

CITY COUNCIL MINUTES

City Council Chambers
April 22, 1980

The meeting was called to order at 5:08 p.m.

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

The Flag Salute was led by Mayor Parker.

PROCLAMATION:

Mayor Parker proclaimed the week of April 20 - 26, 1980 as "Volunteer Recognition Week" in the City of Tacoma. Kay Highsmith accepted the proclamation on behalf of over 5,000 volunteers.

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

Approval of the minutes of the regular meeting of April 15, 1980.

RESOLUTIONS:

Resolution No. 26373

Setting Monday, May 12, 1980 at 5:00 p.m., as the date for hearing by the Hearings Examiner L.I.D. 2499 for 2" asphalt surface treatment on various streets in the city.

Resolution No. 26374

Setting Monday, May 12, 1980 at 5:00 p.m., as the date for hearing by the Hearings Examiner L.I.D. 2506 for sidewalk construction on Alder Street from South 58th to South 60th; North 23rd from Shirley to Baltimore; 54th Avenue NE from 27th Street NE to 29th Street NE; and other nearby streets.

Resolution No. 26375

Setting Tuesday, April 29, 1980 at 5:00 p.m., as the date for meeting with the initiating parties for a proposed annexation in the vicinity of Marine View Drive and Slayden Road. (Nevin C. White, et al)

Resolution No. 26376

Setting Tuesday, April 29, 1980 at 5:00 p.m., as the date for public hearing on the proposed Urban Development Action Grant application to develop and restore the Old City Hall.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner agendas for Tuesday, April 22, 1980 and Thursday, April 24, 1980.

The Clerk advised that there was an error in the minutes on Page 4 under Resolution No. 26372. The minutes show a voice vote was taken on the resolution when in fact a roll call vote was taken resulting in Ayes: 7 - Bichsel, Kirby, Nielsen, Rasmussen, Strege, Sutherland and Mayor Parker. Nays: 1 - Hawkins.

Deputy Mayor Nielsen moved that the correction be made. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

Deputy Mayor Nielsen moved that the Consent Agenda as amended, including Resolutions Nos. 26373, 26374, 26375 and 26376, be approved. Seconded by Councilwoman Bichsel. The Consent Agenda, as amended, was declared approved.

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

COMMUNICATIONS:

- a. Hearings Examiner recommending that the request of J. J. Harkey Company for reclassification of the southeast corner of South 72nd and Alaska Streets from an "R-2" to an "R-2-T" District and a Conditional Use Permit be denied. (An appeal has been filed).

Councilman Rasmussen excused himself from sitting in on consideration of the item due to the appearance of fairness doctrine. Councilman Rasmussen left the Council Chambers.

Gary Sullivan, Hearings Examiner, reviewed the request for Councilmembers and his reasons for recommending denial.

Speaking on behalf of the appellant, J. J. Harkey Company, was Attorney Thomas L. Fishburne, who urged Council to overrule the recommendation of the Hearings Examiner and grant the appeal.

Speaking on behalf of certain property owners in the neighborhood was Attorney Derrill Bastian who urged Council to uphold the Hearings Examiner recommendation and overrule the appeal.

Councilman Kirby moved that the appeal be denied and that Council concur in the recommendation of the Hearings Examiner. Seconded by Councilwoman Bichsel. Roll call vote was taken, resulting as follows:

Ayes: 3 - Bichsel, Kirby and Strege. Nays: 3 - Nielsen, Sutherland and Mayor Parker. Abstaining: 1 - Hawkins. Absent: 1 - Rasmussen. The motion was declared failed.

It was noted by Councilmembers that at the previous Council meeting on April 15th where a tied vote resulted the City Attorney had advised that the Hearings Examiner recommendation would prevail.

Councilman Strege then moved to proceed with the order of the day. Seconded by Councilman Hawkins. Voice vote was taken and carried.

Before moving onto the next item on the agenda, Deputy Mayor Nielsen moved that the Hearings Examiner's recommendation be overruled, that the appeal be granted and that the City Attorney be instructed to bring before the Council the conditions as outlined by the Planning Department. Seconded by Mayor Parker. Roll call vote was taken, resulting as follows: Ayes: 3 - Nielsen, Sutherland and Mayor Parker. Nays: 4 - Bichsel, Hawkins, Kirby and Strege. Absent: 1 - Rasmussen. The motion was declared failed.

- b. Hearings Examiner recommending that the request of D.L. Hansen and Co. for reclassification of the southeast corner of South 12th and Prospect from an "R-2" to an "R-4-L" District be denied.

Deputy Mayor Nielsen excused himself from sitting in on the consideration of this matter due to the appearance of fairness doctrine. He left the Council Chambers.

Hearings Examiner, Gary Sullivan, reviewed the request and his reasons for recommending denial.

Councilman Strege moved to concur in the recommendation of the Hearings Examiner. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

- c. City Attorney recommending that the file on Rezone Request No. 120.795 of Dick McArthur be closed, and Ordinance No. 21136 be tabled.

