

CITY COUNCIL MINUTES

City Council Chambers  
March 13, 1979

The meeting was called to order at 5:05 p.m.

Present on roll call: 8 - Bichsel, Evans, Hudson, Kirby, Nielsen, Strege, Warnick and Mayor Parker. Absent: 1 - Schroeder.

The United States Flag was posted by Camp Fire Girl Krista Smith and the Flag Salute was led by Camp Fire Girl Christi Fermo.

Camp Fire Girls Krista Smith and Christi Fermo presented Mayor Parker and the City Council members a cake in commemoration of the birthday anniversary of the Camp Fire Girls and thanked the Mayor and Council members for the City's cooperation in Camp Fire Girl activities.

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

Approval of the minutes of the regular meeting of March 6, 1979.

APPEAL:

John Graham appealing the Hearings Examiner's decision to deny the request for reclassification from an "R-4" to an "R-4-T" and a Conditional Use Permit for 1001 North "I" Street for the purpose of converting a portion of an existing home into a real estate office.

Suggested date for hearing is Tuesday, March 27, 1979 at 5:00 p.m.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday and Friday, March 13 and 16, 1979.
- b. Minutes of the meeting of the Municipal Authority, February 8, 1979.
- c. Minutes of the meeting of the Citizens Transportation Advisory Committee, February 28, 1979.
- d. Minutes of the meetings of the Board of Pierce County Commissioners, March 5 and 6, 1979.
- e. Monthly Report, Personnel Department, December, 1978.
- f. Total Work Report of the Tacoma-Pierce County Humane Society & S.P.C.A., January, 1979.

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

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R E G U L A R   A G E N D A

PUBLIC HEARING AND APPEAL:

- a. This is the date set for hearing the appeal of the Sherwood Coalition on the decision of the Hearings Examiner to approve a preliminary plat for SHERWOOD VILLAGE located between South 86th and South 88th and from Ash Street to a point 150 feet west of Ainsworth Avenue - James Crawford. (Continued from the meeting of March 6, 1979)

Mayor Parker advised that the Sherwood Coalition had asked that this be continued until March 20, 1979. Mayor Parker moved that hearing on the appeal be continued to March 20, 1979. Seconded by Councilman Hudson. Voice vote was taken and carried.

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FINAL READINGS:

Ordinance No. 21624 (Continued from the meeting of March 6, 1979)

Amending the pay and compensation plan to provide for collective bargaining adjustments to certain Belt Line Railway classes, amending the title and salary of the City's Insurance Manager and providing for a change to appointive status for the class of Budget Officer.

Roll call vote was taken, resulting as follows:

Ayes: 4 - Bichsel, Hudson, Nielsen and Deputy Mayor Warnick.

Nays: 4 - Evans, Kirby, Strege and Mayor Parker.

Absent: 1 - Schroeder.

The Ordinance was declared failed.

Changing their votes from Aye to Nay, in order to be on the prevailing side, were Councilman Hudson and Deputy Mayor Warnick.

Ordinance No. 21628

Accepting a gift of \$400 from the Tacoma Southeast Lions Club, appropriating said sum, or so much thereof as may be necessary, from the General Fund for the purpose of paying the costs of installation of two street lamps at the South End Community Center.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Evans, Hudson, Kirby, Nielsen, Strege, Warnick and Mayor Parker.

Nays: 0

Absent: 1 - Schroeder.

The Ordinance was declared passed.

Ordinance No. 21629

Amending Subsection B of Section 12.08.095 and Subsection D of Section 12.08.105 of the Official Code to update LID assessment charges for sewer construction.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Evans, Hudson, Kirby, Nielsen, Strege, Warnick and Mayor Parker.

Nays: 0

Absent: 1 - Schroeder.

The Ordinance was declared passed.

Ordinance No. 21630

Authorizing execution of a grant award contract with the State of Washington Department of Social and Health Services in the amount of \$17,357.00, creating a new fund to be known as the Crisis Child Care Project Fund, appropriating the sum of \$17,357.00, or so much thereof as may be necessary, from the Crisis Child Care Project Fund, 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, Hudson, Kirby, Nielsen, Strege, Warnick and Mayor Parker.

Nays: 1 - Evans

Absent: 1 - Schroeder

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 21619 (Continued from the meeting of February 20, 1979)

Amending Chapter 13.06 of the Official Code to reclassify the northeast quadrant of Interstate 5 and South 72nd Street from an "R-2" and "C-F-V" to a "PDB" District. (Michael Henry Healy)

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

Final reading of the ordinance was set over to a date to be determined.

Ordinance No. 21631

Vacating the alley bisecting McKinley Park at East 43rd and McKinley Avenue. (Metropolitan Park District)

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

Final reading of the ordinance was set over to a date to be determined.

Ordinance No. 21632

Amending Ordinance Nos. 19282, 16249, 13989, 16733, 15752, 21119, 16366 and 15273 and repealing and reenacting Chapter 12.08 of the Official Code, all relating to storm drain utility and sewer utility and adopting a system of regulations, rates and charges for administration of the utility.

