

CITY COUNCIL MINUTES

City Council Chambers
September 9, 1980

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

Present on roll call: 9 - Bichsel, Hawkins, Hyde, Kirby, Nielsen, Rasmussen, Strege, Sutherland and Mayor Parker. Absent: 0.

The Flag Salute was led by Mayor Parker.

CONSENT AGENDA

Approval of the minutes of the regular meeting of September 2, 1980.

RESOLUTIONS:

Resolution No. 26617

Setting Tuesday, October 14, 1980 at 1:30 p.m., as the date for hearing by the Hearings Examiner the request for vacation of the alley between Trafton and State Streets north of South Tacoma Way. (Terry B. Owen)

Resolution No. 26618

Setting Tuesday, October 14, 1980 at 1:30 p.m., as the date for hearing by the Hearings Examiner the request for vacation of the alley between 26th Street NE and 27th Street NE east from 59th Avenue NE. (Babasinian Investment Company)

APPEAL:

- a. Darrell L. Bowman, Keith B. Lile and Malcolm L. Soine appealing the Hearings Examiner's decision to deny Darrell L. Bowman's request for reclassification of the area located on the north side of East 38th Street, approximately 300 feet west of Portland Avenue, from an "R-2" to an "R-4-L" District.

Setting Wednesday, September 17, 1980 at 5:00 p.m., as the date for hearing.

ASSESSMENT ROLL:

The Director of Public Utilities presents the assessment roll for the following:

L.I.D. 5584, constructing water mains in Blossom Drive from Browns Point Boulevard to 41st Street NE and in 41st Street NE from Blossom Drive to Browns Point Boulevard.

Fixing Monday, October 13, 1980 at 5:00 p.m., as the date for hearing.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner's agenda for Tuesday, September 9, 1980.
- b. Minutes of the meeting of the Civil Service Board, August 18, 1980.
- c. Minutes of the Executive Board of LESA, August 26, 1980.
- d. Quarterly Personnel and Administrative Claim for Reimbursement, Department of Emergency Services, August 22, 1980.
- e. Report of the Director of Finance, July, 1980.

Councilwoman Bichsel moved that the Consent Agenda be approved. Seconded by Councilman Sutherland. Voice vote was taken and carried. The Consent Agenda was declared approved.

Later in the meeting Mayor Parker moved to suspend the Rules to reconsider the Consent Agenda wherein Item No. 7, setting the date for hearing the appeal, was changed to Tuesday, September 16, 1980.

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

HEARINGS ON APPEALS:

This is the date set for hearing the appeal of J. J. Kraft on the Hearings Examiner's decision to establish interim zoning regulations for the area generally bounded by division Avenue and Sixth Avenue on the south, North Steele Street on the west, North Yakima and North 5th on the north and Stadium Way on the east until the North Slope Plan is completed and adopted by the City Council or June 30, 1981, whichever occurs first.

Bob Backstein, Hearings Examiner, asked that this matter be continued until the hearing on the interim zoning for the North Slope, as the appeal is on a part of the North Slope. Mayor Parker moved that the hearing be continued to September 23, 1980. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

Mayor Parker advised that Council Rules of Procedure provide that the regular City Council meeting be held the day after a primary election, which would be next Wednesday, September 17. However, he said he would move that the regular meeting be held on Tuesday, September 16, 1980. Seconded by Councilman Hawkins. Voice vote was taken and carried.

Mayor Parker then moved to reconsider the Consent Agenda in order to amend it by changing the date of hearing the appeal to September 16. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

Mayor Parker then moved to amend the Consent Agenda by changing the hearing date on the appeal of Darrell L. Bowman to September 16, 1980. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The Consent Agenda was approved as amended.

FINAL READING OF ORDINANCES:

Ordinance No. 22172 (Continued from the meeting of September 2, 1980)

Providing for the improvement of L.I.D. 3823 for constructing sanitary sewers in 59th Avenue NE from 25th Street NE to 27th Street NE; 26th Street NE from 59th Avenue NE to 60th Avenue NE and 27th Street NE from 59th Avenue NE to 60th Avenue NE.

On request of Mr. Backstein, Mayor Parker moved that the final reading of the Ordinance be continued for two weeks. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. Final reading of the Ordinance was continued to September 23, 1980.

Ordinance No. 22190

Transferring \$1,450 from the General Fund to the Library Fund and appropriating said sum, or so much thereof as may be necessary, to pay one-half the cost of conducting energy audits at seven libraries.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Nielsen, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 22191

Amending Section 2.02.060 of the Official Code relative to fire zones in the area bounded by South 21st, South "C", South Tacoma Way and South "G".

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Nielsen, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 22197

Amending Sections 2 and 3 of Ordinance No. 21710 for the purpose of expanding the purposes for which the Performing Arts Center Grant Fund may be utilized; authorizing a loan in the sum not to exceed \$155,000, from the General Fund to the Performing Arts Center Grant Fund; appropriating said sum, or so much thereof as may be necessary, for the purpose of completing the architectural services relating to the Pantages Theater building and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Councilman Strege moved to consider corrective Ordinance No. 22197. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Nielsen, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0.

