

CITY COUNCIL MINUTES

City Council Chambers
May 17, 1983

The meeting was called to order at 5:03 p.m.

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

The Flag Salute was led by Councilwoman Bichsel.

CONSENT AGENDA

Approval of the minutes of the regular meeting of May 10, 1983.

PETITIONS:

Jeff Christensen requesting the reclassification of the property located at the southwest corner of South 38th and "D" Streets from a "R-3" to a "R-3-T" District.

For referral to the Hearings Examiner.

FIRST READING OF ORDINANCES:

Ordinance No. 22921

Accepting a donation of \$8,000.00 from Grantmaster Consultants, Inc.; depositing said sum in the Miscellaneous Grants Summary Fund; and appropriating said sum, or so much thereof as may be necessary from the Miscellaneous Grants Summary Fund for repairing the roof at the Lighthouse Senior Activities Center.

RESOLUTIONS:

Resolution No. 27876

Setting Thursday, June 16, 1983 at 11:00 a.m. as the date for hearing by the Hearings Examiner the request to reactivate the petition to reclassify the property located on the west side of South "C" Street at South 86th Street, extended, from an "R-2" to a "R-4-L" District. (Lundstrom, Inc. now known as BAL, Inc.; File No. 120.736)

APPEALS:

- a. Nicholas Genna appealing the decision of the Hearings Examiner to approve his request for a variance, subject to conditions, for the property located on the westerly side of North Frace Street approximately 330 feet north of North 40th and Frace Streets.

Setting Tuesday, May 24, 1983 at 6:00 p.m. as the date for hearing.

- b. Kennis A. Ghee appealing the denial of his application for a For-Hire-Vehicle Driver's License by the Department of Tax & License.

Setting Thursday, June 9, 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, May 17, 1983.
- b. Minutes of the meeting of the Civil Service Board, May 2, 1983.
- c. Minutes of the meeting of the Tacoma-Pierce County Board of Health, April 7, 1983.
- d. Minutes of the meeting of Public Utility Board, April 27, 1983.
- e. Minutes of the meeting of the Tacoma Planning Commission, April 18, 1983.
- f. Minutes of the meeting of the Urban Policy Committee, May 3, 1983.
- g. Monthly Towing Reports, February, March and April 1983.
- h. 1983 Annual Detail Budget, City of Tacoma.

Mayor Sutherland moved to suspend the rules to add Resolution No. 27878 to the Consent Agenda. Seconded by Councilman Hyde. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 27878 which authorizes the execution of an Addendum to the Concomitant Zoning Agreement with the Reabon Corporation relative to retail commercial space at the Tacoma Mall Plaza was added to the Consent Agenda.

Councilwoman Bichsel moved that the Consent Agenda, including Resolution Nos. 27876 and 27878, be approved as amended. Seconded by Councilman Rasmussen. Voice vote was taken and carried. The Consent Agenda as amended was declared approved.

R E G U L A R A G E N D A

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Resolution No. 27877

Reappointing Mayor Sutherland to the Pierce Transit Board of Commissioners.

Councilwoman Bichsel moved that the Resolution be adopted. Seconded by Deputy Mayor Nielsen.

Councilman Strege moved to delay consideration of Resolution No. 27877 for one week. Seconded by Councilman Hyde.

Roll call vote was taken, resulting as follows:

Ayes: 5 - Hawkins, Hyde, Kirby, Ladenburg, and Strege.

Nays: 4 - Bichsel, Nielsen, Rasmussen, and Mayor Sutherland.

The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting on May 24, 1983.

Councilman Ladenburg moved to appoint a committee of the City Council composed of Council members Ladenburg, Hyde and Rasmussen to review appointments and committee assignments. Seconded by Councilman Strege.

Mayor Sutherland moved to amend the motion to have the Appointments Committee review appointments and committee assignments. Seconded by Deputy Mayor Nielsen.

Roll call vote was taken, resulting as follows:

Ayes: 4 - Bichsel, Nielsen, Rasmussen and Mayor Sutherland.

Nays: 5 - Hawkins, Hyde, Kirby, Ladenburg and Strege.

The motion was declared failed.

Roll call vote was taken on the original motion, resulting as follows:

Ayes: 5 - Hawkins, Hyde, Kirby, Ladenburg and Strege.

Nays: 4 - Bichsel, Nielsen, Rasmussen and Mayor Sutherland.

The motion was declared passed.

COMMUNICATIONS:

- a. Hearings Examiner submitting Shoreline/Conditional Use Permit No. 141.303 of Gordy's Boathouse Restaurant to allow the renovation of an existing one story, wood frame structure on pilings located on the northerly side of Ruston Way abutting the westerly side of Carr Street, to be used as an over-water restaurant.

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Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Deputy Mayor Nielsen. Roll call vote was taken, resulting as follows: Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland. Nays: 0.

- b. Hearings Examiner recommending approval of the request of Arthur E. Malacky for a modification of Condition 5(a) of the Hearings Examiner Report and Recommendation dated December 13, 1982, relative to the reclassification of the property located 170 feet north of the northwest corner of South 38th and "M" Streets.

Mayor Sutherland moved to concur in the recommendations of the Hearings Examiner. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

- c. Hearings Examiner recommending approval of the request of John Trunk and Joseph DiRe for the amendment of certain conditions of approval required when the site located on the west side of Puget Sound Avenue approximately 227 feet north of the intersection of South 74th Street and Puget Sound Avenue was zoned "C-2" on June 29, 1976.

