

CITY COUNCIL MINUTES

City Council Chambers
December 20, 1983

The meeting was called to order at 5:11 p.m.

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

The Flag Salute was led by Councilman Hyde.

CONSENT AGENDA

Approval of the minutes of the regular meeting of December 13, 1983.

RESOLUTIONS:

Resolution No. 28144

Setting Monday, January 9, 1984 at 5:00 p.m. as the date for hearing by the Hearings Examiner L.I.D. 5651 for the construction of water mains in Pierce Street from Eldon Street to South 11th Street, and in South 11th Street from Pierce Street to Tyler Street.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, December 20, 1983.
- b. Minutes of the meeting of the Civil Service Board, November 21, 1983.
- c. Monthly Report of the Director of Finance, October 1983.

Councilwoman Bichsel moved that the Consent Agenda, including Resolution No. 28144, be approved. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The Consent Agenda was declared approved.

Mayor Sutherland introduced Mr. Croke and Cub Scout Pack No. 308.

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REGULAR AGENDA

COMMUNICATIONS:

- a. Hearings Examiner advising that no further action need be taken by the City of Tacoma regarding Shoreline/Conditional Use Permit No. 141,297 of Hugh Barden which is currently within the jurisdiction of the Shoreline Hearings Board.

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

- b. Hearings Examiner submitting the request of Port of Tacoma for Sealand to delete Special Condition 4.a.4. of Shoreline Management Substantial Permit No. 141,309 which required provision for electrical power to serve a Coast Guard light at the entrance to the Puyallup River.

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

Mayor Sutherland introduced Police Chief Johnson who, in turn, introduced the Police K-9 Team of Officer Jewell Lerum and K-9 Timo, 1983 Kaisertor Kennels Award winners.

Mayor Sutherland proclaimed the day of December 20, 1983, to be "Holiday Project Day," and presented the proclamation to Ms. Lynne Dustan.

Deputy Mayor Nielsen proclaimed December 28, 1983, as "Wailers' Day" and presented the proclamation to four of the original "Wailers": Rich Dangle, John "Buck" Ormsby, Mike Burk and Mark Marush.

FINAL READING OF ORDINANCES:

Ordinance No. 23077 (Continued from the meeting of December 13, 1983.)

Approving and confirming the assessment roll for L.I.D. 5629 for the construction of water mains and fire hydrants in 59th Avenue N.E. from 29th to 32nd Streets N.E.; in 58th Avenue N.E. from 29th to 33rd Streets N.E. (Norpoint Way); and in 33rd Street N.E. and 31st Street N.E. from 57th to 58th Avenues N.E.

Councilman Rasmussen moved to accept Ordinance No. 23077, as revised and amended, to include the conclusions stated in the Department of Public Utilities letter dated December 19, 1983, from Assistant City Attorney Mark Bubenik. Seconded by Councilwoman Bichsel. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken on the Ordinance, as revised and amended, resulting as follows:

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

Nays: 0.

Absent: 1 - Kirby.

The Ordinance, as revised and amended, was declared passed.

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)

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.

Ordinance No. 23081

Amending the Pay and Compensation Plan to implement 1984 rates of pay in accordance with negotiated contracts.

Mayor Sutherland moved to suspend the rules to include Substitute Page 4. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Councilman Rasmussen moved to continue Ordinance No. 23081 to December 27, 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 of December 27, 1983.

Ordinance No. 23082

Amending the Official Code to add a new section designated as Section 11.16.500 relating to motor vehicle child restraint equipment and inspection.

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.

Ordinance No. 23083

Amending the Official Code to add a new chapter designated as Chapter 8.75 relating to the provision of legal counsel to indigents by the Tacoma-Pierce County Department of Assigned Counsel.

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.

Ordinance No. 23084

Abolishing specified funds in the Treasury of the City of Tacoma and transferring the assets and functions of said funds to the Miscellaneous Trust Summary Fund; and abolishing the Public Health Department Revolving Fund and transferring the assets of said fund to the Tacoma-Pierce County Health Department Pooling Fund.

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.