The corrected Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 22195 (Continued from the meeting of September 2, 1980)

Amending Chapter 13.06 of the Official Code to reclassify the area bounded by South 21st, South 23rd, "C" Street and Hood Street from an "M-1" to an "M-2" District. (Columbia Energy Company)

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

The Ordinance was set over for final reading to a date to be determined.

Ordinance No. 22198

Vacating North Steele south of North 28th Street and portion of adjacent ten-foot-wide alley. (Robin T. Swift)

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

The Ordinance was set over for final reading to a date to be determined.

Ordinance No. 22199

Amending Chapter 13.06 of the Official Code to reclassify the area located on the east side of Orchard Street between South 52nd and South 53rd Streets, extended, from an "R-2" to an "R-3-PRD" District. (David Page)

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

The Ordinance was set over for final reading to a date to be determined.

Ordinance No. 22201

Granting a franchise to the Oregon-Washington Railroad & Navigation Co., and its lessee, Union Pacific Railroad Co., to allow the construction of a spur track across St. Paul Avenue near Portland Avenue.

The Ordinance was set over for final reading on September 30, 1980.

Mayor Parker moved to suspend the Rules in order to consider Ordinance No. 22200. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

Ordinance No. 22200

Appropriating \$24,625.00, or so much thereof as may be necessary, from the General Fund to pay the costs of accounting and financial management services for development of a cost allocation plan; authorizing execution of an agreement with Deloitte, Haskins & Sells; and declaring an emergency making necessary the passage of the ordinance and its taking effect immediately upon publication.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 26604 (Continued from the meeting of August 26, 1980)

Expressing the City Council's interest in establishing a sister city relationship with a city in the Peoples Republic of China.

Mayor Parker moved that the Resolution be continued for two weeks. Seconded by Councilman Rasmussen. Voice vote was taken and carried. The Resolution was continued to September 23, 1980.

Resolution No. 26619

Amending Resolution No. 26571 to change the expiration date of Velma L. Boddie's reappointment to the People's Community Center Advisory Board to June 13, 1983.

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. 26620

Approving the final plat for ORCHARD CREST located on the east side of Orchard Street between South 52nd and South 53rd Streets. (Holly Northwest Developments, Ltd.)

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

Mayor Parker moved that the Resolution be continued for one week. Seconded by Councilman Hyde. Voice vote was taken and carried. The Resolution was continued to September 16, 1980.

Resolution No. 26621

Authorizing execution of an amendatory agreement with the Municipal Authority relative to Title IX Long-Term Economic Determination Grant funds.

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. 26622

Authorizing execution of an agreement with Marvin R. Braunstein to allow him to commercially distribute instructional videotape programs produced by the Municipal Television Program to educational agencies outside the State.

Mayor Parker advised that management requests that this Resolution be removed from the Agenda.

Mayor Parker then moved that the Resolution be removed from the Agenda. Seconded by Councilwoman Bichsel. Voice vote was taken and carried. The Resolution was removed from the Agenda.

Resolution No. 26623

Authorizing execution of a lease purchase agreement with IFG Leasing for equipment for General Services Division of the City Clerk's Office and canceling the contract with First Municipal NW.

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. 26624

Authorizing execution of an amendment to agreement with E. Jack Webb and Associates to extend said agreement relating to training participants in the CETA Program under Title II-D.

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

Resolution No. 26625

Authorizing execution of a sewerage service agreement with Pierce County for areas in the vicinity of South 56th and Orchard and East 72nd and East "Q" Streets.

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. 26626

Authorizing execution of an agreement with the Transpo Group, Inc., to study and evaluate alternatives to replacing the East 11th Street Bridge over the Blair Waterway.

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. 26627

Adopting findings showing the reasons for rejection of the bid of Norcoast-Beck Construction in connection with Purchase Resolution No. 26582 of the August 19, 1980 Council Agenda.

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

REPORTS BY THE CITY MANAGER:

City Manager, Erling Mork, reminded Council of the workshop to be held Thursday evening.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Councilman Kirby reported that he has received several telephone calls in the last day or two regarding a church in the north end which had sought a special use permit to operate a school on the premises, which special use permit had been denied. He asked that the City Manager investigate and report on what action the City will take if this is the case that indeed a school is being conducted.

Mayor Parker commented on the public hearing tomorrow evening to be held on proposed amendments to the Zoning Ordinance to define adult theaters and adult bookstores and to regulate the uses to the business district. He said that he would allow as admissible testimony only that testimony that deals with land use matters on the pornography issue.

Upon proper motion, the meeting adjourned at 5:55 p.m.



MIKE PARKER - MAYOR

ATTEST:



H. B. BOND - CITY CLERK