

CITY COUNCIL MINUTES

City Council Chambers
August 7, 1984

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

Present on roll call: 7 - Bichsel, Kirby, Ladenburg, Stenger, Strege, Warnick, and Mayor Sutherland. Absent: 2 - Hyde and Rasmussen.

The Flag Salute was led by Council Member Kirby.

CONSENT AGENDA

Approval of the minutes of the regular meeting of July 31, 1984.

FIRST READING OF ORDINANCES:

Ordinance No. 23227

Accepting the donation of park furniture from the Robert R. Hamilton Memorial Fund for use at Robert R. Hamilton Park on Ruston Way.

RESOLUTIONS:

Resolution No. 28438

Setting Tuesday, September 25, 1984, at 6:00 p.m., as the date for public hearing on the Portland Avenue Commercial District Study.

Resolution No. 28439

Setting Tuesday, September 25, 1984, at 9:30 a.m., as the date for hearing by the Hearings Examiner the request to vacate that portion of North 5th Street lying between Stadium Way and North "C" Street. (Stephen Schain and Beverly Hatter; File No. 124.769)

APPEALS:

Norman H. Wolfe appealing the denial of his application for a For-Hire Vehicle Driver's License by the Department of Tax & License.

Setting Tuesday, August 21, 1984, at 9:00 a.m., as the date for hearing by the Hearings Examiner.

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ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, August 7, 1984.
- b. Public Utility Board Agenda for Wednesday, August 8, 1984.
- c. Minutes of the meeting of the Landmarks Preservation Commission, July 11, 1984.
- d. Minutes of the meeting of the Municipal Authority, July 19, 1984.
- e. Minutes of the meeting of the Public Utility Board, July 11, 1984.
- f. Minutes of the meeting of the Urban Policy Committee, July 26, 1984.
- g. Monthly report of the Director of Finance, June 1984.
- h. Monthly reports of the Tacoma Police Department, April and June 1984.
- i. Monthly Financial Reports of the Belt Line Division, Data Processing Division, Light Division, Self-Insurance Claim Fund, and the Water Division, June 1984.

Deputy Mayor Strege moved that the Consent Agenda, including First Reading of Ordinance No. 23227 and Resolution Nos. 28438 and 28439, be approved. Seconded by Council Member Bichsel. Voice vote was taken and carried. The Consent Agenda was declared approved.

REGULAR AGENDA

COMMUNICATIONS:

- a. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.336 of the City of Tacoma to allow replacement and realignment of the South Fourth Street Bridge.

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Bichsel. Roll call vote was taken, resulting as follows: Ayes: 7 - Bichsel, Kirby, Ladenburg, Stenger, Strege, Warnick, and Mayor Sutherland. Nays: 0. Absent: 2 - Hyde and Rasmussen. The motion was declared adopted.

- b. Hearings Examiner submitting the Findings of Fact, Conclusions of Law, and Decision regarding the appeal of Lindal Cedar Homes, Inc. on Audit Assessment No. AD5150 of the Department of Tax & License.

Mayor Sutherland moved to approve the Findings of Fact, Conclusions of Law, and Decision of the Hearings Examiner. Seconded by Council Member Ladenburg. Voice vote was taken and carried. The motion was declared adopted.

- c. Hearings Examiner recommending denial of the request of Bill Moore Construction for final plat approval for Westgate Hills II located east of Pearl Street in the vicinity of North 35th Street; and further, remanding the site plan approval to the Department of Planning pending submission of a final plat and a twelve-month extension of time for filing a final plat granted, subject to conditions. (File Nos. 125.251 and 127.203)

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Mayor Sutherland moved to concur in the recommendations of the Hearings Examiner. Seconded by Council Member Bichsel. Voice vote was taken and carried. The motion was declared adopted.

- d. City Clerk advising that the Civil Service Board has filed a proposed amendment to Personnel Rule No. 1.24.750 of the Civil Service and Personnel Rules.

Mayor Sutherland advised that this is informational only and no action is required.

FINAL READING OF ORDINANCES:

Ordinance No. 22928

Amending Chapter 13.06 of the Official Code to reclassify the property located at the southwest corner of South 74th and Ash Streets from an "R-2" to a "C-P-F" District. (Frank Warlick; File No. 120.1051)

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Kirby, Ladenburg, Stenger, Strege, Warnick, and Mayor Sutherland.

Nays: 0.

Absent: 2 - Hyde and Rasmussen.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 23228

Amending Chapter 13.06 of the Official Code to reclassify the property located in the vicinity of Mason Avenue between South 35th and South 36th Streets, extended west, from an "R-2" One-Family Dwelling District and an "R-3" Two- and Three-Family Dwelling District to an "R-3-PRD" Planned Residential Development District. (Investco; File No. 120.1086)

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

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

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Ordinance No. 23229

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northwest corner of South 11th Street and Sheridan Avenue from an "R-2" Residential Special Review District to an "R-3-T" Residential Commercial Transitional District. (ARPCO, Inc.; File No. 120.1088)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

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

Ordinance No. 23230

Amending Chapter 13.06 of the Official Code to reclassify the property located at the north side of 27th Street West at the intersection of Elwood drive, extended north, from an "R-2" One-Family Dwelling District to an "R-2-PRD" Planned Residential Development District. (R. Lowell Magoon; File No. 120.1087)

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

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

Ordinance No. 23235

Amending Chapter 13.06 of the Official Code to reclassify the property located at the southeast corner of North 21st and Pearl Streets from an "R-2" One-Family Dwelling District to an "R-3-PRD" Planned Residential Development District and an "R-3T" Residential Commercial Transitional District. (Collins Condominium Corporation; File No. 120.1081)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Bichsel. Voice vote was taken and carried. The motion was declared adopted.

