

CITY COUNCIL MINUTES

City Council Chambers  
January 22, 1985

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

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

(Mayor Sutherland arrived at 5:25 p.m.)

The Flag Salute was led by Council Member Bichsel.

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CONSENT AGENDA

Approval of the minutes of the regular meeting of January 15, 1985.

PETITIONS:

- a. Mustang Investments, Inc., requesting reclassification of the property located in the vicinity of South 52nd and Tyler Streets from an "R-2" District to an "R-3" District.

For referral to the Hearings Examiner.

- b. North Shore Investments requesting reclassification of the property located in the vicinity of 49th Avenue N.E. and 41st Street N.E. from an "R-2" District to an "R-2-PRD" District.

For referral to the Hearings Examiner.

- c. Johnstone Supply requesting reclassification of the property located at 2134 Tacoma Avenue South from a "C-3" District to an "M-1" District.

ASSESSMENT ROLLS:

The Director of Public Utilities presents the Assessment Roll for the following:

L.I.D. 5650 for construction of a water main in East "C" Street from East 40th Street to East 43rd Street and in East 43rd Street from East "B" Street to East "C" Street.

Setting Monday, February 25, 1985 at 5:00 p.m. as the date for hearing by the Hearings Examiner.

APPEALS:

- a. Donald F. Rudy appealing the denial of his application for a For-Hire Vehicle Drivers License by the Department of Tax and License.

Setting Thursday, January 24, 1985, at 1:00 p.m. as the date for hearing by the Hearings Examiner.

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- b. Carolyn Else and Bonnie and Lawrence Thompson appealing the decision of the Hearings Examiner regarding his denial of their request for reconsideration of his decision to approve the request of the University of Puget Sound's for a 20-foot side yard variance on Lawrence Street between North 13th and North 15th Streets to allow an addition to the Student Union Building.

Setting Tuesday, February 5, 1985, at 6:00 p.m. as the date for hearing.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner agenda for Tuesday, January 22, 1985.  
b. Minutes of the meeting of the Tacoma Planning Commission, December 17, 1984.  
c. Minutes of the meeting of the Tacoma Arts Commission, November 28, 1984.  
d. Minutes of the meeting of the Public Utility Board, December 26, 1984.  
e. Minutes of the meeting of the Tacoma Public Library Board of Trustees, November 20, 1984.

Deputy Mayor Strege noted that the appeal of Carolyn Else and Bonnie and Lawrence Thompson, regarding the request of UPS for a 20-foot side yard variance, will be scheduled for Tuesday, February 5, 1985. He stated that this matter was related to an appeal previously scheduled for this date. He noted that this was a divergence from normal City policy.

Council Member Bichsel moved that the Consent Agenda be approved. Seconded by Council Member Hyde. 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

COMMUNICATIONS:

City Clerk advising that the Civil Service Board has filed a proposed amendment to Personnel Rules 1.24.130 and 1.24.725 of the Civil Service & Personnel Rules.

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

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FINAL READING OF ORDINANCES:

Ordinance No. 23285

Amending Chapter 13.06 of the Official Code to reclassify the south side of Highlands Parkway approximately 300 feet west of Pearl Street from an "R-4-L-PRD" Retirement Home District to an "R-3-PRD" Planned Residential Development District. (Collins Condominium Corporation, File No. 120.1097)

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Council Member Rasmussen announced that he would abstain from consideration of this matter and left the Council Chambers.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hyde, Kirby, Ladenburg, Stenger, Strege, and Warrnick.

Nays: 0.

Absent: 1 - Mayor Sutherland.

Abstaining: 1 - Rasmussen.

The Ordinance was declared passed.

Ordinance No. 23291

Amending Chapter 13.06 of the Official Code to reclassify the property located approximately 140 feet north of the northeast corner of South 38th and Pine Streets from an "R-4" Multiple-Family Dwelling District to a "C-2" Commercial District. (Gramore, Inc., File No. 120.1098)

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hyde, Kirby, Ladenburg, Stenger, Strege, and Warrnick.

Nays: 0.

Absent: 2 - Rasmussen and Mayor Sutherland.  
The Ordinance was declared passed.

Ordinance No. 23327

Amending Chapter 13.06 of the Official Code to allow general business offices as outright permitted uses within "T" Transitional districts.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hyde, Kirby, Ladenburg, Stenger, Strege, and Warrnick.

Nays: 0.

Absent: 2 - Rasmussen and Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 23328

Amending the Pay and Compensation Plan to extend the Bus Pass Subsidy Program for employees of the City of Tacoma throughout 1985.

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Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hyde, Kirby, Ladenburg, Stenger, Strege, and Warrnick

Nays: 0.

Absent: 2 - Rasmussen and Mayor Sutherland.

The Ordinance was declared passed.

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Mayor Sutherland arrived (5:25 p.m.).

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Ordinance No. 23329

Amending Chapter 11 of the Official code relating to traffic and parking to provide authorization for peace officers to remove vehicles unlawfully parked in zones designated for the physically handicapped.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strege, Warrnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23330

Providing for the formation of L.I.D. 3873 for construction of sanitary sewers in North 48th Street from North Highland Avenue to North Pearl Street.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strege, Warrnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

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Mayor Sutherland proclaimed the month of January, 1985, to be "Alcohol Abuse and Alcoholism Awareness Month," and presented the proclamation to Mr. Mike Towe of the Pierce County Human Services Department.

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Mayor Sutherland proclaimed the week of January 21-27, 1985, to be "Junior League Week," and presented the proclamation to Ms. Joanne Bamford, President of the Junior League of Tacoma.

