

CITY COUNCIL MINUTES

City Council Chambers
May 4, 1982

The meeting was called to order at 5:08 p.m.

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

The Flag Salute was led by Councilman Hyde.

PROCLAMATION:

Mayor Sutherland proclaimed the week of May 2 - 8, 1982 as "Be Kind to Animals Week" in the City of Tacoma and presented the proclamation to Diane Kaufman and her friend Wonder Mutt.

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

Approval of the minutes of the regular meeting of April 27, 1982.

PETITIONS:

Larry R. Bauml requesting the reclassification of the property located on the southwest corner of South 37th Street and Pacific Avenue from an "R 4L-TM" to an "R4L-T" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 27405

Setting Tuesday, June 22, 1982 at 9:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate the northerly 1.5 feet of South 4th Street westerly from Fawcett and Tacoma Avenues. (John M. Miller).

Resolution No. 27406

Setting Monday, May 24, 1982 at 5:00 p.m. as the date for hearing by the Hearings Examiner L.I.D. 2547 for a 2-inch asphalt surface treatment on various streets in southeast Tacoma.

Resolution No. 27407

Setting Monday, May 24, 1982 at 5:00 p.m. as the date for hearing by the Hearings Examiner L.I.D. 2561 for 2-inch asphalt surface treatment on various streets in the areas between McKinley Avenue and Park Avenue from South 64th Street south to the City limits.

Resolution No. 27408

Setting Monday, May 24, 1982 at 5:00 p.m. as the date for hearing by the Hearings Examiner L.I.D. 2569 for 2-inch asphalt surface treatment on "A" Street from South 72nd to South 82nd Streets.

APPEALS:

Phillip W. Bunger appealing the decision of the Department of Tax and License to deny his application for a guard license.

Setting Thursday, May 20, 1982 at 10:00 a.m. as the date for hearing by the Hearings Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner's agenda for May 4, 1982.
- b. Minutes of the meeting of the Appointments Committee, April 26, 1982.
- c. Minutes of the meeting of the Citizen's Transportation Advisory Committee, April 15, 1982.
- d. Minutes of the meeting of the City Beautification Committee, March 17, 1982.
- e. Minutes of the meeting of the City Charter Review Committee, April 12, 1982.
- f. Minutes of the meeting of the Civil Service Board, April 19, 1982.
- g. Minutes of the meeting of the Landmarks Preservation Commission, April 20, 1982.
- h. Minutes of the meeting of South Tacoma Design Review Committee, April 28, 1982.
- i. Minutes of the meeting of the Retirement Board of the Tacoma Employees' Retirement System, March 25, 1982.
- j. Minutes of the meeting of the Tacoma Planning Commission, April 5, 1982.
- k. Minutes of the regular meeting of the Board of Trustees of the Tacoma Public Library, March 16, 1982 and the special Board meeting of April 6, 1982.
- l. Minutes of the meeting of the Public Utility Board, April 14, 1982.
- m. Report of the Director of Finance, March 1982.
- n. Financial Reports of the Light Division, Water Division, Self-Insurance Claim Fund, Data Processing Division, and the Belt Line Division, March 1982.
- o. Financial Reports Analyses for the first quarter of 1982 for Public Utilities.

Deputy Mayor Nielsen moved that the Consent Agenda, including Resolution Nos. 27405, 27406, 27407 and 27408, be approved. Seconded by Councilman Rasmussen. 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

FINAL READING OF ORDINANCES:

Ordinance No. 22385

Amending Chapter 13.06 of the Official Code to reclassify the southeast corner of Mildred Street and North 9th Street from an "R-2" and an "R-4-LPRD" to a "PBD" and "R-2" District. (Shurgard Mini-Storage of Tacoma North).

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Bichsel.

The Ordinance was declared passed.

Ordinance No. 22686

Accepting contributions from Pacific Northwest Bell and the Weyerhaeuser Company Foundation in the total sum of \$3,000.00 and depositing said amount in the Miscellaneous Grants Summary Fund; authorizing the transfer of \$1,500.00 from the General Fund Non-Departmental Account to the Miscellaneous Grants Summary Fund; and appropriating \$4,500.00, or so much thereof as may be necessary, from said fund for the 1982 Summer Pops! and Joint Sponsorship Programs.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Bichsel.

