance No. 23115

Appropriating \$1,823.00, or so much thereof as may be necessary, from the Federal Shared Revenue Fund in order to provide a portion of the funding necessary for three additional school crossing guards on South 12th Street; authorizing an amendment to the crossing guard agreement with Tacoma School District No. 10; and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Roll call vote was taken, resulting as follows:

2 Ayes: 9 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strege, Warnick, and Mayor Sutherland.

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Nays: 0.

The Ordinance was declared passed.

Mayor Sutherland proclaimed the week of February 13 - 17, 1984, to be "Chamber of Commerce Week," and presented the proclamation to Mr. Michael Rogers and Mr. David Graybill.

FIRST READING OF ORDINANCES:

Ordinance No. 23116

Amending the Pay & Compensation Plan to implement 1984 rates of pay in accordance with negotiated contracts.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 28217 (Continued from the meeting of February 7, 1984.)

Expressing the City Council's policy to include the concourse in the restoration of the Union Station, and to construct a pedestrian crossing from the Union Station to the east.

Mayor Sutherland moved to suspend the rules to consider Substitute Resolution No. 28217. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved that the Substitute Resolution be adopted. Seconded by Council Member Hyde.

Councilman Rasmussen moved to amend the Substitute Resolution on line 24, after I-705, to read as follows: "Said decision shall be based on a new agreement with Burlington Northern Railroad regarding permanent structure and end wall construction." Seconded by Mayor Sutherland.

Council Member Rasmussen stated that he would have a second motion for consideration, that would be added to the previous amendment, to read as follows: "Further, said decision shall in part be based on the recommendation of the TRA study, taking into consideration functional and economic feasibility."

Mayor Sutherland called for public testimony on the Substitute Resolution, the formally proposed amendment and the proposed amendment.

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Speaking to the Council were:

Kathryn Van Wagenen
Linda Bowman

Save Our Station (S.O.S.)
Save Our Station (S.O.S.)

Roll call vote was taken on the formally proposed amendment, resulting as follows: Ayes: 6 - Bichsel, Hyde, Ladenburg, Rasmussen, Warnick, and Mayor Sutherland. Nays: 3 - Kirby, Stenger, and Strege. The motion was declared adopted.

Council Member Rasmussen moved to amend the Substitute Resolution to read as follows: After the word "construction," "further, said decision shall, in part, take into consideration the recommendation of the TRA study regarding functional and economic feasibility. Seconded by Mayor Sutherland.

Roll call vote was taken on the second amendment, resulting as follows: Ayes: 2 - Rasmussen and Mayor Sutherland. Nays: 7 - Bichsel, Hyde, Kirby, Ladenburg, Stenger, Strege, and Warnick.

The motion was declared failed.

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

Mayor Sutherland moved that the Council consider Public Hearings and Appeals. Seconded by Council Member Ladenburg. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved to recess to allow the Council Chambers to clear. Seconded by Council Member Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

Council recessed at 6:01 p.m. and reconvened at 6:06 p.m.

PUBLIC HEARINGS AND APPEALS: (Began at 6:07 p.m.)

- a. This is the date set for hearing the appeal of Ronald E. Thompson on the decision of the Hearings Examiner regarding a determination as to whether or not the height of a proposed apartment/condominium building to be located at the northeasterly corner of North 12th and "I" Streets is consistent with the "R-4-L" District height limitation.

Mr. Gary Sullivan, Hearings Examiner, made a presentation to the Council on his findings.

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Mayor Sutherland stated that Mr. Ronald E. Thompson was known by the Mayor and had been involved in the Mayor's campaign, but he had not had any discussion or prior commitment relative to the case and his acquaintance with the appellant would not enter into the case, and that he would hear and weigh the case on the facts presented.

Council Members Hyde and Warnick also made statements of disclaimer.

Mayor Sutherland then called on Mr. Ronald E. Thompson, attorney representing the neighborhood, who presented the reasons for his appeal.

Mayor Sutherland then called on Mr. William Lynn, attorney representing Mike Corliss.

Council Member Hyde moved to overrule the findings, conclusions and recommendations of the Hearings Examiner and uphold the appeal. Seconded by Council Member Bichsel.

Council Member Warnick requested that the Planning Department develop some clarification on how heights are determined for building purposes and clarify certain definitions relative to buildings.

Roll call vote was taken, resulting as follows: Ayes: 8 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Strege, and Mayor Sutherland. Nays: 1 - Stenger. The motion was declared adopted.

The appeal was upheld.

- b. This is the date set for a public hearing on proposed amendments to the Official Code to allow restaurants to utilize adjacent parking areas during off-peak business hours for loading purposes. (Began at 8:12 p.m.)

Mr. Pete Katich, Planning Department, made a presentation to the Council on this matter.

Mayor Sutherland called for public testimony.

Speaking to the Council was:

Catherine Ursich

Old Tacoma Improvement
Club

There being no further testimony, the hearing was declared closed at 8:26 p.m.