Ordinance No. 23085

Appropriating \$270,000.00, or so much thereof as may be necessary, from the Group Life Trust Fund for the payment of the City's portion of group life insurance premiums for employees for 1983; 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: 8 - Bichsel, Hawkins, Hyde, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Kirby.

The Ordinance was declared passed.

Ordinance No. 23086

Appropriating \$155,500.00, or so much thereof as may be necessary, from the Self Insurance Program Claim Fund; transferring said sum to the Workman's Compensation Self Insurance/Industrial Insurance Fund; authorizing the closure of the Transit System Fund 4400; 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: 8 - Bichsel, Hawkins, Hyde, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Kirby.

The Ordinance was declared passed.

Ordinance No. 23087

Amending the Official Code to update the Boiler and Pressure Vessel Code.

Mayor Sutherland moved to suspend the rules to consider corrected pages 17 and 19. Seconded by Councilman Hyde. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved to continue Ordinance No. 23087 to December 27, 1983. Seconded by Councilman Hyde. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance will be considered at the regular City Council meeting of December 27, 1983.

Ordinance No. 23088

Appropriating \$6,000.00, or so much thereof as may be necessary, from the Miscellaneous Special Revenue Fund for the purchase of property from Pierce County; 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 - Bichsel, Hawkins, Hyde, Ladenburg, Nielsen, Strege, and Mayor Sutherland.

Nays: 0.

Absent: 2 - Kirby and Rasmussen.

The Ordinance was declared passed.

Ordinance No. 23089

Amending the Equipment Rental Schedule to reflect 1984 rates.

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.

Ordinance No. 23090

Appropriating \$2,250,000.00, or so much thereof as may be necessary, from the Stadium Development Fund for construction and art works at the Tacoma Dome.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hawkins, Hyde, Ladenburg, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

Absent: 2 - Kirby and Nielsen.

The Ordinance was declared passed.

Ordinance No. 23091

Appropriating \$8,900.00, or so much thereof as may be necessary, from the Performing Arts Center Operating Fund, for the payment of unanticipated salary costs related to the Pantages sale transaction, 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 - Bichsel, Hawkins, Hyde, Ladenburg, Rasmussen, Stroege, and Mayor Sutherland.

Nays: 0.

Absent: 2 - Kirby and Nielsen.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 23092

Authorizing the execution of grant award contracts in the amount of \$95,618.00 with the Federal Aviation Administration and \$5,312.00 with the Washington State Department of Aeronautics; and appropriating \$100,930.00, or so much thereof as may be necessary, from the Airport Fund for updating the Master Plan for the Tacoma Narrows Airport.

The Ordinance was set over for final reading next week.

Mayor Sutherland moved to suspend the rules to consider Public Hearings and Appeals. Seconded by Councilman Hyde. Voice vote was taken and carried. The motion was declared adopted.

PUBLIC HEARINGS AND APPEALS: (Began at 6:10 p.m.)

This is the date set for hearing the appeal of Robert Lee Dunmire on the decision of the Hearings Examiner regarding the denial of his application for a Guard License by the Department of Tax & License.

Gary Sullivan, Hearings Examiner, made a presentation regarding his findings.

Mr. Robert Lee Dunmire presented the reasons for his appeal.

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

The appeal was denied.

Ordinance No. 23093

Amending Section 1 of Ordinance No. 23061 which relates to Electrical Energy Regulations and revises Schedule A-1 to incorporate a rate for low-income and elderly citizens.

The Ordinance was set over for final reading next week.

Ordinance No. 23094

Appropriating the sum of \$5,794.28, or so much thereof as may be necessary, from the Tacoma Dome Operating Fund for temporary, emergency repairs to the Tacoma Dome roof, 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.

RESOLUTIONS:

Resolution No. 28139 (Continued from the meeting of December 13, 1983.)

Authorizing a temporary non-interest bearing loan of not more than \$250,000.00 from the Arterial Street Fund to the Public Works Revolving Fund for preliminary costs relative to the engineering and construction of SR-705.

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

Mayor Sutherland moved to suspend the rules to consider Substitute Resolution No. 28139. Seconded by Councilman Hyde. Voice vote was taken and carried. The motion was declared adopted.

