

CITY COUNCIL MINUTES

City Council Chambers  
December 6, 1983

The meeting was called to order at 5:07 p.m.

Present on roll call: 8 - Bichsel, Hawkins, Hyde, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland. Absent: 1 - Kirby (Councilman Kirby arrived at 5:14 p.m.)

The Flag Salute was led by Councilman Ladenburg.

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CONSENT AGENDA

Approval of the minutes of the regular meeting of November 22, 1983, and approval of the minutes of the City Council budget hearings of November 21, 22 and 23, 1983.

PETITIONS:

Vyzis Company requesting the reclassification of the property located on the north side of 6th Avenue between Shirley Street extended north and a line approximately 500 feet west of Orchard Street from a "C-2" and "R3-PRD" to a "C-P-C" District.

For referral to the Hearings Examiner.

FIRST READING OF ORDINANCES:

Ordinance No. 23065

Accepting the donation of a child restraint car seat from the local chapter of Mothers Against Drunk Drivers for use by the Tacoma Police Department.

Ordinance No. 23066

Accepting the contribution in the amount of \$500.00 from the Ben B. Cheney Foundation; depositing said sum in the Miscellaneous Grants Summary Fund; and appropriating said sum from the Miscellaneous Grants Summary Fund for the payment of final expenses associated with the Veterans Memorial Plaza at the Tacoma Dome.

APPEALS:

Robert Lee Dunmire appealing the decision of the Hearings Examiner regarding the denial of his application for a Guard License by the Department of Tax & License.

Resetting Tuesday, December 20, 1983 at 6:00 p.m. as the date for hearing.

ASSESSMENT ROLLS:

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

L.I.D. 2568 for the placement of two-inch asphalt surface treatment on various streets in the north end of the city.

Setting Monday, January 9, 1984 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, December 6, 1983.
- b. Minutes of the meetings of the Civil Service Board, October 17 and November 7, 1983.
- c. Minutes of the meeting of the Human Rights Commission, October 20, 1983.
- d. Minutes of the meeting of the Landmarks Preservation Commission, November 9, 1983.
- e. Minutes of the meeting of the Tacoma Public Library Board of Trustees, September 20, 1983.
- f. Minutes of the meeting of the Municipal Authority, November 17, 1983.
- g. Minutes of the meeting of the Public Utility Board, November 9, 1983.
- h. Minutes of the meeting of the Urban Policy Committee, October 27, 1983.
- i. Tacoma-Pierce County Humane Society Work Reports, September and October, 1983.
- j. Volunteer Services Division, Third Quarter Summary Report, October 1, 1983.
- k. Monthly Financial Reports of the Belt Line Division, Data Processing Division, Self-Insurance Claim Fund, Light Division, and the Water Division, October 1983.
- l. Department of Public Utilities Budget Summary, Fiscal Year 1984.
- m. 1984 Preliminary Annual Budget Presentation, November 21, 1983.
- n. Revised 1983/1984 Fiscal Summary, November 18, 1983.
- o. Citizen petition against the "Mildred Street Alternative" from North 9th to North 17th Streets.

Councilwoman Bichsel moved that the Consent Agenda be approved. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The Consent Agenda, including First Reading of Ordinance Nos. 23065 and 23066, was declared approved.

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REGULAR AGENDA

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Resolution No. 28123

Appointing members to various committees, boards and commissions.

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

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Mayor Sutherland moved to suspend the rules to consider Resolution No. 28132. Seconded by Councilman Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 28132

BY REQUEST OF BICHSEL, HYDE, LADENBURG, RASMUSSEN

WHEREAS a vacancy presently exists on the Planning Commission of the City of Tacoma, and

WHEREAS Harold E. Nielsen, Jr., has been nominated to fill said vacancy; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the nomination of Harold E. Nielsen, Jr. as a member of the Tacoma Planning Commission for a three-year term to expire on January 3, 1987, be and it is hereby confirmed.

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Councilman Kirby arrived at 5:14 p.m.

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

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COMMUNICATIONS:

Hearings Examiner recommending approval of the requests of William E. Higgins for removal of a condition of approval limiting the site located in the vicinity of the northwest corner of South 73rd and Alaska Streets to a service station or convenience grocery store, and for a Special Use Permit to allow an off-street parking area. (Continued from the meeting of November 22, 1983.)