Purchase Resolution No. 28220

Awarding contracts to:

1. Union Oil Company on their bid of \$14,490.50 and Lubking Petroleum on their bid of \$3,465.00 for chassis lube, gear oil and transmission fluid - Specification No. G-226-83;
2. Northwest Envelope Company on their bid of \$7,790.28 for the annual supply of office envelopes - Specification No. G-005-84;
3. Motorola Communication and Electronics, Inc. on their bid of \$96,276.64 per year for a three-year communication equipment maintenance agreement - Specification No. G-218-83;
4. S & W Construction, Inc. on their bid of \$126,361.96 for the construction of sanitary sewers in Alexander Avenue - Specification No. G-214-83; and
5. Lige & Wm. Dickson Company on their bid of \$15,105.48 for furnishing, hauling and stockpiling sand and gravel - Specification No. G-219-83.

Deputy Mayor Strege moved to adopt Substitute Exhibit A and adopt the Purchase Resolution to include a motion to allow Puget Sound Instrument Company to withdraw their proposal and bid bond with no penalty. Seconded by Council Member Rasmussen.

Purchase Resolution No. 28220 - Substitute Exhibit A

Awarding contracts to:

1. Union Oil Company on their bid of \$14,490.50 and Lubking Petroleum on their bid of \$3,465.00 for chassis lube, gear oil and transmission fluid - Specification No. G-226-83;
2. Northwest Envelope Company on their bid of \$7,790.28 for the annual supply of office envelopes - Specification No. G-005-84;
3. Motorola Communication and Electronics, Inc. on their bid of \$96,276.64 per year for a three-year communication equipment maintenance agreement - Specification No. G-218-83;
4. S & W Construction, Inc. on their bid of \$126,361.96 for the construction of sanitary sewers in Alexander Avenue - Specification No. G-214-83; and
5. Lige & Wm. Dickson Company on their bid of \$15,105.48 for furnishing, hauling and stockpiling sand and gravel - Specification No. G-219-83.
6. Reinhard Distributing Co., Inc., on their bid of \$.74 per gallon (truck and trailer, regular) and \$.79 per gallon (truck and trailer, unleaded) for gasoline supply.

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

Resolution No. 28221

Authorizing the execution of an agreement in the amount of \$35,000.00 with Pierce County for the provision of probation services.

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

Mayor Sutherland moved to suspend the rules to reconsider Purchase Resolution No. 28220 for purposes of hearing public testimony. Seconded by Council Member Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

There being no public testimony on Purchase Resolution No. 28220, Council proceeded with the agenda.

Resolution No. 28222

Authorizing the execution of an agreement in the amount of \$81,096.00 with the Pierce County Department of Assigned Counsel for the provision of legal services to indigent defendants appearing in Municipal Court.

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

Resolution No. 28223

Authorizing the execution of a Memorandum of Agreement relating to working conditions with Service Employees International Union Local #38, Sweepers Unit.

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

Resolution No. 28224

Authorizing the execution of an agreement with Dean R. Phillips for the provision of services relative to review of the organization, administration and operational aspects of the Tacoma Police Department.

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

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Resolution No. 28225

Approving the rental agreement form and rental rates for office space at the Pantages Centre and further authorizing the Pantages Centre to enter into rental agreements with appropriate tenants.

Council Member Bichsel moved that the Resolution be adopted. Seconded by Deputy Mayor Strege. Voice vote was taken and carried, with Council Member Rasmussen abstaining. The Resolution was declared adopted.

Resolution No. 28226

Authorizing the execution of change orders to the construction contract with C & T Construction Company for the Tacoma Community Center for Disabled Individuals.

Council Member Warnick announced that he would be abstaining on this matter and left the Council Chambers.

Council Member Bichsel moved that the Resolution be adopted. Seconded by Council Member Rasmussen. Voice vote was taken and carried, with Council Member Warnick abstaining. The Resolution was declared adopted.

Resolution No. 28227

Authorizing the filing of a petition with the State Department of Natural Resources for the acquisition of right-of-way property located at the southwesterly corner of Ruston Way and Alder Street for completion of the Ruston Way project.

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

Resolution No. 28228

Authorizing the execution of agreements with the State of Washington for participation in the Washington Service Corps program which provides training to young adults.

Mayor Sutherland moved to remove Resolution No. 28228 from the agenda. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 28228 was removed from the agenda.

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UNFINISHED BUSINESS:

Council Member Bichsel moved to excuse Council Member Hyde from the City Council meeting of February 7, 1984. Seconded by Deputy Mayor Strega. Voice vote was taken and carried. The motion was declared adopted.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Council Member Hyde requested that the Planning staff review the concept of finished surface plane on a fill. He also requested that the Public Works Department respond to the concept of a builder placing fill on a lot, modifying the surface area, and then applying for a building permit and submitting plans. He also requested a review of the definition of low density requirements.

On proper motion, the meeting adjourned at 8:36 p.m.

ATTEST:


GENELLE BIRK, CITY CLERK


DOUG SUTHERLAND, MAYOR

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