

CITY COUNCIL MINUTES

City Council Chambers  
November 1, 1983

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

Present on roll call: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

The Flag Salute was led by Mayor Sutherland.

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CONSENT AGENDA

Approval of the minutes of the regular meeting of October 25, 1983.

PETITIONS:

Tacoma Planning Commission requesting the reclassification of the property located in the vicinity of Norpoint Way N.E. and 51st Street N.E. from a "SR-9" to a "R-1 PRD," "R-3 PRD" and "CPC" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 28087

Authorizing the submission of a grant application of \$500.00 to the Ben B. Cheney Foundation for the payment of the remaining expenses for the Veterans Memorial at the Tacoma Dome.

Resolution No. 28088

Setting Tuesday, December 20, 1983 at 10:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate portions of River Street, northerly from Puyallup Avenue 300 feet, more or less. (Architectural Woods, Inc.; File No. 124.752)

Resolution No. 28089

Setting Tuesday, December 20, 1983 at 10:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate portions of Broadway Plaza and Court "C" between South 11th and South 13th Streets. (Cornerstone Development Company; File No. 124.753)

Resolution No. 28090

Setting Monday, November 28, 1983 at 5:00 p.m. as the date for hearing by the Hearings Examiner L.I.D. 5649 for the construction of water mains and fire hydrants in East 54th and East 55th Streets from McKinley Avenue to East "G" Street, and in East "G" Street from East 54th to East 55th Street.

APPEALS:

- a. Robert Lee Dunmire appealing the decision of the Hearings Examiner regarding the denial of his application for a Guard License by the Department of Tax & License.

Setting Tuesday, November 29, 1983 at 6:00 p.m. as the date for hearing.

- b. Fred Dove appealing the decision of the Hearings Examiner regarding the denial of his request for a Special Development Permit to allow the construction of three one-story triplexes in a "R-25RD" Special Review District on the northwest corner of South 38th and Gunnison Streets.

Setting Tuesday, December 6, 1983 at 6:00 p.m. as the date for hearing.

- c. Travelers Finance Services, Inc. and Family Fitness Centers appealing Audit-Assessment No. T-43231 by the Department of Tax & License.

Setting Thursday, November 17, 1983 at 10:00 a.m. as the date for hearing by the Hearings Examiner.

- d. Acme Poultry Company, Inc. appealing Audit-Assessment No. T-47849 by the Department of Tax & License.

Setting Thursday, November 17, 1983 at 1:30 p.m. as the date for hearing by the Hearings Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, November 1, 1983.
- b. Minutes of the meeting of the Human Rights Commission, September 15, 1983.
- c. Minutes of the meeting of the Tacoma Public Library Board of Trustees, August 19, 1983.

- d. Minutes of the meeting of the Tacoma Employees' Retirement System Board, September 29, 1983.
- e. Minutes of the meeting of the Urban Policy Committee, October 13, 1983.
- f. Emergency Management Assistance Claim for reimbursement, Fourth Quarter, 1983.
- g. City of Tacoma, Department of Public Utilities, Preliminary Budget, Fiscal Year 1984.

Councilwoman Bichsel moved that the Consent Agenda, including Resolution Nos. 28087, 28088, 28089, and 28090, be approved. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The Consent Agenda was declared approved.

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R E G U L A R   A G E N D A

FINAL READING OF ORDINANCES:

Ordinance No. 21721

Amending Chapter 13.06 of the Official Code to reclassify the northwest corner of Sixth Avenue and Shirley Street from an "R-2" to a "C-2" and "R-3-PRD" District. (William M. Busch)

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 22162

Amending Chapter 13.06 of the Official Code to reclassify the north side of Sixth Avenue approximately 370 feet east of Shirley Street extended north from an "R-2" to a "C-2" District. (Rick Vilhauer)

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

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Ordinance No. 23038

Accepting a contribution of \$5,825.00 from Grantmaker Consultants, Inc.; transferring the sum of \$5,825.00 from the General Fund Non-Departmental Account to the Miscellaneous Grants Summary Fund; and appropriating the sum of \$11,650.00, or so much thereof as may be necessary, from the Miscellaneous Grants Summary Fund for co-sponsoring free concerts to be presented by the Tacoma Symphony during 1984.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23040

Amending Sections 1.24.660, 1.24.665 and 1.24.930 of the Official Code, and adding a new section to be designated as Section 1.24.200 relative to Personnel Rules.

