

CITY COUNCIL MINUTES

City Council Chambers
February 19, 1985

The meeting was called to order at 5:09 p.m.

Present on roll call: 8 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Strege, Warrick, and Mayor Sutherland. Absent: 1 - Stenger.

The Flag Salute was led by Council Member Bichsel.

Mayor Sutherland moved to excuse Council Member Stenger from tonight's Council meeting. Seconded by Council Member Bichsel. Voice vote was taken and carried. The motion was declared adopted.

CONSENT AGENDA

RESOLUTIONS:

Resolution No. 28657

Setting Monday, March 11, 1985 at 5:00 p.m. as the date for hearing by the Hearings Examiner L.I.D. No. 5663 for construction of a water main and a fire hydrant in South 8th Street from Verde Street to approximately 400 feet west.

Resolution No. 28658

Authorizing the submission of grant assistance pre-applications to the State Department of Ecology for certain waste disposal construction projects.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner agenda for Tuesday, February 19, 1985.
- b. Minutes of the meetings of the Urban Policy Committee, January 23, and January 24, 1985.

Deputy Mayor Strege moved that the Consent Agenda, including Resolution Nos. 28657 and 28658, be approved. Seconded by Council Member Bichsel. Voice vote was taken and carried. The Consent Agenda was declared approved.

REGULAR AGENDA

COMMUNICATIONS:

- a. City Attorney submitting Findings, Conclusions and Decision of the Council in the matter of Atlantic Richfield Company. (Atlantic Richfield Company; File Nos. 120.1099 and 121.979)

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

Deputy Mayor Strege moved to concur in the Findings, Conclusions, and Decision of the City Attorney in File Nos. 120.1099 and 121.979. Seconded by Council Member Ladenburg. Voice vote was taken and carried. The motion was declared adopted.

- b. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.349 of Pennwalt Corporation to allow the construction of two pipelines, a brine clarifier tank, and two mixing tanks as part of a new membrane-type cell process for the manufacture of chlorine and caustic soda.

Mayor Sutherland moved to continue Permit No. 141.349 of Pennwalt Corporation to February 26, 1985. Seconded by Council Member Warrick. Voice vote was taken and carried. The motion was declared adopted.

- c. Hearings Examiner recommending approval of the request of S.A.K. Investors for site plan modification for a project to be located at 2115 56th Street South. (S.A.K. Investors; File Nos. 120.926 and 124.647)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Bichsel. Voice vote was taken and carried. The motion was declared adopted.

- d. Hearings Examiner advising that the request by Block Brothers Industries (USA), Inc. for Preliminary Plat Extension relative to final design on the main road of 51st Street N.E., has been denied.

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

Mayor Sutherland proclaimed the week of February 17-23, 1985, to be "Engineers' Week," and presented the proclamation to Ms. Karen Larkin.

FINAL READING OF ORDINANCES

Ordinance No. 23287

Vacating Alder Street and the alley between Alder and Lawrence Streets from South 40th Street to South 43rd Street. (Washington Natural Gas Company; File No. 124.768)

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Strege, Warrick, and Mayor Sutherland.

Nays: 0.

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Absent: 1 - Stenger.

The Ordinance was declared passed.

Ordinance No. 23322

Vacating small portions of air rights over Market Street, South 13th Street, and Court "C" abutting the former Sears Parking Garage to construct a single level office addition on top of the existing parking facility. (Cornerstone Development Company; File No. 124.774)

Roll call vote was taken, resulting as follows:

Ayes: 6 - Bichsel, Hyde, Kirby, Ladenburg, Strege, and Harnick.

Nays: 0.

Absent: 1 - Stenger.

Abstaining: 2 - Rasmussen and Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 23342

Authorizing the execution of an amendment to a grant award contract with Bonneville Power Administration in the amount of \$1,702,178.00, and appropriating said sum from the Miscellaneous Grants Summary fund for further implementation of the Model Conservation Standards.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Strege, Harnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Stenger.

The Ordinance was declared passed.

Ordinance No. 23343

Authorizing acceptance of an additional \$8,801.92 from the Comprehensive Mental Health Center, and appropriating said sum from the Miscellaneous Grants Summary Fund for expenditures relative to the construction of the Youth Treatment Center.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Strege, Harnick, and Mayor Sutherland.

Nays: 0.

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Absent: - 1 Stenger.

The Ordinance was declared passed.

Ordinance No. 23344

Amending Title 11 of the Official Code to add Chapter 11.45 allowing joint use of public parking facilities.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Strege, Harnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Stenger.

The Ordinance was declared passed.

Ordinance No. 23345

Approving and confirming the Assessment Roll for L.I.D. No. 3856 for sanitary sewer construction in East "E" Street from east 75th Street south 530 feet more or less.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Strege, Harnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Stenger.

The Ordinance was declared passed.

Ordinance No. 23346

Approving and confirming the Assessment Roll for L.I.D. No. 5642 for construction of water mains on 118th Street East from 120th Avenue East to 122nd Avenue East, and in 120th Avenue East from 118th Street East to approximately 270 feet north.

Council Member Harnick moved to amend page 1, line 16, to read: "...are overruled, the findings, conclusions, and the decision of the Hearings Examiner are hereby adopted..." Seconded by Council Member Ladenburg. 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 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Strege, Harnick, and Mayor Sutherland.

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Nays: 0.

Absent: 1 - Stenger.

The Ordinance, as amended, was declared passed.

Ordinance No. 23347

Approving and confirming the Assessment Roll for L.I.D. No. 8360 for permanent pavement on East "E" Street from East 75th Street south 530 feet more or less and East 57th Street from East "I" to East "K" Streets.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Strege, Warrnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Stenger.

