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CITY COUNCIL MINUTES

City Council Chambers  
May 5, 1981

The meeting was called to order at 5:07 p.m.

Present on roll call: 7 - Bichsel, Hyde, Kirby, Nielsen, Rasmussen, Strege, and Sutherland. Absent: 2 - Hawkins and Mayor Parker. Councilman Hawkins arrived at 5:12 p.m.

The Flag Salute was led by Deputy Mayor Nielsen.

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C O N S E N T   A G E N D A

Approval of the minutes of the regular meeting of April 28, 1981.

RESOLUTIONS:

Resolution No. 26940

Authorizing a grant application to the State Department of Ecology for the administration of Shoreline Management Development Permits and inspection program.

Resolution No. 26944

Authorizing a grant application to the Washington State Arts Commission to provide a portion of the costs for four professional artist residencies.

APPEAL:

Star Machinery Company appealing Audit Assessment Notice AD 1670 of the Tax and License Department.

Setting Wednesday, May 20, 1981 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's Agendas for Tuesday, May 5, 1981, and Thursday, May 7, 1981.
  - b. Minutes of the meeting of the Citizen's Transportation Advisory Committee, April 16, 1981.
  - c. Minutes of the meeting of the Tacoma Employees' Retirement System, March 26, 1981.
  - d. Minutes of the Civil Service Board meeting, April 20, 1981.
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- e. Minutes of the Tacoma Planning Commission meeting, April 6, 1981.
- f. Minutes of the meeting of the Landmarks Preservation Commission, April 22, 1981.
- g. Emergency Management Assistance Claim for Reimbursement 2nd Quarter Department of Emergency Services.

Councilwoman Bichsel moved that the Consent Agenda be approved. Seconded by Councilman Sutherland. Voice vote was taken and carried. The Consent Agenda was declared approved.

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## REGULAR AGENDA

### SUGGESTION AWARDS:

Deputy Mayor Nielsen presented a Suggestion Award to Gordon P. Behnke.

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Deputy Mayor Nielsen moved to suspend the rules to consider Resolution No. 26945 at this time. Seconded by Councilman Hyde. Voice vote was taken and carried.

### Resolution No. 26945

Appointing members to the Tacoma-Pierce County Civic Arts Commission, Sewer Review Board, Sister City Committee and the Tacoma Landmarks Preservation Commission.

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

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Councilman Hawkins arrived at 5:12 p.m.

### COMMUNICATIONS:

- a. Hearings Examiner submitting a request of Moorage Associates for variances to the Shoreline Management Substantial Development Permit sign regulations to allow placement of various signs on the westerly side of City Waterway extending from approx. 280 feet south of 11th Street Bridge to 1,300 feet north of 11th Street Bridge at Totem Marina (821 Dock Street). (Continued from the meeting of April 21, 1981.)

Councilman Sutherland moved to set aside the request. Seconded by Councilman Rasmussen.

Councilman Sutherland then corrected his motion to put aside the request until the Planning Commission can develop a sign code for City waterways. The corrected motion failed for lack of a second.

Councilman Rasmussen moved that the developer work with the City staff to redesign the sign and bring it back to the Council. Seconded by Councilman Hawkins.

Roll call vote was taken resulting as follows: Ayes: 3 - Hawkins, Rasmussen, Sutherland. Nays: 5 - Bichsel, Hyde, Kirby, Nielsen and Strege. Absent: 1 - Mayor Parker. The motion was declared failed.

Councilman Strege 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: 5 - Bichsel, Hyde, Kirby, Nielsen and Strege. Nays: 3 - Hawkins, Rasmussen and Sutherland. Absent: 1 - Mayor Parker.

- b. Hearings Examiner recommending approval of the request of Hugh Barden for a one-year time extension for commencement of construction of Shoreline Management Substantial Development Permit No. 141.117-A (a 12-slip marina, tire breakwater, pier platform, caretaker's quarters, boat launch and a building for boat repairs) located on the northeast corner of North Alder Street and Ruston Way (3059 Ruston Way).

Councilman Strege moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Councilman Hawkins. Roll call vote was taken, resulting as follows: Ayes: 8 - Bichsel, Hawkins, Hyde, Kirby, Nielsen, Rasmussen, Strege and Sutherland. Nays: 0. Absent: 1 - Mayor Parker.

- c. Hearings Examiner recommending approval of the request of the Trademark Corp. to revise the Concomitant Agreement relative to the reclassification of the area located north of North 51st Street between Mildred Street and Park Way.

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

- d. Hearings Examiner submitting Shoreline Management Substantial Development/Conditional Use Permit No. 141.257 of the Metropolitan Park District to provide a storm water detention and diversion facility with an intake potable water dilution system located at Wapato Lake. (An appeal has been filed.)

