

CITY COUNCIL MINUTES

City Council Chambers
October 25, 1983

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

Present on roll call: 7 - Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, and Mayor Sutherland.

Absent: 2 - Bichsel and Strege.

The Flag Salute was led by Deputy Mayor Nielsen.

Mayor Sutherland moved to correct the October 18, 1983 City Council minutes on page 9 to indicate that the Council reconvened at 6:02 p.m. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The motion was declared adopted.

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

Approval of the minutes of the regular meeting of October 18, 1983, as corrected.

RESOLUTIONS:

Resolution No. 28086

Authorizing the submission of a grant application to the Washington Commission for the Humanities for funds for a neighborhood forum.

ASSESSMENT ROLLS:

The Director of Public Utilities presents the assessment roll for the following:

L.I.D. 5637 for the construction of water mains and fire hydrants in East "B" Street from East 92nd to East 96th Street.

Setting Monday, November 28, 1983 at 5:00 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, October 25, 1983.
- b. Public Utility Board Agenda for Wednesday, October 26, 1983.

- c. Minutes of the meeting of the Landmarks Preservation Commission, October 12, 1983.
- d. Minutes of the meeting of the Public Utility Board, September 28, 1983.
- e. Tacoma-Pierce County Humane Society Work Report through August 1983.
- f. Report of the Director of Finance, August 1983.

Councilman Rasmussen moved that the Consent Agenda, including the corrected minutes of October 18, 1983 and Resolution No. 28086, be approved. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The Consent Agenda, as corrected, was declared approved.

Ms. Paulette DeLoma and Mr. Paul Fitzgerald, of Neighborhood Housing Services, presented two posters to the Council.

REGULAR AGENDA

COMMUNICATIONS:

- a. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.317 of the Department of Public Works for various street improvements to Ruston Way from McCarver Street to Alder Street. (Continued from the meeting of October 18, 1983.)

Councilman Hyde moved to concur with the findings, conclusions and recommendations of the Hearings Examiner, as amended, to include Proposal No. 2. Seconded by Councilman Hawkins. Roll call vote was taken, resulting as follows: Ayes: 4 - Hawkins, Hyde, Kirby, and Ladenburg. Nays: 3 - Nielsen, Rasmussen, and Mayor Sutherland. Absent: 2 - Bichsel and Strege.

- b. City Clerk advising that the Civil Service Board has filed proposed amendments to Personnel Rules 1.24.930 of the Civil Service and Personnel Rules.

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

Mayor Sutherland proclaimed the week of October 23-29, 1983, as "Identification Week" and presented the proclamation to Mrs. Gloria Virak.

Mayor Sutherland proclaimed the period of November 2-9, 1983, as "Chemical People Week" and presented the proclamation to Ms. Heather Jenkel.

FINAL READING OF ORDINANCES:

Ordinance No. 23034

Amending Section 6.66.030 of the Official Code to reduce the telephone gross earnings tax rate to 11.1%.

Mayor Sutherland moved to consider Substitute Ordinance No. 23034. Seconded by Councilman Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

Substitute Ordinance No. 23034

Amending Section 6.66.030 of the Official Code to reduce the telephone gross earnings tax rate to 10.56%.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, and Mayor Sutherland.

Nays: 0.

Absent: 2 - Bichsel and Strege.

The Substitute Ordinance was declared passed.

Ordinance No. 23035

Vacating the east 10 feet of Junett Street south from North 30th Street 120 feet. (E. B. Varey; File No. 124.746)

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, and Mayor Sutherland.

Nays: 0.

Absent: 2 - Bichsel and Strege.

The Ordinance was declared passed.

Ordinance No. 23036

Appropriating \$175,000.00, or so much thereof as may be necessary, from the Project Need Program Fund to utilize additional funding for the Project Need Program received from ratepayer contributions and City General Government matching funds, 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:

Ayes: 7 - Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen,
and Mayor Sutherland.

Nays: 0.

Absent: 2 - Bichsel and Strege.

The Ordinance was declared passed.