Councilman Sutherland moved to concur in the recommendation of the City Attorney. Seconded by Councilman Rasmussen. Voice vote was taken and carried.

- d. City Attorney recommending that the file on Rezone Request No. 120.791 of Ronald J. Pelland be closed and Ordinance No. 21109 be tabled.

Councilman Sutherland moved to concur in the recommendation of the City Attorney. Seconded by Councilman Rasmussen. Voice vote was taken and carried.

- e. City Attorney recommending that the file on Rezone Request No. 120.804 of Centennial Villas, Inc., be closed and Ordinance No. 20202 be tabled.

Councilman Sutherland moved to concur in the recommendation of the City Attorney. Seconded by Councilman Rasmussen. Voice vote was taken and carried.

- f. Hearings Examiner advising he has granted a twelve-month extension for submission of the proposed final plat for Allenmore Business Campus - File No. 125.220.

No action was required by the City Council.

FINAL READING OF ORDINANCES:

Ordinance No. 22038 (continued from the meeting of April 15)

Amending Chapter 11.20 of the Official Code by repealing subsections 11.20.010(30) and 11.20.010(22) to change "J" Street from Division Ave. to So. 23rd, and "K" Street from Division Ave. to So. 25th Street, from one-way to two-way traffic.

Mayor Parker moved to consider Substitute Ordinance No. 22038. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

Roll call vote was taken, resulting as follows:

Ayes: 6 - Bichsel, Hawkins, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0

Absent: 2 - Kirby and Nielsen.

The Ordinance was declared passed.

Substitute Ordinance No. 22047

Creating a monthly surcharge to be collected from all water customers within the previously franchised Dash Point Cooperative Water Association service area.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hawkins, Kirby, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0

Absent: 1 - Nielsen

The Ordinance was declared passed.

Ordinance No. 22048

Amending Ordinance No. 21999 entitled "An Ordinance to adopt the Annual Budget of the City of Tacoma for the Fiscal Year 1980."

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hawkins, Kirby, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0

Absent: 1 - Nielsen

The Ordinance was declared passed.

Ordinance No. 22050

Amending Ordinance No. 21477 to correct the legal description for vacation of portions of Yakima Avenue between South 80th and South 83rd Streets." (Herbert Heigel)

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hawkins, Kirby, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0

Absent: 1 - Nielsen

The Ordinance was declared passed.

Ordinance No. 22051

Authorizing the transfer of \$54,056.00 from Contingency Fund to City Street Fund; appropriating \$36,397.00 from General Fund and transferring \$33,034.00 to City Street Fund and \$3,363.00 to Airport Fund; appropriating \$87,090.00 from City Street Fund; appropriating \$3,363.00 from Airport Fund; all for purpose of providing necessary funds to meet costs of snow removal at Airport and City Streets during past winter; 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: 8 - Bichsel, Hawkins, Kirby, Nielsen, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 22052

Amending the pay and compensation plan to implement 1980 rates for contract negotiated between the City and Automotive and Special Services Union Local #461 and amending rates for certain other classifications.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 22054

Amending Chapter 11.28.180 (147) and repealing Subsections 135, 147.7, 148.3, 148.4, 148.5 and 197.1 relative to parking on certain sections of Pacific Avenue.

Speaking against the Ordinance was Eva Cooper, 4327 Pacific Avenue who said she had a business located on Pacific Avenue between South 43rd and 45th Street.

The Ordinance was set over for final reading next week.

Ordinance No. 22055

Amending Chapter 11.28.140 (10.5) of the Official Code relating to additional parking restrictions on South 56th from South Tacoma Way to Puget Sound Avenue.

The Ordinance was set over for final reading next week.

Ordinance No. 22056

Amending Chapter 13.06 of the Official Code to reclassify the southwest corner of South 48th and Pacific Avenue from a "C-1" to a "C-2" District. (Marten's Motors, Inc.)

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

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

Ordinance No. 22057

Appropriating \$40,926.06, or so much thereof as may be necessary, from the Cumulative Reserve for Replacement of Fire Equipment Fund to purchase three vehicles and fire fighting equipment for Northeast Tacoma Station No. 3.

The Ordinance was set over for final reading next week.

Ordinance No. 22058

Appropriating \$28,783.08, or so much thereof as may be necessary, from the Cumulative Reserve for Replacement of Fire Equipment Fund to purchase a Rescue Vehicle.

The Ordinance was set over for final reading next week.

Ordinance No. 22059

Authorizing the issuance and sale of \$27,950,000 Unlimited Tax Levy General Obligation Bonds to construct a convention/sports center and creating two funds to be known as The Stadium Development Fund and the 1980 Stadium General Obligation Bond Fund.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 26358 (Continued from the meeting of April 15th)

Authorizing execution of net billing agreements with Bonneville Power Administration.

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

Resolution No. 26359 (Continued from the meeting of April 15th)

Authorizing execution of power purchase and sales contracts with South Columbia Basin Irrigation District.