Mayor Sutherland moved to concur in the recommendations of the Hearings Examiner. Seconded by Councilman Rasmussen. Voice vote was taken and carried.

Mayor Sutherland proclaimed the week of May 16-27, 1983, to be "Emergency Medical Services Week" and presented the proclamation to Dr. James Billingsley.

FINAL READING OF ORDINANCES:

Ordinance No. 22894

Amending Chapter 13.06 of the Official Code to reclassify the westerly side of Union Avenue approximately 350 feet south of South 23rd Street from a "R-2" to a "R-4-T" District. (Berry & Berry Associates, File No. 120.1044)

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Kirby.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 22922

Amending Chapter 13.06 of the Official Code to reclassify the property located on the easterly side of South "G" Street between South 3rd and South 4th Streets from a "R-5" to a "R-5T" District. (Linn E. Larsen, File No. 120.1048)

Mayor Sutherland moved to continue Ordinance No. 22922 to June 14, 1983. Seconded by Councilman Hawkins. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance will be considered at the regular City Council meeting on June 14, 1983.

Ordinance No. 22923

Amending Chapter 1.44 of the Official Code to correct the precinct numbers in City Council Election District Nos. 1 and 2.

The Ordinance was set over for final reading next week.

Ordinance No. 22924

Repealing Chapter 1.14 of the Official Code relating to precinct boundaries and elections.

Mayor Sutherland moved to remove Ordinance No. 22924 from the Agenda. Seconded by Councilwoman Bichsel. Voice vote was taken and carried. The motion was declared adopted.

RESOLUTIONS:

Resolution No. 27869 (Second Reading)

Amending Rule 16 of the Rules of Procedure of the City Council relating to out-of-town travel expenses.

Councilman Hawkins moved to suspend the rules to consider Substitute Resolution No. 27869. Seconded by Councilman Kirby. Voice vote was taken and carried. The motion was declared adopted.

Councilman Strege moved to amend Substitute Resolution No. 27869 on Page 2, Line 3, by inserting the words "out-of-state" after the word "incurring." Seconded by Councilman Hawkins. Voice vote was taken and carried. The motion was declared adopted.

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Roll call vote was taken on the Substitute Resolution, as amended, resulting as follows:

Ayes: 4 - Hawkins, Kirby, Ladenburg, and Strege.

Nays: 5 - Bichsel, Hyde, Nielsen, Rasmussen and Mayor Sutherland.

The Substitute Resolution was declared failed.

Purchase Resolution No. 27871

Awarding contracts to:

1. Yale Industrial Trucks on their bid of \$29,733.40 for two lift trucks - Specification No. G-060-83.

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

Speaking against the Purchase Resolution was:

Mr. Bryce L Holland, Jr., representing Washington Liftruck, Inc.

Speaking in favor of the Purchase Resolution was:

Mr. Rob Gerhing, Jr., representing Yale Industrial Trucks.

Mayor Sutherland moved to waive the bid bond defect on Purchase Item No. 1. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The motion was declared adopted.

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

Resolution No. 27872

Authorizing the execution of an amendment to the Memorandum of Understanding with Public Utility District No. 1 of Mason County to include the Duckabush River Project and fund feasibility and licensing activities.

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

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

PUBLIC HEARINGS AND APPEALS: (Began at approximately 6:17 p.m.)

This is the date set for hearing the appeal of Donald L. Wilson regarding the approval by the Hearings Examiner of requests by Shepard Ambulance Service to utilize an existing apartment unit for an ambulance service.

Hearings Examiner Robert Backstein made the presentation regarding his decision on this matter.

Mr. Donald L. Wilson presented the reasons for his appeal.

Mr. Danny Lazares, Attorney at Law, representing Shepard Ambulance, and Mr. Ken Ruef, Shepard Ambulance Operations Manager, made presentations in support of the Examiner's decision.

Deputy Mayor Nielsen moved to continue the matter for one week and instructed the Planning Department to provide the Council with information relative to the history of the development of the property and a copy of the special use permit. Seconded by Councilman Hyde. Voice vote was taken and carried. The motion was declared adopted.

The appeal will be considered at the regular City Council meeting on May 24, 1983.

Resolution No. 27873

Authorizing the acquisition of property located at South 25th and "C" Streets, adjacent to the Nisqually Substation.

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

Resolution No. 27874

Amending Resolution No. 27683 relative to the installation and/or connection of private fire alarm systems and devices connected to the City fire alarm circuit.

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

Resolution No. 27875

Requesting the Public Utility Board to reinstate the Consumption Comparison information on utility bill statements.

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

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COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Councilman Hyde requested that staff investigate the legal restraints that the Council has on making committee assignments.

Councilman Strege reported on the progress of the Tacoma School District's School Facilities Review Committee and requested that a resolution be prepared that could be submitted to the Council at its next meeting that would further encourage joint use potential and authorize the City Manager to designate staff to work with the School District on this matter.

CITIZENS' REQUEST TO BE HEARD:


Henry Haas and Patrick K. Daly, Attorneys at Law, requesting to speak on the City of Tacoma's towing and storage ordinance.

Mr. Henry Haas spoke regarding recommended changes to the proposed towing and storage ordinance.

Mayor Sutherland recommended that the details of the information presented be referred to appropriate staff.

Deputy Mayor Nielsen moved to have staff negotiate and extend the towing contract with the towing companies currently providing towing and storage services. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting adjourned at 7:46 p.m.


DOUG SUTHERLAND, MAYOR

ATTEST:


GENELLE BIRK, CITY CLERK

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