Substitute Resolution No. 28139

Authorizing a temporary non-interest bearing loan of not more than \$100,000.00 from the Arterial Street Fund to the Public Works Revolving Fund for preliminary costs relative to the engineering and construction of SR-705.

Voice vote was taken and carried on Substitute Resolution No. 28139. Substitute Resolution No. 28139 was declared adopted.

Resolution No. 28140 (Continued from the meeting of December 13, 1983.)

Authorizing the execution of Amendment No. 3 to the Sale Agreement with the Cornerstone Development Company relative to the development of the Tacoma Financial Center Project.

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

Resolution No. 28141 (Continued from the meeting of December 13, 1983.)

Authorizing the execution of the "Loan Agreement for the Tacoma Financial Center" with the Cornerstone Development Company.

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

Purchase Resolution No. 28145

Awarding contracts to:

1. Westgate Building Maintenance on their bid of \$5,719.52 for janitorial service at the Lighthouse Senior Citizens Center - Specification No. G-186-83;
2. Courtwright Diesel on their bid of \$4,815.03 for emergency repairs for Fireboat 5;
3. Howard Cooper Corporation on their bid of \$66,984.72 for one motor grader - Specification No. G-170-83;
4. Beckman Instruments, Inc. on their bid of \$6,927.18 for two pumps and one mixing chamber;
5. Boise Cascade on their bid of \$3,383.83 for a purchase order for record card tray cabinets and stand;
6. Brodsky's Uniforms on their bid of \$12,133.05 for Fire Department uniforms - Specification No. G-071-83;
7. Lehman Reloading on their bid of \$8,316.77 for 9mm reload ammunition - Specification No. G-189-83; and
8. Rejecting all bids for the repair of frame and cabinets on Fire Truck No. 2 - Specification No. G-197-83.

Mayor Sutherland moved to adopt the Purchase Resolution with Substitute Exhibit A and to waive the formal bidding procedures on Purchase Item Nos. 2, 4, and 5. Seconded by Councilman Hyde. Voice vote was taken and carried. The motion was declared adopted.

Purchase Resolution No. 28145 - Substitute Exhibit A

Awarding contracts to:

1. Westgate Building Maintenance on their bid of \$5,719.52 for janitorial service at the Lighthouse Senior Citizens Center - Specification No. G-186-83;
2. Courtwright Diesel on their bid of \$4,815.03 for emergency repairs for Fireboat 5;
3. Howard Cooper Corporation on their bid of \$66,984.72 for one motor grader - Specification No. G-170-83;
4. Beckman Instruments, Inc. on their bid of \$6,927.18 for two pumps and one mixing chamber;
5. Boise Cascade on their bid of \$3,383.83 for a purchase order for record card tray cabinets and stand;
6. Brodsky's Uniforms on their bid of \$12,133.05 for Fire Department uniforms - Specification No. G-071-83;
7. Lehman Reloading on their bid of \$8,316.77 for 9mm reload ammunition - Specification No. G-189-83; and
8. Rejecting all bids for the repair of frame and cabinets on Fire Truck No. 2 - Specification No. G-197-83.
9. Chevron U.S.A. on their bid of \$.809 per gallon (truck and trailer, regular) and \$.855 per gallon (truck and trailer, unleaded) for gasoline supply.

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

Resolution No. 28146

Authorizing the execution of an agreement in the amount of \$5,100.00 with the Metropolitan Park District for the provision of recreation programs at the Eastside Community Center.

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

Resolution No. 28147

Authorizing the execution of a lease termination agreement with Security Pacific, Inc. relative to public parking at Old City Hall.

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. 28148

Authorizing the execution of an agreement with U. S. Oil Company for the provision of fire service to the portion of the U. S. Oil plant located outside the City limits.

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. 28149

Authorizing the execution of a contract with Carol Mathewson for the provision of services as Coordinator for the Community Schools Program for 1984.

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

Resolution No. 28150

Authorizing the execution of contracts with certain individuals for the provision of building coordinator services for the Community Schools Program for 1984.

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

Resolution No. 28151

Authorizing the execution of agreements with certain agencies for the provision of essential social services to eligible citizens of the City of Tacoma, limited to appropriations contained in the 1984 annual budget.