Councilman Strege moved to refer the matter back to the Hearings Examiner for downzoning of the residential property located on the corner of South 73rd and Alaska prior to reconsideration by the Council. Seconded by Councilman Hyde.

After further discussion, Councilman Strege withdrew his motion. Councilman Hyde concurred with the withdrawal.

Councilman Strege moved to amend Conclusion 3.h to add the words "Such property shall be rezoned 'R-2' prior to the issuance of the Special Use Permit." Seconded by Councilman Hyde. Roll call vote was taken, resulting as follows: Ayes: 5 - Bichsel, Hawkins, Hyde, Kirby, and Strege. Nays: 3 - Nielsen, Rasmussen, and Mayor Sutherland. Abstaining: 1 - Ladenburg. The motion was declared adopted.

Councilman Strege moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner, as amended. Seconded by Councilman Hyde. Voice vote was taken and carried, with Councilman Ladenburg abstaining. The motion was declared adopted.

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FINAL READING OF ORDINANCES:

Ordinance No. 23048

Amending Chapter 13.06 of the Official Code to reclassify the property located at the southeast corner of Ruby and Pearl Streets from a "R-2" to a "C-1" District. (Northwest Divers, Inc.; File No. 120.1062)

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23057

Amending Chapter 13.06 of the Official Code to reclassify the property located in the vicinity of South 90th Street and Interstate 5 Freeway from a "PDB" to a "C-F-P" District. (Oscar Hokold; File No. 120.1065)

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23062

Accepting the donation of a portable television set from Sears, Roebuck & Co. for use at the Beacon Senior Center.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23063

Authorizing the execution of a grant award agreement in the amount of \$52,518.00 with the Equal Employment Opportunity Commission; depositing said sum in the Miscellaneous Grants Summary Fund; appropriating said sum, or so much thereof as may be necessary, from the Miscellaneous Grants Summary Fund to process cases involving discrimination in the City; 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: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23064

Accepting a gift in the amount of \$5,331.46 from Grantmaker's Consultants, Inc.; depositing said sum in the General Fund; and appropriating said sum for the purchase of equipment and supplies for the Lighthouse Senior Center.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hawkins, Hyde, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Kirby.

The Ordinance was declared passed.

Ordinance No. 23067

Approving and confirming the Assessment Roll for L.I.D. 2547 for the placement of two-inch asphalt surface treatment on various streets located in the area from East 38th to East 72nd Streets between Portland Avenue and East "I" Street.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hawkins, Hyde, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Kirby.

The Ordinance was declared passed.

Ordinance No. 23068

Approving and confirming the Assessment Roll for L.I.D. 2498 for the construction of streetscape improvements in South Tacoma Way from South 52nd to South 56th Streets.

Roll call vote was taken, resulting as follows:

Ayes: 6 - Bichsel, Hawkins, Hyde, Nielsen, Strege, and Mayor Sutherland.

Nays: 0.

Absent: 2 - Kirby and Rasmussen.

Abstaining: 1 - Ladenburg.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 23059 (Continued from the meeting of November 15, 1983.)

Providing for the levy of ad valorem taxes for Fiscal Year 1984.

Mayor Sutherland moved to suspend the rules to consider Substitute Ordinance No. 23059. Seconded by Councilman Hyde. Voice vote was taken and carried. The motion was declared adopted.

The Substitute Ordinance was set over for final reading next week.

Ordinance No. 23069

Amending Chapter 13.06 of the Official Code to reclassify the northeast corner of South 41st and Steele Streets from an "R-2" to a "C-2" District. (George Barber; File No. 120.1066)

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

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

Ordinance No. 23070

Amending Chapter 13.06 of the Official Code to reclassify the south side of South 48th Street approximately 300 feet west of Orchard Street from an "R-2" to an "R-3" District. (Hal J. Madsen; File No. 120.1053)

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

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

Ordinance No. 23071

Vacating a portion of Alder Street north of South 15th Street. (Joseph S. Glen; File No. 124.750)

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

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

Ordinance No. 23072

Vacating a triangular portion of Steele Street at the northeast corner of Steele and South 41st Streets. (George Barber; File No. 124,749)

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

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

Ordinance No. 23073

Appropriating \$30,000.00, or so much thereof as may be necessary, from the Department of Public Utilities Self-Insurance Claim Fund for the payment of additional claims and judgments for 1983, 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.