Mayor Sutherland moved to consider Substitute Ordinance No. 23040. Seconded by Councilman Rasmussen. Roll call vote was taken, resulting as follows: Ayes: 5 - Bichsel, Ladenburg, Nielsen, Rasmussen, and Mayor Sutherland. Nays: 4 - Hawkins, Hyde, Kirby, and Strege. The motion was declared adopted.

Speaking on the Substitute Ordinance were:

Ron Hale  
Bonnie Wright

Chairman, Civil Service Board  
EEO Officer

Mayor Sutherland moved to continue Substitute Ordinance No. 23040 to November 22, 1983. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The motion was declared adopted.

The Substitute Ordinance will be considered at the regular City Council meeting on November 22, 1983.

Ordinance No. 23041

Authorizing the establishment of a special account in the Miscellaneous Trust Summary Fund for the purpose of accepting donations and contributions for the Crime Prevention Unit of the Police Department, and appropriating the sum of \$1,000.00, or so much thereof as may be necessary, from the Miscellaneous Trust Summary Fund for crime prevention purposes.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23042

Establishing a new fund to be designated as the Cumulative Reserve - Tacoma Dome Fund, for identifying all monetary transactions involving the purchase and replacement of equipment and supplies at the Tacoma Dome.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23043

Authorizing the execution of a grant award contract in the amount of \$5,000.00 with the Washington State Arts Commission; transferring the sum of \$5,000.00 from the General Fund Non-Departmental Account to the Miscellaneous Grants Summary Fund; and appropriating the sum of \$10,000.00, or so much thereof as may be necessary, from the Miscellaneous Grants Summary Fund for a work of art to be placed on Broadway Plaza.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23044

Amending Sections 6.70.010 and 6.64.050 of the Official Code to reduce the gas company gross earnings tax rate and the light division gross earnings tax rate to 7.4%.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 23045

Vacating a portion of the southwest corner of North 30th and McCarver Streets. (Bert H. Paul; File No. 124,748)

Councilman Rasmussen stated that he has had business dealings in the past with Mr. Bert Paul, but has no current business with him and this would not affect his judgment on this issue.

Mayor Sutherland announced that he would be abstaining on this matter and left the Council Chambers.

Deputy Mayor Nielsen moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Councilman Ladenburg. Voice vote was taken and carried.

Final reading of the Ordinance was set over to a date to be determined.

Ordinance No. 23046

Vacating a portion of the southeast corner of Union Avenue and North 36th Street. (Ellen A. Pinto; File No. 124,747)

Councilman Hyde moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

Final reading of the Ordinance was set over to a date to be determined.

Ordinance No. 23047

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northeast corner of South 14th Street and Union Avenue from a "R-2" to a "R-2-T" District. (Hsushi Yeh, M.D.; File No. 120.1063)

Councilwoman Bichsel moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Councilman Rasmussen. Voice vote was taken and carried.

Final reading of the Ordinance was set over to a date to be determined.

Ordinance No. 23048

Amending Chapter 13.06 of the Official Code to reclassify the property located at the southeast corner of Ruby and Pearl Streets from a "R-2" to a "C-1" District. (Northwest Divers, Inc.; File No. 120.1062)

Councilwoman Bichsel moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Councilman Hyde. Voice vote was taken and carried.

Final reading of the Ordinance was set over to a date to be determined.

Ordinance No. 23049

Appropriating \$125,390.26, or so much thereof as may be necessary, from the Employee Benefits Trust Fund, Firefighters Health Care Trust Account to pay Pierce County Medical Bureau for a portion of its underwriting losses for 1982; authorizing the compromise of a claim regarding excess of premiums over claims for 1982 relative to the Labor Management Health Care Insurance Trust Account of the Employee Benefits Trust Fund; and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

The Ordinance was set over for final reading next week.

Ordinance No. 23050

Authorizing the establishment of a special account in the Miscellaneous Trust Summary Fund for donations and contributions for the South End Neighborhood Center and the proceeds of vending machines located at the Center; and appropriating \$2,300.00, or so much thereof as may be necessary, from said fund for miscellaneous items and equipment for the Center.

The Ordinance was set over for final reading next week.

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Mayor Sutherland announced that because election would be held next Tuesday Council would need to determine whether to hold the regular City Council meeting next Tuesday or the following night, in accordance with Council rules.