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

Purchase Resolution No. 26377

Awarding contracts to:

1. General Electric Company on its bid of \$21,657.31 for Radios;
2. Beckman Instrument Company on its bid of \$21,672.32 for Liquid Chromatograph;
3. Troxler Electronic Laboratories on its bid of \$4,201.47 for Nuclear Densometer;
4. Photo and Sound Company on its bid of \$5,120.00 for Video Equipment;
5. General Fire Equipment Company on its bid of \$28,783.08 for Rescue Vehicles;
6. Mar Jon Contractors, Inc., on its bid of \$145,228.00 for South Park Community Center Expansion Project.

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. 26378

Designating the Tacoma Daily Index as the official newspaper of the city.

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

Resolution No. 26379

Approving the final plat for CENTENNIAL PARK FIFTH ADDITION located on the north side of 33rd Street NE between 49th Avenue NE and 53rd Avenue NE. (Harold L. Juntti)

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. 26380

Authorizing the Board of Administration of the Tacoma Employees' Retirement System to employ Frank Russell Co., Inc., to provide an investment performance analysis for the Retirement Fund.

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

Resolution No. 26381

Authorizing execution of a lease with Ackerley Communications, Inc., for property located generally at 100th Street SW and west of South Tacoma Way.

Councilwoman Bichsel moved that the Resolution be adopted. Seconded by Councilman Sutherland. Roll call vote was taken, resulting as follows: Ayes: 5 - Kirby, Nielsen, Strega, Sutherland and Mayor Parker. Nays: 3 - Bichsel, Hawkins and Rasmussen. The Resolution was declared adopted.

Resolution No. 26382

Authorizing execution of Supplement No. 1 to Agreement No. GC4845 with the State of Washington relative to a surface water study along SR-16.

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

Resolution No. 26383

Cancelling a lease with Evergreen Helicopters, Inc., and authorizing execution of a lease with Tosch Aircraft Industries relative to certain property at the Tacoma Industrial Airport.

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. 26384

Authorizing submission of an application to the Environmental Protection Agency for a grant to construct a Thermophilic Dual Digestion System for sewage sludge treatment at the Central Treatment Plant.

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

Resolution No. 26385

Authorizing execution of an amendment to an agreement with the Metropolitan Park District relating to improvements at the South Park Community Center.

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. 26386

Initiating reclassification of properties specified in the Northeast Tacoma Plan for downzoning and directing the Hearings Examiner to conduct the necessary public hearings.

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. 26387 (First Reading)

Amending the Council Rules of Procedure by adding Rule 16 relative to expenditure of budgeted legislative funds.

Councilman Hawkins moved that first reading of the Resolution be continued for one week. Seconded by Councilman Rasmussen. Voice vote was taken and carried. First reading of the Resolution was continued to April 29, 1980.

PUBLIC HEARINGS:

This is the date set for hearing amendments to Chapter 13.03 and 13.05 of the Official Code to establish a new zoning district (R-2SRD) and to implement new requirements for screening and landscaping of parking areas.

Rod Kerslake, Zoning Administrator of the Planning Department, reviewed the proposed amendments and answered questions of Councilmembers. No one from the public came forward to speak. Mayor Parker then declared the hearing closed.

Mayor Parker said that the next item on the agenda would be the Citizens' Request To Be Heard.

CITIZENS' REQUEST TO BE HEARD:

A group of residents requesting to speak regarding a Community School Program for Meeker Junior High School.

Mignonne Peterson, 1807 58th Street NE, read letters from various school leaders and community members who urged a community schools program at Meeker Junior High School. On inquiry she asked for \$15,000 for a one year program. She said she was advised that this would be the amount of money needed for one Program Coordinator and part-time staff.

Mayor Parker asked the City Manager to review the proposal and come back to the City Council with a report on the costs and also that he talk to the school district and ascertain there willingness to share the expense and find out whether funding is available for this program.


Councilman Strege advised that this matter had been discussed by the Joint Municipal Action Committee and they had recommended Northeast Tacoma as the priority spot for an additional community site. In addition, the Department of Human Development submitted their report on the community schools program, they also recommended Northeast Tacoma as an additional site. He said that he found in reading the report there were surplus funds not spent in previous years in the community schools program and asked that that be reevaluated as there may be monies in the account without appropriating additional funds for this year.

Councilman Kirby asked the City Manager to check with the Human Development Department as to whether they intend to submit this project as a Venture Proposal in the event the Council will indeed be considering Venture Proposals this year.

Mayor Parker moved to recess into Executive Session to consider a legal matter and a personnel matter. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The Council recessed at 7:35 p.m. The Council reconvened at 10:28 p.m.

Mayor Parker moved that the proposed settlement of the case of Sepich vs the City of Tacoma and Ralph Betey be approved as outlined in the letter dated April 22, 1980 for the total sum of \$22,000, which letter is on file in the office of the City Attorney litigation file. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

On proper motion the meeting adjourned at 10:30 p.m.


MIKE PARKER - MAYOR

ATTEST: Catherine Ursich
CATHERINE URSICH
ACTING CITY CLERK