

CITY COUNCIL MINUTES

City Council Chambers
November 22, 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 Councilman Hyde.

CONSENT AGENDA

Approval of the minutes of the regular meeting of November 15, 1983.

ORDINANCES:

Ordinance No. 23062

Accepting the donation of a portable television set from Sears, Roebuck & Co. for use at the Beacon Senior Center.

RESOLUTIONS:

Resolution No. 28113

Setting Tuesday, January 3, 1984 at 6:00 p.m. as the date for a public hearing on proposed amendments to the City's Shoreline Code/Master Program.

Resolution No. 28114

Setting Monday, December 12, 1983 at 5:00 p.m. as the date for hearing by the Hearings Examiner L.I.D. 6963 for the installation of modern street lights on North Highland from North 14th to North 18th Streets and on North Winnifred from North 14th to North 18th Streets.

Resolution No. 28115

Setting Tuesday, January 10, 1984 at 10:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate a portion of Puyallup Avenue lying easterly of East "Q" Street. (Andrews Fixture Company, Inc.; File No. 124.754)

Resolution No. 28116

Setting Tuesday, January 10, 1984 at 10:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate portions of Pacific Avenue, South 8th Street and Court "A" abutting the former Trailways Bus Depot. (McConaghy Construction Company, Inc.; File No. 124.755)

Resolution No. 28122

Setting Tuesday, December 6, 1983 at 6:00 p.m. as the date for a public hearing on a proposed amendment to the Six Year Comprehensive Street Program, 1984-1989 to include the replacement of East 15th Street from "A" Street to Dock Street.

APPEALS:

- a. Tye Marina appealing Audit Assessment Nos. T-33293 and T-48337 by the Department of Tax & License.

Setting Thursday, January 12, 1984 at 9:00 a.m. as the date for hearing by the Hearings Examiner.

- b. Victor L. Lyon, Inc. appealing Audit Assessment No. AD 5139 by the Department of Tax & License.

Setting Thursday, January 12, 1984 at 10:30 a.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 22, 1983.
- b. Public Utility Board Agenda for Wednesday, November 23, 1983.
- c. Minutes of the meeting of the Appointments Committee, November 14, 1983.
- d. Minutes of the meeting of the Charter Review Committee, September 26, 1983.
- e. Minutes of the meetings of the Tacoma Employees' Retirement System Board, October 27 and November 3, 1983.
- f. Minutes of the meetings of the Tacoma Planning Commission, October 17 and October 21, 1983.
- g. Tacoma Employees' Retirement System report of purchases and sales of investments, October 17 through November 4, 1983.
- h. Monthly Report of the Tacoma Police Department, September 1983.

- i. Department of Public Utilities Budget Analysis, Third Quarter 1983.
- j. City of Tacoma 1984 Preliminary Detail Budget.
- k. Citizen petition to stop construction of the gasohol refinery to be built in downtown Tacoma.
- l. Residents of Skyline Terrace petition for the return of a through-street access to the Highland Hill shopping area.
- m. Citizen petition against the proposed Mildred Extension from North 9th to North 17th Streets.

Deputy Mayor Nielsen moved that the Consent Agenda, including Resolution Nos. 28113, 28114, 28115, 28116, and 28122, be approved. Seconded by Councilwoman Bichsel. Voice vote was taken and carried. The Consent Agenda was declared approved.

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

COMMUNICATIONS:

- a. Hearings Examiner recommending approval of the requests of William E. Higgins for removal of a condition of approval limiting the site located in the vicinity of the northwest corner of South 73rd and Alaska Streets to a service station or convenience grocery store, and for a Special Use Permit to allow an off-street parking area.

Councilman Strege moved that this item be continued until the meeting of December 6, 1983. Seconded by Councilman Ladenburg. Voice vote was taken and carried.

This item will be considered under "Communications" at the regular City Council meeting on December 6, 1983.

- b. Hearings Examiner submitting the request of The Ram Corporation for a revision of Shoreline Management Substantial Development/Conditional Use Permit No. 141.277 to rebuild the garbage area located at 3017 Ruston Way.

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

- c. City Attorney submitting the Amended Findings, Conclusions and Decision of the City Council on the appeal of Frederick William Holt on the recommendations of the Hearings Examiner regarding his request for reconsideration of variance applications for a deck and bay window.

Deputy Mayor Nielsen moved that, on page 2, a new paragraph be added under "Amended Conclusions," which would state that the variance be granted subject to the acquisition of proper permits as required by the Building Code and proper inspection of the facilities so installed. Seconded by Councilman Rasmussen. Voice vote was taken and carried.

