

CITY COUNCIL MINUTES

City Council Chambers
February 26, 1980

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

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

The Flag Salute was led by Councilman Sutherland.

CONSENT AGENDA

Approval of the minutes of the regular meetings of February 13 and February 19, 1980.

RESOLUTIONS:

Resolution No. 26274

Setting Tuesday, April 1, 1980 at 9:30 a.m., as the date for hearing by the Hearings Examiner the request for vacation of a portion of the alley south of North Tacoma Avenue on the west side of North 1st Street. (Betz, Love & Syford)

ASSESSMENT ROLLS:

The Directors of Public Works and Public Utilities present assessment rolls for the following:

L.I.D. No. 6953, for construction of modern street lighting in JOSEPH MAYER'S FIRST ADDITION in the area of North 39th and Winnifred Streets.

L.I.D. No. 7704, for placing underground existing overhead electrical, cable and telephone systems in a portion of Soundview Drive West.

L.I.D. No. 8224, for asphalt concrete paving in the alley between South "J" and Thompson Avenue from South 38th to South 39th; on South 52nd from South "D" to Pacific Avenue; South "I" from South 59th to South 61st; American Lake Blvd. from South Gove to South Cheyenne; East 63rd from East "N" to Portland Avenue; and permanent paving on East 71st from East "L" to East "M" Street.

Fixing Monday, April 14, 1980 at 5:00 p.m. as the date for hearing by the Hearings Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner agenda for Tuesday, February 26, 1980.
- b. Minutes of the meeting of the Tacoma Employees' Retirement System, January 31, 1980.
- c. Minutes of the meetings of the Human Relations Commission, December 6, 1979 and January 17, 1980.
- d. Minutes of the meeting of the Tacoma Public Library, Board of Trustees, January 15, 1980.
- e. Minutes of the regular meeting of the Board of Park Commissioners, February 11, 1980.
- f. Minutes of the meeting of the Civil Service Board, February 4, 1980.
- g. The Department of Community Development filing the Grantee Performance Report - 4th Year, February, 1980.
- h. The Tacoma Police Department filing the Monthly Summary of Crime Statistics for October, 1979.

Councilwoman Bichsel moved that the Consent Agenda, recluding Resolution No. 26274, be approved. Seconded by Councilman Hawkins. Voice vote was taken and carried. The Consent Agenda was declared approved.

PROCLAMATIONS:

Deputy Mayor Nielsen proclaimed Sunday, April 13, 1980, as Normanna Male Chorus Day in the City of Tacoma; the celebration to take place at the Central Lutheran Church.

R E G U L A R A G E N D A

COMMUNICATIONS:

- a. Hearings Examiner submitting Shoreline Management Permit Application No. 141.216 of Pick's Cove Marine to retain an existing access ramp and float, located south of E. 19th and west of E. "D" Street on City Waterway (1930 E. "D").

Councilman Sutherland 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, Evans, Hawkins, Kirby, Nielsen, Rasmussen, Strege and Sutherland. Nays: 0. Absent: 1 - Mayor Parker. The motion carried.

- b. Hearings Examiner submitting Shoreline Management Permit Application No. 141.217 of St. Regis Paper Company, to allow installation of an additional Lime Mud Storage Tank, located approx. 1,000 feet northwest of E. 11th Street between the St. Paul and Puyallup Waterways (801 Portland Avenue).

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

FINAL READING OF ORDINANCES:

Ordinance No. 21993

Amending the Pay and Compensation Plan to implement 1980 rates for contracts negotiated with various unions.

Councilman Strege moved to delete those wages and salaries not established through union negotiations. Seconded by Councilman Kirby. There was question as to which classifications were included in this motion. Vote on the motion and further discussion was deferred to later in the meeting.

Ordinance No. 21994

Appropriating \$5,814, or so much thereof as may be necessary, from the General Fund to pay the City's membership share of the National League of Cities building fund assessment, 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: 6 - Bichsel, Evans, Hawkins, Nielsen, Rasmussen and Sutherland.

Nays: 2 - Kirby and Strege.

Absent: 1 - Mayor Parker.

The Ordinance was declared passed.

Ordinance No. 21995

Authorizing purchase or condemnation of certain property for off-street parking in connection with the Main Branch Library located on the west side of Tacoma Avenue between 11th and 12th Streets.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Mayor Parker

The Ordinance was declared passed.

Ordinance No. 21999

Amending Ordinance No. 21916 to reflect increased contributions by City and County to the Health Department's Health Pooling Fund.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Mayor Parker.

The Ordinance was declared passed.

Ordinance No. 22000

Approving and confirming the assessment roll for L.I.D. 2481 for asphalt surface treatment on various streets in the City.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Mayor Parker.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 22001

Authorizing the transfer of \$13,200 from the Contingency Fund to the General Fund; appropriating said sum, or so much thereof as may be necessary, from the General Fund to pay costs of services to be rendered by John Field under a consultant agreement; 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. 22002

Amending Chapter 13.06 of the Official Code to reclassify the northwest corner of So. 19th and "K" Streets from an "R-3" and "C-1" to an "R-3-TM" District. (Connemara)

Deputy Mayor Nielsen sought clarification as to the location of the proposed reclassification. It was established that the reclassification was on the northeast corner.

Councilwoman Bichsel moved to amend the ordinance on Page 2, Line 6, to read "northeast corner." Seconded by Councilman Sutherland. Voice vote was taken and carried.