Speaking on the Ordinance were Connie King, 818 South 11th Street, Apt. 107 and Robert Creso, Jr., 1521 - 6th Avenue.

Ron Button, Director of Public Works, advised that the ordinance before them is by title only, the complete ordinance had not yet been received from the Bond Counsel. He advised it would be available this coming Friday and suggested that first reading of the ordinance be continued for one week.

Mayor Parker moved that first reading of the ordinance be continued to March 20, 1979. Seconded by Councilman Hudson. Voice vote was taken and carried.

First reading of the Ordinance was continued to March 20, 1979.

Ordinance No. 21633

Accepting a grant in the sum of \$33,036.00 from the State of Washington through Pierce County, appropriating said sum, or so much thereof as may be necessary, for the purpose of continuing the County-City Historic Properties Survey, 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.

Ordinance No. 21634

Authorizing execution of a grant award contract with the State of Washington Department of Social and Health Services in the amount of \$105,027.00; appropriating the sum of \$105,027.00, or so much thereof as may be necessary, from the Crisis Child Care Project Fund, for the purpose of operating the Volunteer Shelter Care Project, 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.

Ordinance No. 21635

Authorizing execution of a grant award contract with the National Endowment for the Arts in the amount of \$15,000; accepting a grant of \$10,000 from Pierce County and appropriating the sum of \$38,922, or so much thereof as may be necessary from the Neighborhood Arts Program Fund for the purpose of operating the Neighborhood Arts Assistance Program.

The Ordinance was set over for final reading next week.

Ordinance No. 21636

Appropriating the sum of \$1,775.00, or so much thereof as may be necessary, from the Library Fund No. 1200 for the purpose of providing a portion of the fund necessary for the purchase of a motor vehicle for the Tacoma Public Library.

The Ordinance was set over for final reading next week.

Ordinance No. 21637

Amending Chapter 13.06 of the Official Code to reclassify the east side of Pacific Avenue approximately 120 feet south of South 40th Street from an "R-3" to an "R-3-T" District. (Pacific Auto Parts, Inc.)

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

Final reading of the Ordinance was set over to a date to be determined.

RESOLUTIONS:

Resolution No. 25561 (Continued from the meeting of March 6, 1979)

Appointing Gary Sullivan, Huntly Gordon and Bill Gilven to the Hearings Tribunal of the Human Relations Commission to hear the case of Jana Lovely vs. Old City Hall Aquarium.

Councilman Hudson moved that the Resolution be adopted. Seconded by Mayor Parker.

Deputy Mayor Warnick moved that the Resolution be continued for one week. Seconded by Mayor Parker. Voice vote was taken and carried. The Resolution was continued to March 20, 1979.

Resolution No. 25564 (Continued from the meeting of March 6, 1979)

Approving the preliminary plat of PEPPERWOOD located south of North 45th Street between Whitman and Vassault Streets. (Northbay Construction Company)

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

Resolution No. 25575 (Continued from the meeting of March 6, 1979)

Authorizing the Police Department to submit a grant request to the Washington State Traffic Safety Commission for four motorcycles.

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

Purchase Resolution No. 25580

Awarding contracts to:

1. Royal-aire Campers, Inc. on its bid of \$48,276.63 for Seven Van Conversions;
2. Norris Paint & Varnish Co. on its bid of \$7,327.57 and to Highway Safety Products on its bid of \$12,660.65 for Traffic Paint

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

Resolution No. 25581

Adopting Legislative Position Statement No. 7, as set forth on Exhibits "A" through "K" attached, as the official position of the City of Tacoma on proposed legislation.

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

Resolution No. 25582

Approving the Preliminary Plat for ARBUTUS RIDGE ESTATES located on the south side of Browns Point Boulevard in the vicinity of Silver Bow Road. (Block Brothers, et al)

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

Resolution No. 25583

Authorizing an application for second year funding in the sum of \$27,615 for the Neighborhood Arts Services program grant from the National Endowment for the Arts.

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

Resolution No. 25584

Adopting a Fee Schedule for the People's Community Center.

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

Resolution No. 25585

Authorizing execution of a deed for certain property in the Leach Creek Holding Basin to its former owner.

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

Resolution No. 25586

Approving the final plat for the NORTHSHORE COUNTRY CLUB ESTATES, located north of 33rd Street N.E. and northeasterly of Browns Point Boulevard. (United Homes)

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

Resolution No. 25587

Authorizing execution of a subdivision agreement with United Homes, Inc. for the North Shore Country Club Estates plat.

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

William Barker, Assistant City Attorney, pointed out that there is an error in the resolution. The resolution indicates the agreement is with United Homes wherein it should be North Shore Associates. He asked that the resolution be corrected to reflect that change.

Deputy Mayor Warnick moved that the resolution be corrected as specified by Mr. Barker. Seconded by Councilman Hudson. Voice vote was taken and carried.

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

Resolution No. 25588

Supporting and retaining of Channel 13 KCPQ as a public broadcasting station.

Mayor Parker moved that the Resolution be removed from the agenda. Seconded by Councilman Kirby. Voice vote was taken and carried. The Resolution was removed from the agenda.