The Mayor then called for a vote on the adoption of the findings, conclusions, and decision, as amended. Roll call vote was taken, resulting as follows: Ayes: 6 - Hawkins, Hyde, Kirby, Nielsen, Rasmussen and Strege. Nays: 2- Bichsel and Ladenburg. Abstaining: 1 - Mayor Sutherland.

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The Mayor proclaimed Sunday, December 11, 1983, "Community Linkage Day" in the City of Tacoma and presented the proclamation to John Lenth and Hugh Weber of Bellarmine High School.

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FINAL READING OF ORDINANCES:

Substitute Ordinance No. 23040 (Continued from the meeting of November 1, 1983.)

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 suspend the rules to consider Ordinance No. 23040 - Substitute No. 2. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

Mayor Sutherland moved to amend Ordinance No. 23040 - Substitute No. 2, on line 22 to delete the word "goals" and add the word "responsibilities." Seconded by Councilwoman Bichsel. 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: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

Substitute Ordinance No. 23040 - Substitute No. 2 was declared passed, as amended.

Ordinance No. 23046

Vacating a portion of the southeast corner of Union Avenue and North 36th Street. (Ellen A. Pinto; File No. 124.747)

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. 23032

Amending Section 1.30.550 of the Official Code relating to the refund of Retirement Fund contributions.

Mayor Sutherland moved to suspend the rules to consider Substitute Ordinance No. 23032. Seconded by Councilman Hyde. Voice vote was taken and carried.

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

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

Nays: 0.

Absent: 1 - Kirby.

The Substitute Ordinance was declared passed.

Ordinance No. 23055

Amending Chapter 6.88 of the Official Code relating to special excise taxes to increase the Hotel/Motel Tax to 5%, effective January 1, 1984.

Councilman Hyde moved to table Ordinance No. 23055 indefinitely. Seconded by Councilwoman Bichsel. 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 tabled.

Ordinance No. 23058

Amending Section 6.62.020 of the Official Code relative to admissions tax.

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.

Substitute Ordinance No. 23060

Amending Chapter 2.10 of the Official Code to adopt the Northwest Power Planning Council's Model Conservation Standards.

Mayor Sutherland moved to suspend the rules to consider Ordinance No. 23060, Substitute No. 2. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Nielsen moved to suspend the rules to allow additional testimony on Ordinance No. 23060, Substitute No. 2. Seconded by Mayor Sutherland. Roll call vote was taken, resulting as follows: Ayes: 6 - Hawkins, Kirby, Nielsen, Rasmussen, Strege, and Mayor Sutherland. Nays: 3 - Bichsel, Hyde, and Ladenburg. The motion was declared adopted.

Testifying on the Ordinance were:

- David McFadyen National Association of Home Builders
Research Foundation, Rockville, MD
- Tom Eckman Northwest Power Planning Council
- Lee Johnson Bonneville Power Administration

Councilman Kirby moved to adopt an amendment to page 2, line 10 at the end of the sentence to read as follows:

Provided further that, said provisions shall not take effect unless, not later than April 30, 1984, the City Council shall have approved by resolution a contract with the Bonneville Power Administration providing for funding by said Bonneville Power Administration of said incentives.

Seconded by Councilman Rasmussen.

Roll call vote was taken on the amendment, resulting as follows: Ayes: 3 - Kirby, Rasmussen, and Mayor Sutherland. Nays: 6 - Bichsel, Hawkins, Hyde, Ladenburg, Nielsen, and Strege. The motion was declared failed.

Councilman Rasmussen moved to change the date on line 14 to "January 1, 1985." Seconded by Mayor Sutherland.

Roll call vote was taken on the amendment, resulting as follows:
Ayes: 4 - Kirby, Rasmussen, Strege, and Mayor Sutherland. Nays: 5 - Bichsel, Hawkins, Hyde, Ladenburg, and Deputy Mayor Nielsen. The motion was declared failed.

Roll call vote was taken on Ordinance No. 23060, Substitute No. 2, resulting as follows:

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

Nays: 2 - Rasmussen and Strege.

Ordinance No. 23060, Substitute No. 2, was declared passed.

Mayor Sutherland moved for a five-minute recess. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. Council recessed at 7:12 p.m. and reconvened at 7:19 p.m.

At 7:19 p.m., Mayor Sutherland reconvened the budget hearings to consider the Department of Public Utilities Budget for 1984.

At the conclusion of the budget hearing, Mayor Sutherland reconvened the City Council meeting at 7:43 p.m.