The Ordinance was declared passed.

Ordinance No. 22687

Amending Chapter 13.06 of the Official Code regarding nonconforming uses.

Councilman Hyde moved to postpone consideration of this Ordinance for a period of two weeks. Seconded by Councilman Kirby. Voice vote was taken and carried.

Final reading of the Ordinance was set over for two weeks.

PROCLAMATION:

Mayor Sutherland proclaimed May 10, 1982 as "Electrical Energy Awareness Day" in the City of Tacoma and presented the proclamation to Ed McGuire, Energy Policy Specialist for Washington State Energy Office and the Northwest Power Council; also Co-Chair of Citizens' Energy Conservation Advisory Committee.

FIRST READING OF ORDINANCES:

Ordinance No. 22683

Vacating the westerly 30 feet of 59th Avenue Northeast, north from 29th Street Northeast for 150 feet. (Northwest Holding, Inc.)

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

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

Ordinance No. 22684

Vacating 31st Street N.E. between 58th Avenue N.E. and 59th Avenue N.E., portions of 58th Avenue N.E. and 59th Avenue N.E., and a portion of the alley in Block 5. (City of Tacoma)

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

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

Ordinance No. 22685

Amending Section 1.34.120 of the Official Code to create a working fund advance of \$100.00 in the office of the Director of Public Works, Sewer Utility.

The Ordinance was set over for final reading next week.

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Ordinance No. 22688

Amending Chapter 13.06 of the Official Code to revise parking space standards.

The Ordinance was set over for final reading next week.

Ordinance No. 22689

Amending Chapter 13.06 of the Official Code to revise the expiration period for site approvals in "Planned" zoning districts.

The Ordinance was set over for final reading next week.

Ordinance No. 22690

Authorizing the transfer of \$5,040.00 from the General Fund to the Baseball Park Operating Fund; further authorizing a temporary loan not to exceed \$5,040.00 from the General Fund to the Baseball Park Operating Fund; appropriating \$10,080.00, or so much thereof as may be necessary, from the Baseball Park Operating Fund to the Baseball Park Revolving Fund to provide additional seating at Cheney Stadium; 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. 22691

Authorizing the execution of a grant award contract with the Washington State Department of Social and Health Services for \$596,006.00; appropriating said amount, or so much thereof as may be necessary, from the Miscellaneous Grants Summary Fund; and further authorizing a temporary loan not to exceed \$35,000.00 from the General Fund to the Miscellaneous Grants Summary Fund to design and construct a youth treatment center for psychiatrically impaired youth.

Speaking on the Ordinance was Dr. Robert Belair, Director of Comprehensive Mental Health Center.

Councilman Rasmussen stated that he was being considered for the Board of Directors for the Comprehensive Mental Health Center, however, he feels that this will not influence his decision and he intends to participate in consideration of this item.

The Ordinance was set over for final reading next week.

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Ordinance No. 22692

Authorizing the execution of a grant award contract with the Washington State Department of Social and Health Services for \$1,000,000.00; appropriating said amount, or so much thereof as may be necessary, from the Miscellaneous Grants Summary Fund; and authorizing a temporary loan not to exceed \$33,000.00 from the General Fund to the Miscellaneous Grants Summary Fund for the design and construction of a community center for the disabled.

Councilman Hyde stated that since this facility will be located on the grounds of Tacoma Community College, where he is employed, he will abstain from any consideration in this matter.

Joe Faker, Chairman of Tacoma Area Coalition of Individuals with Disabilities, spoke in favor of the Ordinance.

Mayor Sutherland introduced Sue Batali who was hand signing for members of the audience who are impaired as far as hearing is concerned.

The Ordinance was set over for final reading next week.

PROCLAMATION:

Mayor Sutherland proclaimed the week of May 2-8, 1982 as "Goodwill Week" and presented the proclamation to Marvin Snyder and Beth Hobbs.

RESOLUTIONS:

Purchase Resolution No. 27409

Awarding Contracts to:

1. Cascade Container Fab Company and Capital Industries, Inc. on their bids for refuse containers - Specification No. G-43-82.

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

Resolution No. 27410

Approving the sale of surplus office furniture and equipment at public auction and authorizing the execution of a contract with Northwest Auctions & Sales for auctioneering services.