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

Resolution No. 28152

Authorizing a temporary loan in the amount of \$100,000.00 from the General Fund to the Miscellaneous Grants Summary for the construction of the Tacoma Community Center for the Disabled.

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

Resolution No. 28153

Authorizing the dedication of a strip of property located at South 52nd and Orchard Streets with necessary slope easements to be used on a street right-of-way for South 52nd 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. 28154

Authorizing the sale of two parcels of surplus transmission line right-of-way located at Olympic Village in Gig Harbor to First Interstate Bank and Olympic Village.

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. 28155

Authorizing a contract in the amount of \$14,000.00 with Fielding Urethane for repairs, cleaning, and washing of the Tacoma Dome roof.

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

Resolution No. 28156

Authorizing the execution of an agreement with Robert J. Backstein for services as Deputy Hearings Examiner for 1984.

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

Resolution No. 28157

Authorizing the execution of an agreement with John Hill for the management and operation of the Market Street Parking Lot adjacent to the Tacoma Municipal Building.

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

REPORTS BY CITY MANAGER:

Erling O. Mork, City Manager, requested an Executive Session to discuss personnel matters.

Mr. Mork also stated that Ordinance No. 23081 would not go into effect on January 1, 1984, if continued for final reading until December 27, 1983, since the Ordinance would not take effect until ten days after date of publication. He outlined possible actions the Council could take regarding this matter.

Councilman Strege moved to reconsider Ordinance No. 23081. Seconded by Councilman Hyde. Voice vote was taken and carried. The motion was declared adopted.

Councilman Strege moved to insert the original page number 4 into Ordinance No. 23081, in place of substitute page number 4. Seconded by Councilman Ladenburg. Roll call vote was taken, resulting as follows: Ayes: 6 - Hawkins, Hyde, Ladenburg, Nielsen, Strege, and Mayor Sutherland. Nays: 1 - Bichsel. Absent: 2 - Kirby and Rasmussen. The motion was declared adopted.

The Ordinance, as amended, will be considered at the regular City Council meeting of December 27, 1983.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Councilman Ladenburg stated that there needed to be better coordination between Metropolitan Park and Community Schools' recreation activities and mentioned that the inclusion of a Park Board member on the Joint Municipal Action Committee would be advisable. He has requested that staff prepare a Resolution that would expand the Joint Municipal Action Committee by one member and allow the Park Board to designate that member.

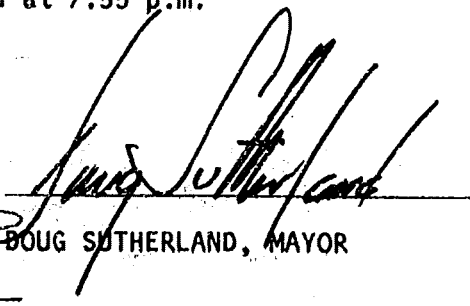
Councilman Hyde announced there was a joint meeting scheduled between the Council, Metropolitan Park Board, and school district staff on Tuesday, December 27, 1983, at 1:30 p.m., and invited Council members to attend.

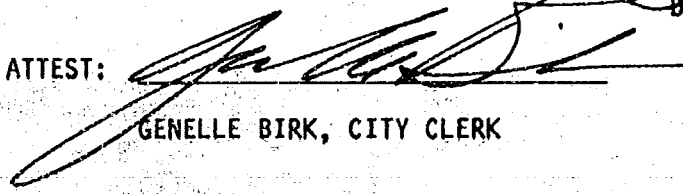
Mayor Sutherland requested that staff from Legal and Tax & License review pertinent ordinances and report on means to allow the Hearings Examiner to pursue considerations outside of the normal purview of the Hearings Examiner and, further, allow the Hearings Examiner to provide information to the Council prior to an appeal coming before the Council.

Mayor Sutherland moved to recess to Executive Session to discuss personnel matters. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 7:12 p.m. and reconvened at 7:54 p.m.

On proper motion, the meeting adjourned at 7:55 p.m.


BOUG SUTHERLAND, MAYOR

ATTEST: 
GENELLE BIRK, CITY CLERK