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Mayor Sutherland moved to suspend the rules to consider Public Hearings and Appeals. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The motion was declared adopted.

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PUBLIC HEARINGS AND APPEALS: (Began at 6:00 p.m.)

- a. This is the date set for hearing the appeal of Fred Dove on the decision of the Hearings Examiner to deny his request for a Special Development Permit to allow the construction of three one-story triplexes in a "R-2SRD" Special Review District located at the northwest corner of South 38th and Gunnison Streets.

Mr. Tom Dolan, Planning Department, made a presentation regarding the Hearings Examiner's Report.

Mr. Robert P. Klavano, attorney representing Fred Dove summarized the reasons for the appeal.

Mr. Dennis Young, 3723 South Gunnison Street, made a presentation in support of the Hearings Examiner's decision.

Mr. Steve Zimmerman, 3730 South Gunnison, made a presentation in favor of the Hearings Examiner's decision.



Deputy Mayor Nielsen moved to uphold the recommendations of the Hearings Examiner and deny the appeal. Seconded by Councilman Rasmussen. Voice vote was taken and carried. The motion was declared adopted,

The appeal was denied.

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- b. This is the date set for a public hearing on proposed amendments to the Six Year Comprehensive Street Program, 1984-1989, to include the replacement of East 15th Street from "A" Street to Dock Street. (Began at 6:24 p.m.)

Mr. Lynn Price, Public Works Department, made a presentation to the Council on this matter.

Mayor Sutherland called for public testimony on this matter.

There being no testimony, the hearing was declared closed at 6:29 p.m.

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Ordinance No. 23074

Adopting the Annual Budget of the City of Tacoma for 1984.

Councilman Hyde stated that he had provided the Council with a motion for next week's Council meeting regarding budget matters.

The Ordinance was set over for final reading next week.

Ordinance No. 23075

Authorizing the execution of a grant award contract in the amount of \$6,000.00 with the State Office of Archaeology and Historic Preservation; depositing said sum in the Miscellaneous Grants Summary Fund; appropriating said sum, or as much thereof as may be necessary, from the Miscellaneous Grants Summary Fund for the production of a film on historic preservation and revitalization in Tacoma's Central Business District; and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Mayor Sutherland moved to continue Ordinance No. 23075 to December 13, 1983. Seconded by Councilman Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance will be considered at the regular City Council meeting on December 13, 1983.

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**RESOLUTIONS:**

**Purchase Resolution No. 28124**

Awarding contracts to:

1. H. D. Baker on their bid of \$9,550.00 for DEC computer equipment - Specification No. G-190-83;
2. Barton's Service on their bid of \$5,299.00 for maintenance on the plumbing, heating and ventilating equipment in City-owned buildings;
3. Cascade Container Fabrication Company on their bid of \$21,285.11 for rear load drop box refuse containers - Specification No. G-194-83;
4. Slead-Tonnesen, Inc. on their bid of \$12,000.01 for emergency storm sewer extension in East "F" Street between East 74th and East 75th Streets - Specification No. G-213-83; and
5. Sunset Pacific General Contractors on their bid of \$179,163.60 for Phase IV of the YWCA renovation - Specification No. G-183-83.

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

Mayor Sutherland moved to suspend the rules to consider Substitute Exhibit A as a part of the adopting motion. Seconded by Councilman Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

**Purchase Resolution No. 28124 - Substitute Exhibit A**

Awarding contracts to:

1. H. D. Baker on their bid of \$9,550.00 for DEC computer equipment - Specification No. G-190-83;
2. Barton's Service on their bid of \$5,299.00 for maintenance on the plumbing, heating and ventilating equipment in City-owned buildings;
3. Cascade Container Fabrication Company on their bid of \$21,285.11 for rear load drop box refuse containers - Specification No. G-194-83;
4. Slead-Tonnesen, Inc. on their bid of \$12,000.01 for emergency storm sewer extension in East "F" Street between East 74th and East 75th Streets - Specification No. G-213-83; and
5. Sunset Pacific General Contractors on their bid of \$179,163.60 for Phase IV of the YWCA renovation - Specification No. G-183-83.
6. Chevron USA, Inc., on their bid of \$.821 per gallon (truck and trailer, regular) and \$.867 per gallon (truck and trailer, unleaded) for gasoline supply.