Councilman Strege moved to suspend the rules to have the regular City Council meeting on November 8, 1983. Seconded by Councilwoman Bichsel. Voice vote was taken and carried. The motion was declared adopted.

The regular City Council meeting will be conducted on November 8, 1983.

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RESOLUTIONS:

Purchase Resolution No. 28091

Awarding contracts to:

1. Standard Parts Corporation on their bid of \$10,149.89 for automobile filters - Specification No. G-119-83;
2. U.S. Oil & Refining Company on their informal bid of \$151,374.91 for extending the contract for the annual supply of asphalt material;
3. Tacoma News Tribune on their bid of \$14,000.00 for advertising from August 16, 1983 through December 31, 1983;
4. Cascade Septic Service, Inc. on their bid of \$59,699.91 for sanitary sewer replacement in the alley between Tacoma Avenue and Fawcett Avenue from South 43rd Street to South 45th Street - Specification No. G-188-83;
5. Rejecting all bids for eyeglass coverage for retired police officers and firemen - Specification No. G-097-83; and
6. Rejecting all bids for an automated scales facility at the City of Tacoma Landfill - Specification No. G-166-83.

Deputy Mayor Nielsen moved to adopt the Purchase Resolution, including Substitute Exhibit A and waiving the formal bidding procedures on Purchase Item Nos. 2 and 3. Seconded by Councilman Rasmussen.

Purchase Resolution No. 28091

Awarding contracts to:

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2. U.S. Oil & Refining Company on their informal bid of \$151,374.91 for extending the contract for the annual supply of asphalt material;
3. Tacoma News Tribune on their bid of \$14,000.00 for advertising from August 16, 1983 through December 31, 1983;
4. Cascade Septic Service, Inc. on their bid of \$59,699.91 for sanitary sewer replacement in the alley between Tacoma Avenue and Fawcett Avenue from South 43rd Street to South 45th Street - Specification No. G-188-83;
5. Rejecting all bids for eyeglass coverage for retired police officers and firemen - Specification No. G-097-83; and
6. Rejecting all bids for an automated scales facility at the City of Tacoma Landfill - Specification No. G-166-83.



7. Chevron U.S.A., Inc., on their bid of \$.853 per gallon (truck and trailer, regular) and \$.888 per gallon (truck and trailer, unleaded) for gasoline supply.

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

Resolution No. 28092

Authorizing the issuance of a Special Development Permit to Robert J. and Evelyn Kruzic to allow a building located on the northwest corner of South 54th and Cedar Streets, which is nonconforming by reason of use, to be used as a stationery store.

Mayor Sutherland moved that the Resolution be adopted. Seconded by Councilman Hyde. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 28093

Authorizing the release of easements for a parcel of land located in the Sunset Beach area of Tacoma.

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

Resolution No. 28094

Accepting the offer of Mrs. Patricia Kurtz of the donation of the property located on the Marine View Drive Slope and assuming the obligation to pay the local improvement assessments and real property taxes now due against the property.

Mayor Sutherland moved to consider Substitute Resolution No. 28094. Seconded by Councilman Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

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

Resolution No. 28095

Approving and adopting the "Recreation and Open Space Facilities Plan."

Councilman Rasmussen moved that the resolution be adopted. Seconded by Councilwoman Bichsel.

Mayor Sutherland moved to continue Resolution No. 28095 for one week. Seconded by Councilman Strege. Voice vote was taken and carried. The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting of November 8, 1983.

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PUBLIC HEARINGS AND APPEALS: (Began at 6:00 p.m.)

This is the date set for a public hearing on the "Draft Community Facilities Policy Plan."

Mr. Mike Smith, Planning Department, made a presentation to the Council on this matter.

Mayor Sutherland called for public testimony on this matter.

Speaking to the Council were:

Terry Hayes

United Way

There being no further testimony, the hearing was declared closed at 6:08 p.m.