Ordinance No. 23061

Amending Chapter 12.06 of the Official Code relating to Electrical Energy Regulations by revising Schedule A-1 to incorporate a rate for low-income and elderly citizens.

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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Mayor Sutherland moved to cancel the regular meeting of November 29, 1983, due to lack of a quorum. Seconded by Councilman Hyde. Voice vote was taken and carried.

The next regularly scheduled meeting of the Council will be on December 6, 1983.

FIRST READING OF ORDINANCES:

Ordinance No. 23063

Authorizing the execution of a grant award agreement in the amount of \$52,518.00 with the Equal Employment Opportunity Commission; depositing said sum in the Miscellaneous Grants Summary Fund; appropriating said sum, or so much thereof as may be necessary, from the Miscellaneous Grants Summary Fund to process cases involving discrimination in the City; 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 on December 6, 1983.

Ordinance No. 23064

Accepting a gift in the amount of \$5,331.46 from Grantmaker's Consultants, Inc.; depositing said sum in the General Fund; and appropriating said sum for the purchase of equipment and supplies for the Lighthouse Senior Center.

The Ordinance was set over for final reading on December 6, 1983.

RESOLUTIONS:

Resolution No. 28108 (Second Reading)

Amending Rule 1 of the Council Rules of Procedure to allow for the scheduling of regular City Council meetings on Election Day if both fall on the same day.

Mayor Sutherland announced that this was the second reading of Resolution No. 28108. Voice vote was taken and carried on the Resolution. The Resolution was declared adopted.

Purchase Resolution No. 28117

Awarding contracts to:

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1. Byron Rockstad Construction Company on their bid of \$489,312.61 for the realignment and paving of Ruston Way - McCarver Street to Alder Way - Specification No. G-177-83; and
2. Wang Laboratories, Inc. on their bid of \$10,168.79 for a Wang Professional Computer System; and

Mayor Sutherland moved that the Purchase Resolution, with Substitute Exhibit A, be adopted, and that formal bidding procedures on Items 2 and 3 be waived. Seconded by Councilman Hyde.

Purchase Resolution No. 28117 - Substitute Exhibit A

Awarding contracts to:

1. Byron Rockstad Construction Company on their bid of \$489,312.61 for the realignment and paving of Ruston Way - McCarver Street to Alder Way - Specification No. G-177-83; and
2. Wang Laboratories, Inc. on their bid of \$10,168.79 for a Wang Professional Computer System;
3. Food Service Installations on their bid of \$4,737.70 for 13 eight-foot tables, 100 chairs, one convection oven and miscellaneous serving items; and
4. Reinhard Distributing Co., Inc., on their bid for gasoline supply.

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

Resolution No. 28118

Authorizing an amendment to the agreement with Robert J. Backstein to increase his contract for the provision of services as Deputy Hearings Examiner in 1983.

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

Resolution No. 28119

Authorizing Amendment No. 20 to the Neighborhood Preservation Program agreement with the Municipal Authority, and further authorizing the execution of an agreement with Neighborhood Housing Services for the expansion of the Neighborhood Housing Services Program.

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. 28120

Authorizing the payment of \$100,000.00 to Pierce County for the City's share of costs relative to the construction of a storm line in West 27th Street.

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

Resolution No. 28121

Releasing certain easements for a pedestrian walkway for St. Joseph Health Care Center.

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

REPORTS BY CITY MANAGER:

City Manager Erling Mork requested a brief Executive Session to discuss personnel.

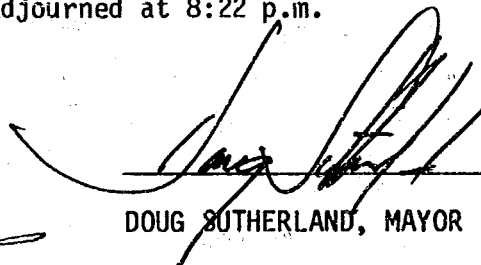
COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Councilman Hyde reported on a conference he attended regarding the disposal of the by-products of wastewater treatment and the problems in this area.

Mayor Sutherland announced that he would report on his trip to Japan and Korea at the meeting on December 6, 1983.

Mayor Sutherland moved to recess to Executive Session for purposes of discussing personnel. Seconded by Councilman Hyde. Voice vote was taken and carried. Council recessed at 7:55 p.m. and reconvened at 8:22 p.m.

On proper motion, the meeting adjourned at 8:22 p.m.



DOUG SUTHERLAND, MAYOR

ATTEST: 
GENELLE BIRK, CITY CLERK

WPC.2799R