Ordinance No. 23037

Appropriating \$37,100.00, or so much thereof as may be necessary, from the Stadium and/or Convention Center Fund; transferring \$30,000.00 to the General Fund and \$7,100.00 to the Baseball Operating Fund to meet expenses paid to the Chamber of Commerce for tourist and convention promotion and operating expenses at Cheney Stadium, 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:

Ayes: 7 - Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen,
and Mayor Sutherland.

Nays: 0.

Absent: 2 - Bichsel and Strege.

The Ordinance was declared passed.

Ordinance No. 23039

Providing for the formation of L.I.D. 5646 for water mains and fire hydrants in South 93rd Street from Alaska Street to approximately 625 feet west.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen,
and Mayor Sutherland.

Nays: 0.

Absent: 2 - Bichsel and Strege.

The Ordinance was declared passed.

Mayor Sutherland moved to consider Public Hearings and Appeals. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The motion was declared adopted.

PUBLIC HEARINGS AND APPEALS: (Began at 5:58 p.m.)

- a. This is the date set for a hearing for the purpose of considering whether the Council should concur in the decision of the Hearings Examiner regarding the Columbia Energy matter.

Mayor Sutherland read portions of Resolution No. 28025 and the motion from the October 11, 1983 Council meeting, which outlined the date, purpose and procedures to be followed in the hearing.

Hearings Examiner Robert Backstein made a presentation regarding this matter.

Mayor Sutherland stated that he had received substantial mail related to the issue from the following individuals:

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| Owens, Weaver, Davies and Mackie | Representing Hunt & Mottet/
Seattle Hardware Company |
| Thomas Fishburne | Attorney representing Columbia
Energy |
| Hunt and Mottet/Seattle Hardware Co.
Christina Lindstrom
Leithead family
Jack Fabulich
Lynn Johnson | Parker Paint Mfg. Co., Inc.
Attorney representing Tahomans
for a Healthy Environment |
| Central Seventh Day Adventist Church
Jan Verduin
William Cammarano
William Dyer | Tatoosh group of the Sierra Club
Cammarano Brothers, Inc.
President, Pacific Storage, Inc. |

Mayor Sutherland then called on Mr. Alexander (Sandy) Mackie, Attorney for Hunt Mottet, who made a presentation to the Council.

Mayor Sutherland then called on Mr. Thomas Fishburne, Attorney representing Columbia Energy, who made a presentation to the Council.

Councilman Ladenburg moved to amend condition "a" on page 12 of the Hearings Examiner's report by removing the period and adding a comma after the word "placed," and adding the words: "and shall include all possible screening of the distillation towers on the site." Seconded by Mayor Sutherland. Roll call vote was taken, resulting as follows: Ayes: 4 - Ladenburg, Nielsen, Rasmussen, and Mayor Sutherland. Nays: 3 - Hawkins, Hyde, and Kirby. Absent: 2 - Bichsel and Strege. The motion was declared adopted.

Councilman Kirby moved that the Findings, Conclusions, and Recommendations of the Hearings Examiner be overruled, and to refer the matter back for amendment. Seconded by Councilman Hawkins. Roll call vote was taken, resulting as follows: Ayes: 3 - Hawkins, Hyde, and Kirby. Nays: 4 - Ladenburg, Nielsen, Rasmussen, and Mayor Sutherland. Absent: 2 - Bichsel and Strege. The motion was declared failed.

Councilman Rasmussen moved to concur in the findings, conclusions, and recommendations of the Hearings Examiner, as amended. Seconded by Deputy Mayor Nielsen. Roll call vote was taken, resulting as follows: Ayes: 4 - Ladenburg, Nielsen, Rasmussen, and Mayor Sutherland. Nays: 3 - Hawkins, Hyde, and Kirby. Absent: 2 - Bichsel and Strege. The motion was declared adopted.

Councilman Kirby changed his vote from "Nay" to "Aye" for purposes of reconsideration.

Mayor Sutherland indicated that a memo and an amendment to the Concomitant Agreement, dated October 25, 1983, had been filed by Mr. Fishburne.

Councilman Hyde requested additional fire protection information from the Fire Marshal on this matter.

The hearing ended at 7:24 p.m.