The Ordinance was declared passed.

Ordinance No. 23348

Approving and confirming the Assessment Roll for L.I.D. No. 8372 for permanent pavement on South Bell Street from South 74th to South 76th Streets and East Morton Street from McKinley Avenue to East "G" Street.

Deputy Mayor Strege moved to amend page 1, line 16, to read: "...overruled, except for those assessments as recommended by the Hearings Examiner,..." Seconded by Council Member Ladenburg. 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 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Strege, Warrnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Stenger.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES

Ordinance No. 23337 (Continued from the meeting of January 29, 1985.)

Amending Chapters 1.36, 12.06, 12.08 and 12.10 of the Official Code to establish a uniform schedule for miscellaneous utility customer charges and late payment fees.

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Mayor Sutherland moved to remove Ordinance No. 23337 from the agenda. Seconded by Deputy Mayor Strege. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 23337 was removed from the agenda.

Ordinance No. 23340 (Continued from the meeting of February 13, 1985.)

Amending Chapter 13.06 of the Official Code to reclassify the south side of South 78th Street extended between Sprague Avenue and South Trafton Street from an "R-2" One-Family Dwelling District to an "M-1" Light Industrial District, to construct a 5,200 square foot building for a family-oriented hot tub emporium and an 8,000 square foot storage warehouse and office space. (Joe Andersen; File No. 120.1104)

Council Member Rasmussen moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Warrick. 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. 23349

Vacating Mildred Street north from North 49th Street a distance of 300 feet, more or less for the construction, repair, and maintenance of public utilities and services. (Russell G. Peterson; File No. 124.781)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Bichsel. 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. 23350

Amending the Pay and Compensation Plan by implementing the provisions of the collective bargaining agreement negotiated between the City of Tacoma and the Joint Labor Committee.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 28659

1. Pacific Coast Truck Center on their bid of \$90,023.56 for Unit A - Two (2) single axle cab and chassis, and Midjac Corporation on their bid of \$69,606.00 for Unit B - Two (2) automated refuse collection bodies - Specification No. G-168-84;

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2. E. J. Rody & Sons, Inc. on their bid of \$229,043.74 for sanitary sewer replacement - alley between South Tacoma Avenue and Fawcett Avenue, from South 38th Street to South 43rd Street and South 45th Street to South 48th Street - Specification No. G-010-85;
3. Rejecting all bids for automated scales facility (Scale House Modification) - Specification No. G-155-84; and
4. Rejecting all bids for traffic signal update 1983-84, - Specification No. G-115-84.

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

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

Resolution No. 28660

Authorizing the sale of property located on the Tacoma-Cushman Transmission Line to the State of Washington for right-of-way purposes.

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

Resolution No. 28661

Authorizing the execution of a collective-bargaining agreement with the Joint Labor Committee effective January 1, 1985 through December 31, 1985.

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

Mayor Sutherland moved to suspend the rules to consider Resolution No. 28662 after the public hearing. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 28663

Directing the City Planning Commission to review City Code Section 13.06.350A5h and make recommendations to the City Council on allowing business entities in the vicinity of City-owned parking facilities to count parking available for use in such facilities against parking required under City zoning ordinances.

Council Member Hyde 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. 28664

Approving the implementation of a Management Incentive Program for departmental savings and revenues.

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

Deputy Mayor Strege moved to remove Resolution No. 28664 from the agenda. Seconded by Council Member Bichsel. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 28664 was removed from the agenda.

Resolution No. 28665

Authorizing the execution of an amendatory agreement with the Fourth of July Extravaganza Commission to perform certain services relative to the 1985 Fourth of July celebration.

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

Resolution No. 28666

Urging the Washington State Legislature to appropriate funds to continue the operation of educational clinics in Tacoma.

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

Resolution No. 28667

Recommending that the Director of Public Works implement a temporary regulation of traffic, extending one-way traffic on Broadway northbound from South 7th to South 4th Streets for a ninety-day period.

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

Deputy Mayor Strege moved to amend the Resolution on line 20 by adding a new paragraph to read:

BE IT FURTHER RESOLVED:

That following a trial period, the Hearings Examiner is directed to conduct a public hearing, consider the evidence, and submit a recommendation to the Council on this matter.

Speaking to the Council was:

James Hergert

Pierce Transit

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COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Council Member Hyde requested that staff provide information regarding the reasons that the free right turns are being eliminated at various locations in the city.

Council Member Warrick requested clarification as to when the Council would have a study session concerning the City's economic climate. He also suggested that a study session be scheduled in March to review pertinent information prior to the National League of Cities meeting.

Mayor Sutherland suggested that March 12, 1985 would be the best date for the study session as it would allow Council time to review any information prior to the National League of Cities meeting.

Council Member Hyde requested that the list of City legislative priorities be re-issued to any Council Members attending the meeting.

Mayor Sutherland requested that the February 26, 1985 study session material be rescheduled to a later date, since there was a time conflict with the Downtown Tacoma Association meeting next Tuesday.

Mayor Sutherland requested that staff contact all Council members to schedule a specific date for the study session prior to the National League of Cities meeting.

Mayor Sutherland requested that the City Attorney review the Ethics Code and make amendments so that Council declaratory comments would be appropriate.

Mayor Sutherland moved to recess to Executive Session to discuss legal and personnel matters. Seconded by Council Member Ladenburg. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 6:36 p.m. and reconvened at 8:02 p.m.

On proper motion, the meeting adjourned at 8:03 p.m.

ATTEST:


GENELLE BIRK, CITY CLERK


DOUG SUTHERLAND, MAYOR

HPC.1015G