

CITY COUNCIL MINUTES

City Council Chambers
September 14, 1982

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

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

The Flag Salute was led by Councilman Kirby.

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

Approval of the minutes of the regular meeting of September 7, 1982.

RESOLUTIONS:

Resolution No. 27560

Setting Tuesday, October 19, 1982 at 6:00 p.m. as the date for a public hearing on proposed amendments to the Official Code to extend the time frames established for decisions issued by the Hearings Examiner and the Land Use Administrator.

Resolution No. 27561

Setting Monday, October 11, 1982 at 5:00 p.m. as the date for hearing by the Hearings Examiner L.I.D. 7706 for the installation of overhead and underground primary electric service between 283rd and 32nd Avenue East and approximately 291st and 37th Avenue East.

Resolution No. 27562

Setting Monday, October 11, 1982 at 5:00 p.m. as the date for hearing by the Hearings Examiner L.I.D. 5636 for the construction of water mains in South 93rd and South 94th Streets from Alaska Street to approximately 625 feet west.

Resolution No. 27563

Setting Tuesday, November 2, 1982 at 10:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate a portion of the right of way of South 40th Street easterly of Steele Street. (City of Tacoma)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner's agenda for Tuesday, September 14, 1982.
- b. Minutes of the meeting of the Civil Service Board, August 16, 1982.
- c. Minutes of the meeting of the Public Utility Board, August 25, 1982.

Deputy Mayor Nielsen moved that the Consent Agenda, including Resolutions 27560, 27561, 27562, and 27563, be approved. Seconded by Councilwoman Bichsel. Voice vote was taken and carried. The Consent Agenda was declared approved.

REGULAR AGENDA

Mayor Sutherland announced that the presentations for the Tacoma Public Library Summer Reading Program will be made at approximately 6 p.m.

The Mayor then announced that there will be a reception honoring Maxine Minns for her contributions to the community, on Sunday, September 19, 1982, from 5 to 9 p.m. at Peoples Center, 1602 South "K" Street.

COMMUNICATIONS:

Hearings Examiner recommending approval of the request of Edward P. Miller for final plat approval for Miller's Second Addition located on South 83rd and east of Sheridan.

Deputy Mayor Nielsen moved to concur with the Findings, Conclusions, and Recommendations of the Hearings Examiner. Seconded by Councilman Strege. Voice voted was taken and carried.

FINAL READING OF ORDINANCES:

Ordinance No. 22770:

Amending the Pay and Compensation Plan relative to the salary of the Civil Service Coordinator classification.

Councilman Kirby moved to continue Ordinance No. 22770 for one week to allow an opportunity for the Council to meet with the Civil Service Board. Seconded by Councilman Strege.

Roll call vote was taken, resulting as follows:

- Ayes: 3 - Hawkins, Kirby, and Strege.
- Nays: 4 - Bichsel, Ladenburg, Nielsen, and Mayor Sutherland.
- Absent: 2 - Hyde and Rasmussen.

The motion was declared failed.

Roll call vote was taken on the Ordinance, resulting as follows:

- Ayes: 4 - Bichsel, Ladenburg, Nielsen, and Mayor Sutherland.
- Nays: 2 - Hawkins and Strege.
- Abstaining: 1 - Kirby.
- Absent: 2 - Hyde and Rasmussen.

The Ordinance was declared failed.

Councilman Hawkins announced that, as he had voted on the prevailing side, he was giving notice that he intended to bring this Ordinance up for consideration at next week's Council meeting.

FIRST READING OF ORDINANCES:

Ordinance No. 22771

Authorizing the transfer of \$535,000.00 from the Stadium Development Fund to the Performing Arts Center Grant Fund; appropriating said sum, or so much thereof as may be necessary, from the Performing Arts Center Grant Fund for the construction of the Performing Arts Center; and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Testifying in opposition to the Ordinance was:

Ken Swanson, 1417 South Durango.

The Ordinance was set over for final reading next week.

Ordinance No. 22772

Amending Section 11.16.340 of the Official Code to add a new subsection relating to tinting or coloring material on vehicle windows.

The Ordinance was set over for final reading next week.

Ordinance No. 22773

Appropriating \$192,217.07, or so much thereof as may be necessary, from the Community Development Grants Summary Fund for Community Development projects.

The Ordinance was set over for final reading next week.

Ordinance No. 22774

Amending the Official Code to add a new Chapter, designated as Chapter 1.46, which establishes a Code of Ethics for the officials and employees of the City of Tacoma.