Mayor Sutherland moved to waive the formal bidding procedures on Purchase Item No. 2. Seconded by Councilman Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

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

Resolution No. 28125

Authorizing the transfer of specified amounts from various funds to the General Fund to balance the 1984 General Fund Budget.

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. 28126

Authorizing the execution of Amendment No. 4 to the Lease Agreement and Amendment No. 4 to the Operation and Use Agreement with the YWCA relative to the renovation of the building and the operation of a shelter for battered women.

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

Resolution No. 28127

Authorizing the execution of an agreement in the amount of \$24,000.00 with the Metropolitan Park District to make Harmon Park more accessible to the handicapped.

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

Resolution No. 28128

Authorizing the submittal of project prospectuses to the Washington State Department of Transportation for certain street improvements which would utilize Federal Aid Urban System funds and further authorizing the execution of related agreements.

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

Resolution No. 28129

Authorizing the submittal of a project prospectus to the Washington State Department of Transportation for the East 15th Street Bridge, "A" Street to Dock Street Project, which would utilize Federal Aid Bridge Replacement Program funds and further authorizing the execution of related agreements.

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

Resolution No. 28130

Approving the Amended Six Year Comprehensive Street Program 1984-1989.

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

Resolution No. 28131

Authorizing the execution of an agreement with the Puget Sound Council of Governments for the analysis of alternatives to State Route 509.

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

Councilman Hawkins moved to amend line 21 to add the words "provided that the present advisory committee is dissolved and that a new membership is nominated by the Appointments Committee for Council's concurrence." Seconded by Councilman Ladenburg.

Speaking to the Council on the matter was:

Peter Pedone                      Puget Sound Council of Governments

Roll call vote was taken on the motion, resulting as follows: Ayes: 3 - Hawkins, Hyde, and Kirby. Nays: 6 - Bichsel, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland. The motion was declared failed.

Speaking to the Council were:

Jeff Lovely                      President, Downtown Tacoma Association  
Ruth McElliott                      Urban Policy Committee

Roll call vote was taken on the Resolution, resulting as follows: Ayes: 3 - Bichsel, Nielsen, Rasmussen and Mayor Sutherland. Nays: 4 - Hyde, Kirby, Ladenburg, and Strege. Present and not voting: 1 - Hawkins.

Mayor Sutherland requested that Councilman Hawkins' name be called again for vote.

Councilman Hawkins was called for vote.

Councilman Hawkins stated that he had already voted.

Mayor Sutherland changed his vote from "Aye" to "Nay" for purposes of reconsideration at next Tuesday's City Council meeting.

The Resolution was declared failed.

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REPORTS BY CITY MANAGER:

Erling O. Mork, City Manager, requested an Executive Session to discuss litigation and personnel.

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COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Councilman Hyde reported on two grants from the State received by the Tacoma-Pierce County Board of Health related to arsenic testing and to hazardous materials in the South Tacoma channel area.

Councilwoman Bichsel reported on the Energy and Environmental Committee of the National League of Cities relating to hazardous materials moving through cities.

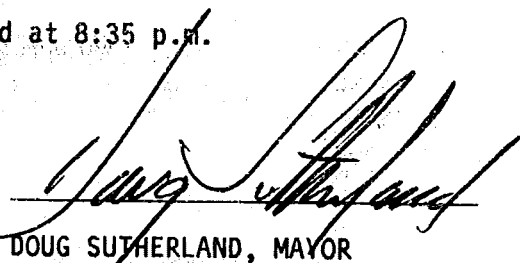
Councilman Kirby requested that the Council be provided with a memo outlining the process and any future meetings with the Urban Arterial Board. He also requested that staff provide the Council with the recommendation of the Public Works Department if the Urban Arterial Board does not fund the Portland Avenue Street Improvement project.

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Mayor Sutherland moved to recess to Executive Session to discuss litigation and personnel. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The motion was declared adopted. Council recessed at 7:42 p.m. to Executive Session to discuss litigation and personnel and reconvened at 8:34 p.m.

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On proper motion, the meeting adjourned at 8:35 p.m.

  
DOUG SUTHERLAND, MAYOR

ATTEST:   
GENELLE BIRK, CITY CLERK