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Mayor Sutherland moved to consider Resolution No. 28096. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 28096 was read into the record:

BY REQUEST OF HYDE

WHEREAS the United States Environmental Protection Agency (EPA) has identified inorganic arsenic as a hazardous air pollutant and has proposed arsenic emission standards for the ASARCO-Tacoma Smelter, and

WHEREAS, in response to the EPA proposal, the Board of Directors of the Puget Sound Air Pollution Control Agency (PSAPCA), on October 13, 1983, adopted a set of recommendations as set forth in a position paper of that date, entitled "Issues and Recommendations," and

WHEREAS it is deemed in the best interests of the citizens of the City of Tacoma that such recommendations of the PSAPCA be implemented;  
Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the Council does hereby state its support for the recommendations adopted by the Puget Sound Air Pollution Control Agency regarding the control of arsenic from the ASARCO-Tacoma Smelter as set forth in the October, 1983, position paper, a true copy of which is on file in the office of the City Clerk and by this reference incorporated herein as though fully set forth.

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Speaking on the Resolution were:

Jackie Skaught  
Dave Alger

League of Women Voters  
Director of Associated  
Ministries of Pierce County  
Washington Fair Share  
Light Brigade

Trudy Podzaline  
Norma Hamilton

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

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UNFINISHED BUSINESS:

Councilman Kirby moved to reconsider Resolution No. 28025. Seconded by Councilman Ladenburg.

Roll call vote was taken, resulting as follows:

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

Nays: 3 - Nielsen, Rasmussen, and Mayor Sutherland.

The motion was declared adopted.

Councilman Strege moved to amend page 12 of the Hearing Examiner's October 6, 1983 report on Columbia Energy Resources Company to insert a new paragraph (b) and reletter the remaining letters:

- (b) The Land Use Administrator shall require detailed landscaping plans that shall provide for maximum screening of the proposed towers.

The Administrator shall review these plans with the appellants prior to a decision on the landscaping and screening plans.

Provided, that the decision of the Administrator shall be subject to the concurrence of the City Council.

Seconded by Councilman Ladenburg.

Mayor Sutherland further identified the appellants as Mr. Alexander (Sandy) Mackie, representing Hunt/Mottet and Mr. Alexander McLaren.

Mayor Sutherland stated that he had received a communication from Columbia Energy, dated November 1, 1983, with reduced-scale copies of the site plan (including the landscaping plan) and elevations of the distillation battery screening plan.

Mayor Sutherland indicated that he also received a communication from Mr. Alexander Mackie representing Hunt/Mottet.

Mayor Sutherland moved to further amend the amendment to add, at the end of the paragraph, the words: "No later than November 8, 1983." Seconded by Councilman Ladenburg. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken on the motion, as amended, resulting as follows: Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland. Nays: 0. The motion was declared adopted.

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COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Councilman Ladenburg commented on the proposed Public Utilities Board budget, indicating that they had held down the costs while implementing funding for Project Need and a low-income rate relief proposal.

Councilman Ladenburg moved that the City Council request that the Public Utilities Board schedule consideration of the low-income, elderly rate at their next available meeting, so this proposal can be acted upon by the City Council and rate assistance can be provided this heating season. Seconded by Councilman Hawkins. Voice vote was taken and carried. The motion was declared adopted.

CITIZEN'S REQUEST TO BE HEARD:

Stephen L. Anderson requesting to speak regarding the future of the Blair Bridge and State Route 509.

Mr. Stephen L. Anderson, representing Concerned Citizens for the 11th Street Corridor, presented his comments regarding this matter.

Mayor Sutherland read portions of Resolution No. 26969 which pertain to this matter.

Mayor Sutherland also read portions of correspondence from the City Legal Department and from Mr. Mart Cask, Puget Sound Council of Governments.

Councilman Kirby moved to reaffirm the City Council's commitment to the language in Resolution No. 26969 and further directed the City Manager to monitor the activities of any City staff members involved in this issue to ensure that they do not work against established policy of the City. Seconded by Councilman Hawkins.

Speaking to the Council on this motion was:

Peter J. Pedone

Representing Puget Sound  
Council of Governments

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Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, and Strege.

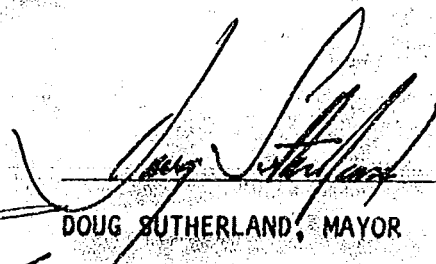
Nays: 0.

Abstaining: 1 - Mayor Sutherland.

The motion was declared adopted.

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On proper motion, the meeting adjourned at 7:31 p.m.

  
DOUG SUTHERLAND, MAYOR

ATTEST:

  
GENELLE BIRK, CITY CLERK

WPC.2761R