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

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

Councilman Hawkins moved to suspend the rules to revert to final reading of Ordinance No. 21993 for consideration at this time. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

Ordinance No. 21993

Amending the Pay and Compensation Plan to implement 1980 rates for contracts negotiated with various unions.

Rich Sokolowski, Personnel Director, advised that the only unrepresented class in the ordinance was under Section 6, the Finance Director.

Councilmembers Kirby and Strege withdrew their prior motion made on this ordinance.

Councilman Hawkins moved to substitute corrected Page 4 in the Ordinance. Seconded by Councilman Rasmussen. Voice vote was taken and carried.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Mayor Parker.

The Ordinance was declared passed.

Councilman Hawkins moved to suspend the rules to consider first reading of Ordinance No. 22003. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

Ordinance No. 22003

Accepting a gift of \$3,000 from Weyerhaeuser Corporation for Sister City purposes; appropriating \$3,000 from the General Fund for said purposes 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.

RESOLUTIONS:

Purchase Resolution No. 26275

Awarding contracts to:

1. Gordon L. Jones Concrete on its bid of \$11,026.50 for Sidewalk Construction;
2. Property Elegance on its bid of \$41,562.29 for Lister School - Basketball Courts & Playground Equipment.

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. 26276

Authorizing execution of a sewerage service agreement with Pierce County in the vicinity of East 72nd and East Roosevelt Avenue.

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. 26277

Increasing the compensation paid on a consulting engineering agreement with Parametrix, Inc., in the amount of \$6,533.97 due to cost overruns.

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. 26278

Authorizing execution of an agreement with the PTBA to provide a temporary General Fund loan in an amount not to exceed \$650,000.

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. 26279

Approving the preliminary plat for PARKSIDE TERRACE located south of East 57th and 500 feet west of McKinley Avenue. (Bill Burney)

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. 26280

Approving the preliminary plat for DASH POINT ESTATES located east of Browns Pt. Blvd. between about 53rd Street NE and Dash Point Water Works Road. (Trans Canada Enterprises, Ltd.)

Councilwoman Bichsel moved that the Resolution be adopted. Seconded by Councilman Hawkins.

Councilman Strege moved that the Resolution be continued for one week. Seconded by Councilman Kirby. Voice vote was taken and declared failed.

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

Resolution No. 26281

Authorizing the City Manager to take necessary steps to purchase a 2.6 acre site at North 47th and Baltimore Streets for future park/playground purposes.

Councilman Rasmussen moved to adopt Substitute Resolution No. 26281. Seconded by Councilwoman Bichsel.

Councilman Rasmussen moved to amend the resolution on Page 1, Line 23 by removing the word "future." Seconded by Councilman Sutherland. Voice vote was taken and carried.

Speaking on the resolution were: John Wellock, 5343 No. 48th and Martha Wilkeson, 4722 No. Highland.

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

Resolution No. 26282

Appointing Lilly Piva to replace Helena Shelly on a Human Relations Hearings Tribunal for the matter of Edwards vs. Metropolitan Development Council.

Councilman Sutherland moved to adopt Substitute Resolution No. 26282. Seconded by Councilman Hawkins.

The Substitute Resolution appoints Steven Fortson in place of Lilly Piva to replace Helena Shelly.

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

PUBLIC HEARINGS AND APPEALS:

This is the date set for hearing the appeal of Gary Davis, requesting waiver of the off-street parking stall requirements to allow a 12-unit, apartment building for the elderly to provide .33 parking stalls per unit rather than the normally required 1.25 stalls per unit, located on the south side of North "K" Street between North 4th and 5th Streets.

Gary Sullivan, Hearings Examiner, reviewed the request for waiver of the off-street parking stalls and his reasons for denying the request.

Henry Haas, Attorney representing Gary Davis, reviewed the appeal which Council had received and answered questions of Council members.

Also speaking was Gary Davis, owner and developer of the property residing at 408 North "K".

Speaking in opposition to a waiver of the normally required parking stalls for a 12-unit apartment were: Alice Peoples, 1112 No. 5th and Keith Janguard, 1102 No. 5th Street.

Councilman Strege moved to overrule the appeal and concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Councilwoman Bichsel. Roll call vote was taken, resulting as follows: Ayes: 4 - Bichsel, Nielsen, Strege and Sutherland. Nays: 4 - Evans, Hawkins, Kirby and Rasmussen. Absent: 1 - Mayor Parker. The motion was declared failed.

On question of Council, City Attorney Bob Hamilton advised that as the result of the motion which failed, the Hearings Examiner's decision is affirmed.

Councilman Evans then moved to reconsider and continue the matter for one week. Seconded by Councilman Kirby. Roll call vote was taken, resulting as follows: Ayes: 5 - Evans, Hawkins, Kirby, Nielsen and Rasmussen. Nays: 3 - Bichsel, Strege and Sutherland. Absent: 1 - Mayor Parker. The motion carried.

Councilman Kirby then moved that the matter be taken under advisement and a decision be made at a later date. Seconded by Councilman Evans. Voice vote was taken and carried with Councilwoman Bichsel dissenting. The appeal was taken under advisement.

Councilman Sutherland moved to recess into Executive Session for the purpose of discussing personnel matters. Seconded by Councilman Kirby. Voice vote was taken and carried. Council recessed at 7:25 p.m. Council reconvened at 7:45 p.m.

On proper motion, the meeting adjourned at 7:45 p.m.

Harold E. Nielsen, Jr.
HAROLD E. NIELSEN, JR. - DEPUTY MAYOR

ATTEST: *Catherine Ursich*
CATHERINE URSICH
ACTING CITY CLERK