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

Resolution No. 27411

Authorizing the sale of approximately 45,000 pounds of surplus bare copper wire and cable to General Metals of Tacoma, Inc.

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

Resolution No. 27412

Identifying areas of concern regarding proposed legislation introduced at sessions of the United States Congress during 1982.

Mayor Sutherland moved that the Resolution be adopted. Seconded by Councilman Hyde.

Councilman Hawkins moved to amend Page 14, Section 2, Statement of Federal Policy Positions as follows: "NATIONAL DEFENSE - The City of Tacoma opposes the portion of the \$215 million increase in the civil defense portion of the military budget which would be used for programs to evacuate cities in time of nuclear attack. The City would not participate in such a program." Seconded by Councilman Hyde for discussion purposes.

Councilman Hawkins moved to suspend the rules to consider amendment further. Seconded by Councilman Hyde. Voice vote was taken and carried.

Councilman Hawkins moved to concur in this resolution and to defer the section on National Defense for a period of three weeks. Seconded by Councilman Hyde. Voice vote was taken and carried. The section on National Defense is set aside for a period of three weeks.

Voice vote was taken and carried on the Resolution. The Resolution was declared adopted except for the section on National Defense which was deferred for a period of three weeks.

Resolution No. 27413

Amending Resolution No. 25178 to provide for the nomination of the members of the Urban Policy Committee by the Council Appointments Committee.

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

Resolution No. 27414

Amending Resolution No. 25245 to change the name of the Mayor's Veterans' Employment Task Force to the Mayor's Veterans' Task Force.

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

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PROCLAMATION:

Mayor Sutherland proclaimed the week of May 1-7, 1982 as "Respect for Law Week" and presented the proclamation to Andy Bergman of the Optimists Club.

PUBLIC HEARINGS AND APPEALS:

This is the date set for the hearing of the appeal of Jardeen Brothers, Inc., regarding the recommendation of the Hearings Examiner on an audit assessment by the Department of Tax and License.

Gary Sullivan, Hearings Examiner, gave a presentation on his findings regarding the appeal of Jardeen Brothers, Inc.

Mark Higgins, Attorney, spoke on behalf of Jardeen Brothers, Inc.

Dick Newman, Tax and License Director, outlined the City's position.

Councilman Rasmussen moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner to deny the appeal with the proviso that the interest and penalty changes be waived provided the appellant is willing to waive future litigation. Seconded by Deputy Mayor Nielsen.

Councilman Rasmussen changed his motion to concur with the Findings, Conclusions and Recommendations of the Hearings Examiner and overturn the appeal. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

Mayor Sutherland moved that the consensus of Council would be to instruct the Director of Tax and License to negotiate with the appellant the matter to determine whether or not a negotiated settlement, within a timely manner, would be acceptable and report back to the Council within a two week period of time that such negotiations have been concluded. Seconded by Councilman Ladenburg. Roll call vote was taken, resulting as follows: Ayes: 4 - Ladenburg, Nielsen, Rasmussen and Mayor Sutherland. Nays: 4 - Hawkins, Hyde, Kirby and Strege. Absent: 1 - Bichsel. The motion was declared failed due to a tie vote.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

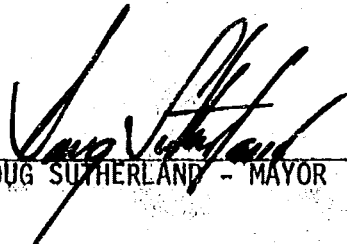
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Councilman Hyde complimented staff on their innovative idea to explore the possibility of exchanging a fire stations for a new building on the City's maintenance site.

Councilman Hyde asked for some data on the City of Tacoma's enforcement of the drunk driving situation.

Deputy Mayor Nielsen moved to excuse Councilman Hawkins from the May 11, 1982 Council meeting. Seconded by Councilman Hyde. Voice vote was taken and carried.

Deputy Mayor Nielsen moved to reappoint Mayor Sutherland to the Board of the Association of Washington Cities. Seconded by Councilman Hyde. Voice vote was taken and carried.

On proper motion, the meeting adjourned at 7:07 p.m.



DOUG SUTHERLAND - MAYOR

Attest: 

H. B. BOND - CITY CLERK