Councilman Ladenburg moved to suspend the rules to consider Substitute Ordinance No. 22774, seconded by Councilman Hawkins. Voice vote was taken and carried.

Speaking on the Ordinance was:

Cynthia Hammer, representing the League of Women Voters.

Mayor Sutherland moved to continue Substitute Ordinance No. 22774 for a period of two weeks. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

The Substitute Ordinance will be considered under "First Reading of Ordinances" at the Council meeting on September 28, 1982.

Mayor Sutherland announced that it was time to consider Item 13, "Public Hearings and Appeals."

PUBLIC HEARINGS AND APPEALS: (6:12 p.m.)

This is the date set for public hearing on the annexation of property located South of Dash Point State Park. (Block Brothers Industries (USA))

George Hoivik of the Planning Department made a staff report regarding the proposed annexation.

Speaking in favor of the annexation was:

Mr. Tom Fishburne, an attorney, representing Block Brothers Industries (USA).

There being no further public testimony, the hearing was declared closed at 6:15 p.m.

This is the date set for hearing the appeal of Jonathan E. Palmer on the recommendation of the Hearings Examiner to affirm the decision of the Land Use Administrator approving the request of Perry F. Palmer for a variance to allow the conversion of a single-family dwelling located approximately 75 feet north of the northwest corner of South 56th and Warner Streets, into a duplex.

Mr. Backstein made a presentation regarding his findings and recommendations on this matter. Johnathan E. Palmer spoke on his reasons for the appeal. Mr. Perry Palmer, the applicant, spoke regarding his request for a variance.

Deputy Mayor Nielsen moved to concur with the Findings, Conclusions and Recommendations of the Hearings Examiner and to deny the appeal. Seconded by Councilwoman Bichsel.

Roll call vote was taken, resulting as follows:

- Ayes: 4 - Bichsel, Hawkins, Nielsen and Mayor Sutherland.
- Nays: 3 - Kirby, Ladenburg, and Strege.
- Absent: 2 - Hyde and Rasmussen.

The appeal was declared denied.

PRESENTATIONS:

Tacoma Public Library Summer Reading Program.

Mayor Sutherland and members of the City Council presented certificates to children receiving awards for their participation in the Tacoma Public Library Summer Reading Program.

RESOLUTIONS:

Resolution No. 27552 (Continued from the meeting of September 7, 1982.

Submitting to the electors of the City of Tacoma at a special election on November 2, 1982 proposed amendments to the Charter of the City of Tacoma.

Councilman Hawkins moved that further consideration of Resolution No. 27552 be continued until Tuesday, January 11, 1983. Seconded by Councilman Strege. Roll call vote was taken, resulting as follows:

- Ayes: 5 - Bichsel, Hawkins, Kirby, Nielsen, Strege.
- Nays: 1 - Mayor Sutherland.
- Abstaining: 1 - Ladenberg.
- Absent: 2 - Hyde, Rasmussen.

The Resolution will be considered at the regular City Council meeting on January 11, 1983.

Purchase Resolution No. 27564

Awarding contracts to:

1. Platt Electric Supply on their bid of \$3,195.00 for traffic signal lamps; and
2. Woodworth & Company, Inc. on their bid of \$1,051,197.43 for the East 23rd Street - East "D" to Dock Street Project - Specification No. G-84-82.

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

Resolution No. 27565

Authorizing the execution of an agreement with the Washington State Department of Transportation of \$13,945.96, for the reimbursement of engineering costs relative to the Tacoma Spur Project (I-705).

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

Resolution No. 27566

Authorizing the execution of an agreement with the Comprehensive Mental Health Center for the purchase of property located at South 8th and Pearl Streets.

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

Resolution No. 27567

Authorizing the execution of an Interlocal Governmental Cooperation Agreement with Tacoma Community College regarding the leasing of college land for the construction of a service center for the handicapped.

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

Resolution No. 27568

Authorizing the execution of an agreement with Reed, Litzenberger and Reinvald of \$67,000.00 for design and construction services for the Tacoma Community Center for the Disabled.

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

Resolution No. 27569

Authorizing the execution of a supplemental agreement with Burlington Northern, Inc., Oregon-Washington Railroad & Navigation Company, and Union Pacific Railroad Company to provide for rates for the Belt Line Railway's switching services and for reimbursement for derailment costs.

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

On proper motion the meeting adjourned at 8:10 p.m.

ATTEST:


GENELLE BIRK, ACTING CITY CLERK


DOUG SUTHERLAND - MAYOR