Robert Tuttle explained the reasons for his appeal.

Pat McCullough of Entranco Engineers spoke for the Metropolitan Park Department.

Councilman Strege moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner and deny the appeal. Seconded by Councilman Kirby. Roll call vote was taken, resulting as follows: Ayes: 7 - Bichsel, Hyde, Kirby, Nielsen, Rasmussen, Strege and Sutherland. Nays: 0. Absent: 2 - Hawkins and Mayor Parker

Deputy Mayor Nielsen advised that since it was 6:33 p.m., they would now hold the public hearing.

PUBLIC HEARING:

This is the date set for public hearing on the Disposal of demolition debris.

Deputy Mayor Nielsen called for public testimony. Speaking at the hearing were Doug Pierce of the Health Department and Bill Dickson representing the Association of General Contractors.

There being no further testimony, Deputy Mayor Nielsen declared the hearing closed at 6:50 p.m.

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FINAL READING OF ORDINANCES:

Ordinance No. 22392 (Continued from the meeting April 28, 1981)

Approving and confirming the assessment roll for L.I.D. 8247 for permanent paving on East "E" from East 88th to East 91st and East "D" from East 72nd to East 75th Streets.

Dale Curley presented an appraisal of his property before and after the improvement.

Because of the new evidence presented, Councilman Kirby moved to refer this matter back to the Hearings Examiner. Seconded by Councilman Strege. Voice vote was taken and carried. The matter was referred back to the Hearings Examiner.

Ordinance No. 21601

Vacating a portion of 28th Street NE east of 64th Avenue NE and the alley to the south. (Chinook Investors)

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hawkins, Kirby, Nielsen, Rasmussen, Strege and Sutherland.

Nays: 0.

Absent: 2 - Hyde and Mayor Parker.

The Ordinance was declared passed.

Ordinance No. 21791

Amending Chapter 13.06 of the Official Code to reclassify the southeast corner of South 92nd and Hosmer Streets from an "R-3" to an "R-2" District. (S. R. Anderson Development, Inc.)

Deputy Mayor Nielsen moved to consider Substitute Ordinance No. 21791. Seconded by Councilman Sutherland. Voice vote was taken and carried.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Mayor Parker.

The Substitute Ordinance was declared passed.

Ordinance No. 22034

Amending Chapter 13.06 of the Official Code to reclassify the east side of Orchard Street between South 52nd and South 53rd Streets extended from an "R-2" to an "R-3-PRD" District. (Holly Northwest Developments Ltd.)

Councilman Sutherland moved to consider Substitute Ordinance No. 22034. Seconded by Councilman Rasmussen. Voice vote was taken and carried.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Mayor Parker.

The Substitute Ordinance was declared passed.

Ordinance No. 22382

Amending Chapter 11.24 of the Official Code by adding a new section to be known as Section 11.24.015 relative to unlawful use of handicapped parking places.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Mayor Parker.

The Ordinance was declared passed.

Ordinance No. 22394

Authorizing execution of grant award contracts with the Washington State Energy Office and Pierce County; depositing \$31,000.00 in the Miscellaneous Grants Summary Fund and appropriating said sum to establish a joint Tacoma/Pierce County Energy Conservation Resource Center.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Mayor Parker.

The Ordinance was declared passed.

Ordinance No. 22395

Accepting contributions from the Olympia Brewing Company, the Weyerhaeuser Company Foundation, the Junior League of Tacoma and AA Auto Parts totaling \$7,500; transferring \$22,000 from the General Fund to the Miscellaneous Grants Summary Fund; and appropriating \$29,500 from the Miscellaneous Grants Summary Fund to provide necessary funding for the 1981 Summer Pops! Concerts in the Park series and the Art Bowl Festival.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Mayor Parker.

The Ordinance was declared passed.

Ordinance No. 22396

Authorizing execution of a grant award contract with the Medina Foundation in the amount of \$2,000; depositing said sum in the Miscellaneous Grants Summary Fund; appropriating said sum, or so much thereof as may be necessary, from said Fund to pay expenses of participation in the International City Management Association meeting in 1981.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Mayor Parker.

The Ordinance was declared passed.

Ordinance No. 22397

Providing for the improvement of L.I.D. 2530 for two-inch asphalt surface treatment on various streets in the City.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Mayor Parker.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 22398

Amending Chapter 13.06 of the Official Code to reclassify the area located east of Pearl Street, south of North 37th, west of Shirley and north of North 35th from an "R-2" to an "R-3" District. (Daon Corporation)

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.

The Ordinance was set over for final reading to a date to be determined.

Ordinance No. 22399

Amending Chapter 13.06 of the Official Code to reclassify the north east corner of South 52nd and Alaska Streets from an "R-2" to an "R-3" District. (Janet Nelson)

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

The Ordinance was set over for final reading to a date to be determined.