FIRST READING OF ORDINANCES:

Ordinance No. 23331

Amending Chapter 5.68 of the Official Code, relating to taxation of persons engaging in multiple business activities.

The Ordinance was set over for final reading next week.

Ordinance No 23332

Amending Section 8.12.010 of the Official Code by repealing Subsection 11 relating to hypnotism, mesmerism, etc.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Purchase Resolution No. 28618

Awarding contracts to:

1. Sorella Trucking Co., Inc., on their bid of \$14,001.60 for furnishing, hauling and stockpiling sand and gravel, Work Order No. G0780, Specification No. G-172-84;
2. Hall Signs, Inc., on their bid of \$16,902.99 for Aluminum sign blanks - Specification No. G-153-84;
3. Pacific Coast Truck Center on their bid of \$121,785.97 for one sludge tanker truck - Specification No. G-138-84;
4. Woodworth & Company, Inc., on their bid of \$6,500.00 for road salt 1984 - Open Purchase Order;
5. Dye Plastics, Inc., on their bid of \$184,821.91 for 60-gallon refuse containers - Specification No. G-156-84;
6. Dye Plastics, Inc., on their bid of \$97,110.00 for 90-gallon refuse containers - Specification G-162-84;
7. Multigraphics on their bid of \$16,693.00 for annual maintenance agreement - Printing Equipment; and
8. Firesafe Fire & Safety Equipment, Inc., on their bid of \$6,500.00 for open Purchase increase - 1984.

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

Mayor Sutherland moved to waive the formal bidding procedures on Purchase Item No. 7. Seconded by Council Member Hyde. 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. 28619

Identifying the City of Tacoma's issues of concern as set forth in the City of Tacoma's "Statement of Policy Position and Legislative Goals for the 99th Session of the United States Congress."

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

Resolution No. 28620

Authorizing the execution of an agreement in the amount of \$92,619.00 with the Pierce County Department of Assigned Counsel to furnish legal services to indigent defendants appearing in the Municipal Courts during 1985.

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

Resolution No. 28621

Authorizing the execution of an agreement in the amount of \$48,500.00 with Pierce County District Court Probation Department to provide probation services to the Tacoma Municipal Court during 1985.

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

Resolution No. 28622

Authorizing the execution of an amended agreement with the Tacoma-Pierce County Economic Development Board for the development of recommendations and programs for economic development in the City of Tacoma.

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

Resolution No. 28623

Authorizing the execution of an agreement with Tacoma-Pierce County Chamber of Commerce in the amount of \$43,000.00 for the implementation of a tourism marketing and promotion program to enhance tourism and convention development in the City of Tacoma.

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

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Resolution No. 28624

Approving the SR-509 Analysis Recommended Alternative and recommending that a steering committee be established to identify all funding sources and secure the necessary agreements or legislation for implementation by 1986.

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

Resolution No. 28625

Allocating \$8,000.00 of General Revenue Sharing money to the Washington Childrens' Learning Centers/We Care Learning Center budget for 1985.

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

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PUBLIC HEARINGS AND APPEALS: (Began at 5:58 p.m.)

This is the date set for hearing the appeal of Joan Lech regarding the decision of the Hearings Examiner to approve the request of the Atlantic Richfield Company for reclassification of the property located at the northeast corner of Orchard Street and South 56th Street. (File Nos. 120.1099 and 121.979)

Council Member Bichsel stated that she had received calls from two women regarding this issue. She indicated that she informed the women she could not discuss the issue prior to the appeal.

Council Member Kirby stated that he also had been contacted by individuals expressing concerns regarding both the City's reclassification and a similar Pierce County Reclassification. He stated that this would not affect his voting and that he would be unbiased on the issue.

Council Member Stenger stated that he had received a telephone call urging him to vote a particular way on this matter. He stated that it would not affect his vote on the issue.

Mr. Robert Backstein, City Attorney, reviewed the guidelines and procedures to be used during the appeal.

Mr. James Thrasher, Hearings Examiner pro tem, made a presentation regarding the appeal.

Mr. Grant Anderson, Attorney representing Ms. Joan Lech, spoke to the Council on the reasons for the appeal.

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Mr. Geoffrey Moore, Director of Land Planning for Pac-Tech Engineering and representing Atlantic Richfield Company, made a presentation to the Council in support of the Examiner's decision.

Speaking to the Council in support of the appeal were:

Marsha Wilkowsky  
Harold H. Bond

4816 South 48th Street  
Tacoma Housing Authority

Deputy Mayor Strege moved that the appeal be upheld and that the request for reclassification of Atlantic Richfield Company be denied. Seconded by Council Member Ladenburg. Roll call vote was taken, resulting as follows: Ayes: 8 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strege, and Mayor Sutherland. Nays: 0. Absent: 1 - Warrnick. The motion was declared adopted.

The appeal was upheld.

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COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

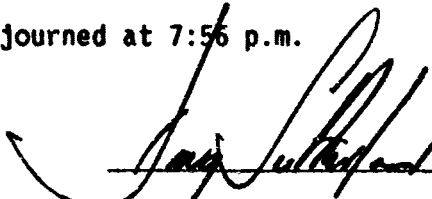
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Mayor Sutherland moved to recess to Executive Session to discuss litigation. Seconded by Deputy Mayor Strege. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 7:15 p.m. and reconvened at 7:55 p.m.

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On proper motion, the meeting adjourned at 7:56 p.m.

  
DOUG SUTHERLAND, MAYOR

ATTEST:   
GENELLE BIRK, CITY CLERK

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