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PUBLIC HEARINGS AND APPEALS:

- a. This is the date set for hearing the appeal of Talmo Export, Inc. and Talmo, Inc., of certain Audit-Assessment Notices by the Tax & License Department. (Continued from the meeting of March 6, 1979)

Mayor Parker advised that he has been informed that a request has been made that this item be continued one week. Mayor Parker moved that the hearing on the appeal be continued one week until March 20th. Seconded by Deputy Mayor Warnick. Voice vote was taken and carried.

- b. This is the date set for hearing the appeal of Al's Used Cars on the Hearing Examiner's recommendation of denial of their request for vacation of South 35th Street between South Tacoma Way and Pine Stree. (Continued from the meeting of March 6, 1979)



After discussion Councilman Hudson 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.

- c. This is the date set for hearing James S. Solomon's appeal of the Tax & License Department's decision of requiring a new B & O license for his restaurant and lounges in the Olympus Hotel building.

Councilman Evans moved that the hearing on the appeal be continued one week. Seconded by Councilman Strege. Voice vote was taken and carried. Hearing on the appeal was continued to March 20, 1979.

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COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Councilman Hudson commented on the "Fun Land" the Park Board is considering placing in Point Defiance Park. He referred to traffic congestion on Pearl Street last Saturday from the park to No. 37th Street. He asked for ideas from the Public Works Department and Police Department as to whether they are making additional reports on problems on Pearl Street related to good weather. He asked that a letter be sent to the Park Board indicating that a Council member is interested in finding out how the Park Board perceives the status of Fun Land and asked the Legal Department to take another look at the contract to see what effect there really is of the motion they made to continue individually the lessees tie to the lease and whether the lessee has complied with the lease terms. He said he felt that due to increase in residential development the Council owes the responsibility of the City to wrestle with the problem.

Deputy Mayor Warnick commented on the resolution on Channel 13. He said that he had the resolution placed on the agenda on behalf of the Civic Arts Commission and he felt the Council should listen to arguments for and against the sale. He further said that to remove the item from the agenda without hearing the arguments was not in the best interest of the community.

Councilwoman Bichsel requested that the resolution be on the agenda again next week.

Councilman Hudson moved to suspend the rules to reconsider Resolution No. 25588 with the intent being that it would be heard next week. Seconded by Mayor Parker. Voice vote was taken and the motion was declared failed.

Councilman Strege reported that the Pierce County Public Transportation Improvement Conference met last week and will be meeting again next week to consider proposed boundaries of a Transit Benefit Area. He asked that after next weeks meeting the City Manager's office prepare a memo to the Council explaining the boundaries and suggested the Council hold a Study Session to review the proposed boundaries to determine whether they wish to proceed with the project.

Councilman Evans reminded Council members that seven or eight months ago, in a joint meeting with the Park Board, the subject of fees for non-City residents was discussed and agreed upon. He asked the City Manager to prepare a resolution for a fee system at Point Defiance for non-Tacomans. This would be a parking fee as relates to streets entering the park. City Attorney Bob Hamilton advised the City does not have the authority to impose a parking fee within the park. Mayor Parker suggested that he and the City Manager meet with the Park Board next week to see if the issue can be resolved.

Mayor Parker moved that, pending new appointments, the present Comprehensive Employment Training Committee continue to function until new appointments are made. Seconded by Councilman Hudson. Voice vote was taken and carried.

Mayor Parker moved that Council authorize settlement of the matter filed under Pierce County Superior Court Cause No. 26681 in the amount of \$5,000, pursuant to the information received by the Council on February 6, 1979.

Mayor Parker asked that Council members who wish to serve on committees of the Puget Sound Council of Governments notify him.

Mayor Parker asked Mr. Larry Thompson, on loan from the State Department, report on the progress of the World's Fair.

Mr. Thompson reviewed plans made to date, i.e. - the Hawthorne Area as a potential site; map of a potential location for a Sport's Convention Center on the City Waterway and a proposal for the organization of two committees to support the World's Fair planning effort--representatives of City departments and a Citizen's Advisory Committee. Councilman Hudson asked that the Council be informed of the task assignments for the Citizen's Committee.

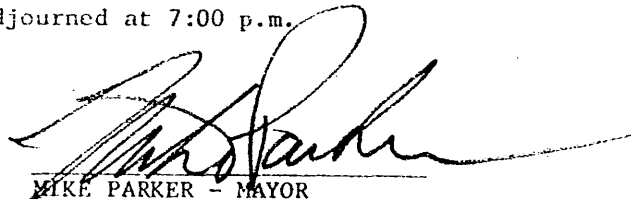
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CITIZENS REQUEST TO BE HEARD:

Dan Haire requesting to speak regarding expansion of Swan Creek Park to East 64th Street.

Mayor Parker advised that Mr. Haire has asked that his request be removed from the agenda.

On proper motion the meeting adjourned at 7:00 p.m.

  
MIKE PARKER - MAYOR

ATTEST:   
H. B. BOND - CITY CLERK