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

Council recessed at 7:25 p.m. and reconvened at 7:30 p.m.

b. This is the date set for a public hearing on the Draft Recreation and Open Space Facilities Plan. (Began at 7:30 p.m.)

Mr. Bob Arleth, 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:

Adrianna Hess
Dave Davis

Serve Our University Place
President of United Neighborhoods of
Tacoma and the South Tacoma Residents
Involvement Committee

There being no further testimony, the hearing was declared closed at 7:51 p.m.

FIRST READING OF ORDINANCES:

Ordinance No. 22964 (Continued from the meeting of July 26, 1983.)

Changing the name of South 40th and South Ferry Streets from South Steele Street to South 56th Street to Tacoma Mall Boulevard.

Speaking to the Council were:

Dave Davis	President, South Tacoma Residents
Dick Eichler	Involvement Committee
	Representing Tacoma Mall Corporation

Councilman Kirby moved that Ordinance No. 22964 be tabled until such time as improvements, as outlined in the Six-Year Comprehensive Street Program, are commenced. Seconded by Councilman Hawkins.

Roll call vote was taken, resulting as follows:

Ayes: 6 - Hawkins, Hyde, Kirby, Ladenburg, Rasmussen, and Mayor Sutherland.

Nays: 1 - Nielsen.

Absent: 2 - Bichsel and Strege.

The motion was declared adopted.

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.

The Ordinance was set over for final reading next week.

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.

Speaking to the Council was:

Virginia Ferguson	Civil Service Board Coordinator
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Mayor Sutherland read portions of Resolution No. 20364, regarding candidates for public office speaking before the Council.

The Ordinance was set over for final reading next week.

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.

The Ordinance was set over for final reading next week.

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.

The Ordinance was set over for final reading next week.

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.

The Ordinance was set over for final reading next week.

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%.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 28082

Awarding contracts to:

1. Cascade Septic Service, Inc. on their bid of \$39,209.02 for sanitary sewer replacement in the alley between Prospect Street and Wapato Street from South 54th Street to South 56th Street - Specification No. G-174-83.

Deputy Mayor Nielsen moved that the Purchase Resolution be adopted. Seconded by Councilman Hyde.

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

Resolution No. 28083

Identifying issues of concern as set forth in the "State Legislative Policy Statement" and the "Federal Legislative Policy Statement" relative to proposed state and federal legislation which may affect the City of Tacoma.

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

Resolution No. 28084

Authorizing the payment of \$9,799.94 to the law firm of Roberts and Shefelman for the provision of services relative to litigation regarding storm drain charges.

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

Resolution No. 28085

Authorizing the execution of an agreement in the amount of \$56,997.00 with the Comprehensive Mental Health Center for job placement services for mentally handicapped citizens.

Councilman Rasmussen announced that he would be abstaining on this matter and left the Council Chambers.

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

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

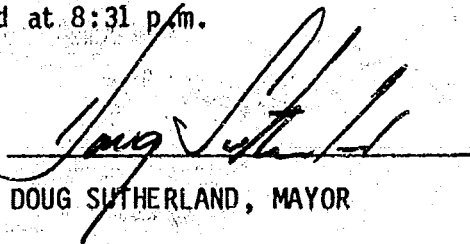
Councilman Hyde discussed the statements in last Sunday's paper made by the manager of the new hotel.

Deputy Mayor Nielsen moved to excuse Councilwoman Bichsel and Councilman Strege from the Council meeting. Seconded by Mayor Sutherland. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland stated that MCATV video-taped the October 6, 1983 public discussion on arsenic and its health effects, and the tape will be aired on Channel 12 from October 26 through November 1, 1983, between 12 noon and 5 p.m. and from 6 p.m. to 11 p.m. each day.

Mayor Sutherland indicated that he had gone to a meeting of the Commissioners of the Port of Seattle to request to speak before the Port Commission regarding the renaming of the Seattle-Tacoma Airport, but was not able to speak as they were in Executive Session.

On proper motion, the meeting adjourned at 8:31 p.m.


DOUG SUTHERLAND, MAYOR

ATTEST: 
GENELLE BIRK, CITY CLERK

WPC.2742R