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

Ordinance No. 23231

Amending Sections 1.24.085 and 1.24.750 of the Official Code relative to the Personnel Rules and continuous service and reinstatement.

The Ordinance was set over for final reading next week.

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Ordinance No. 23232

Amending Section 1.06.750 of the Official Code relative to the Administrative Code and the duties of the Traffic Division of the Public Works Department.

The Ordinance was set over for final reading next week.

Ordinance No. 23233

Amending Section 2.04.250 of the Official Code relative to fees for electric permits and inspection.

The Ordinance was set over for final reading next week.

Ordinance No. 23234

Appropriating \$125,000.00, or so much thereof as may be necessary, from the LESA Fund - Capital Acquisition Account, for the purchase of computer equipment; and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 28440

Awarding contracts to:

1. S & W Construction, Inc. on their bid of \$61,393.18 for L.I.D. Nos. 3866 and 3867 - Specification No. G-068-84; and
2. Lubking Petroleum, Inc. on their bid of \$30,000.00 to increase their contract for heating fuel - Specification No. G-195-83.

Council Member Bichsel moved that the Purchase Resolution be adopted. Seconded by Council Member Warnick.

Mayor Sutherland moved to allow the increase in the contract from \$8,000 to not to exceed \$30,000 on Item No. 2. Seconded by Council Member Ladenburg. Voice vote was taken and carried. The motion was declared adopted.

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

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Resolution No. 28441

Authorizing execution of an agreement in the amount of \$16,000.00 with the Pierce County Juvenile Court to implement the Community Service by Youth Project.

Council Member Bichsel moved that the Resolution be adopted. Seconded by Council Member Warnick. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 28442

Adopting the Electric Rate Policy relative to future planning decisions and provision of electrical service.

Council Member Bichsel moved that the Resolution be adopted. Seconded by Deputy Mayor Strege.

Speaking to the Council were:

C. Mark Smith

David Graybill

Ed Hudson

Curt Webber

Richard Craig

Executive Director, Economic
Development Board

Tacoma-Pierce County Chamber of
Commerce

4810 Five Views Road

Occidental Chemical Corporation
Plant Manager, Union Carbide

Mayor Sutherland moved to continue Resolution No. 28442 to the meeting of September 11, 1984. Seconded by Council Member Warnick.

Roll call vote was taken, resulting as follows: Ayes: 3 - Stenger, Warnick and Mayor Sutherland. Nays: 4 - Bichsel, Kirby, Ladenburg and Strege. Absent: 2 - Hyde and Rasmussen. The motion was declared failed.

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

Mayor Sutherland moved that the Council consider Public Hearings and Appeals. Seconded by Deputy Mayor Strege. Voice vote was taken and carried. The motion was declared adopted.

PUBLIC HEARINGS AND APPEALS: (Began at 6:55 p.m.)

This is the date set for hearing the appeal of P & H Leasing, dba Physicians Answering Service on the decision of the Hearings Examiner regarding the request for the reclassification of the northwest corner of South 19th and Cedar Streets from an "R-2" One-Family Dwelling District to an "R-2T" Residential Commercial Transitional District.

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Council Member Ladenburg stated for the record that he was contacted by Mr. Rick Hansen as to whether it would be appropriate to talk to Council Members outside the Council Chambers prior to the appeal. Council Member Ladenburg stated that he informed Mr. Hansen it would not be appropriate to do so. He stated that he did not discuss any of the particulars of the appeal and did not feel that any of the foregoing would affect his participating in the appeal.

Deputy Mayor Strega stated that he had been contacted by people on both sides of this issue and that it would not affect his impartiality on this matter.

The Hearings Examiner, Gary Sullivan, made a presentation regarding the appeal.

Mr. Richard D. Hansen of P & H Leasing, Inc., d/b/a Physicians Answering Service, spoke to the Council on the reasons for his appeal. Mr. Hansen in turn introduced Mr. David Jarrell who spoke regarding the uniqueness of the house and property in question.

Mayor Sutherland then called on Mr. Francis Federico, 3103 South 19th Street, who represented the neighborhood and spoke in support of the Hearings Examiner's decision.

Also speaking to the Council was Mr. Harold Bond, 3112 South 17th Street, who spoke to the Council in support of the Hearings Examiner's decision.

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

The appeal was denied.

Resolution No. 28443

Authorizing execution of an agreement with Donald J. Scalara relative to a variance granted regarding the property located on the southeast corner of Sixth Avenue and Meyers Street.

Mayor Sutherland moved that the Resolution be adopted. Seconded by Council Member Ladenburg. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 28444

Authorizing execution of an agreement with Douglas R. Dyckman, Jr. and Janet A. Dyckman relative to a variance granted regarding the property located on the northwest corner of North 30th and Pine Streets.

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Mayor Sutherland moved that the Resolution be adopted. Seconded by Council Member Ladenburg. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 28445

Changing the date of the advisory vote on the question of displaying neon art in the Tacoma Dome from September 18, 1984 to November 6, 1984.

Mayor Sutherland moved to remove Resolution No. 28445 from the agenda. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 28445 was removed from the agenda.

REPORTS BY CITY MANAGER:

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

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Council Member Bichsel announced that Council Members Kirby and Stenger would participate in the Appointments Committee meeting on August 20, 1984, due to anticipated absences of two of the Council Members that are on the Appointments Committee.

Mayor Sutherland moved to recess to Executive Session to discuss possible litigation and personnel matters. Seconded by Council Member Ladenburg. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 7:34 p.m. and reconvened at 8:01 p.m.

On proper motion, the meeting adjourned at 8:02 p.m.


DOUG SUTHERLAND, MAYOR

ATTEST: 

GENELLE BIRK, CITY CLERK

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