Ordinance No. 22400

Amending Chapters 9 and 13 of the Official Code to allow the Hearings Examiner to hear administrative appeals on environmental determinations made by the responsible City Department Director.

Gus Carlson representing the United Neighborhoods of Tacoma suggested some changes to the Ordinance.

After questions by the Council, Councilman Strege moved to have final reading of the Ordinance on May 19, 1981, to allow staff time to answer questions asked by the Council. Seconded by Councilman Sutherland. Voice vote was taken and carried. The Ordinance was set over for final reading on May 19, 1981.

Ordinance No. 22401

Amending the Official Code by repealing Sections 1.34.130, 1.34.320 and 1.34.330 and adding a new section to be known as Section 1.34.370 relative to working fund advances.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Resolution No. 26945

Appointing members to the Tacoma-Pierce County Civic Arts Commission, Sewer Review Board, Sister City Committee and the Tacoma Landmarks Preservation Commission.

This was considered earlier in the meeting.

Resolution No. 26946

Retaining the advisory board known as the "Jury" during the construction of the Sports/Convention Center.

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

Purchase Resolution No. 26947

Awarding contracts to:

1. First National Auto Lease on its bid of \$8,463.35 for Extension of Lease of Vehicles;
2. Tucci & Sons, Inc., on its bid of \$253,605.75 for Two-Inch Asphalt Surface Treatment on Various City Streets-Spec. G-30-81;
3. Rec-Time Equipment on its bid of \$7,954.00 for Playground Equipment for Salishan-Spec. G-37-81;
4. R. W. Rhine Company on its bid of \$12,688.65 for Demolition of Single Family Residences in the Hawthorne Area.

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

Resolution No. 26948

Authorizing execution of an agreement with Kira Bacon as Coordinator of the Neighborhood Arts Assistance Program.

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



Resolution No. 26949

Authorizing the charging of booth fees for the Art Bowl Festival.

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

Resolution No. 26950

Approving the preliminary plat of WESTGATE II located east of Pearl Street, south of North 37th, west of Shirley and north of North 35th. (Daon Corporation)

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

Resolution No. 26951

Authorizing the sale of land located at the sanitary landfill site near South 40th and Orchard Streets to Tacoma School District No. 10.

Councilman Hyde advised that he had some questions on the landfill site and therefore moved that the Resolution be continued two weeks. Seconded by Councilman Rasmussen. Voice vote was taken and carried. The Resolution was continued two weeks.

Resolution No. 26952

Releasing a sewer easement in South 17th between Union Avenue and Warner Street.

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

Resolution No. 26953

Authorizing expenditure of Sixth Year Community Development Block Grant Funds in the amount of \$30,000 for certain repairs and improvements to the Peoples Center.

Councilman Sutherland moved that the Resolution be adopted. Seconded by Councilman Kirby.

Karen Vialle, Chairman of the Urban Policy Committee, spoke on the Resolution and Resolution Nos. 26954 and 26955.

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

Resolution No. 26954

Approving the implementation of the Eastside Revitalization Project Code Enforcement and the utilization of 6th Year Block Grant Funds.

Councilman Strege moved that the Resolution be adopted. Seconded by Councilman Sutherland.

Arthur L. Brown, 2101 East 44th, spoke on the Resolution.

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

Resolution No. 26955

Approving the expenditure of 6th Year Community Development Block Grant funds to provide certain repairs and improvements to the building and playfield at the Southend Neighborhood Center.

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

Deputy Mayor Nielsen moved to suspend the rules to consider Resolution No. 26956. Seconded by Councilman Sutherland. Voice vote was taken and carried.

Resolution No. 26956

Reappointing Councilman Strege to the Public Transportation Benefit Area Board.

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

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Deputy Mayor Nielsen moved to recess into Executive Session to discuss litigation and real estate matters. Seconded by Councilman Sutherland. Voice vote was taken and carried. Council recessed at 8:12 p.m. Council reconvened at 8:38 p.m.

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COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Deputy Mayor Nielsen moved to expend \$300 from the City Council Public Relations Account to place an advertisement in the Sports Call publication to promote the Sports/Convention Center, with the advertisement being approved by the City Attorney. Seconded by Councilman Rasmussen. Voice vote was taken and carried.

Councilman Hyde spoke on the conference he and Councilman Rasmussen attended in Boston.

Councilman Hyde requested that the Council be advised on the status of the old fire boat and the possibility of preserving it as a Tacoma landmark.

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On proper motion, the meeting adjourned at 8:42 p.m.

Harold E. Nielsen, Jr.

HAROLD E. NIELSEN, JR.  
Deputy Mayor

ATTEST:

H. B. Bond

H. B. BOND - CITY CLERK