

CITY COUNCIL MINUTES

City Council Chambers
September 17, 1985

The meeting was called to order at 5:11 p.m.

Present on roll call: 8 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Warrick, and Mayor Sutherland.

The Flag Salute was led by Council Member Rasmussen.

CONSENT AGENDA

PETITIONS:

Mary Mason requesting the reclassification of the property located at 2215 South Railroad Street from an "R-2" to a "C-1" District.

For referral to the Hearings Examiner.

APPEALS:

Russell and Barbara Walsh appealing the denial by the Hearings Examiner of their requests for reconsideration of the vacation of a portion of the scenic view point area abutting Narrows Drive and for variances on the west side of Narrows Drive between North 31st and North 35th Streets (extended west).

Setting Tuesday, October 1, 1985 at 6:00 p.m. as the date for hearing by the City Council.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, September 17, 1985.
- b. Minutes of the meeting of the Civil Service Board, August 19, 1985.
- c. Minutes of the meeting of the Municipal Authority, August 15, 1985.
- d. Minutes of the special meeting of the Natural Systems Citizens Advisory Committee, July 25, 1985.
- e. Minutes of the meeting of the Natural Systems Citizens Advisory Committee, August 8, 1985.
- f. Minutes of the meeting of the Urban Policy Committee, August 29, 1985.
- g. Monthly Report of Tacoma Police Department, July 1985.
- h. Metropolitan Development Council, Annual Report 1984.

Council Member Bichsel moved that the Consent Agenda be approved. Seconded by Council Member Hyde. Voice vote was taken and carried. The Consent Agenda was declared approved.

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Mayor Sutherland called on Mr. Al Foote, Community Development Department, who outlined the Urban Demonstration Local Homestead Program and presented the envelopes with names to be drawn for a home.

Mayor Sutherland drew the name of the winner of the Homestead home, who was Ronald Capalla, 1228 South Ferry Street.

Mayor Sutherland then drew the three alternatives, who were:

Alternative No. 1	Teresa Cabasos, 1314 South Yakima
Alternative No. 2	Lynn James, 1948 South Hosmer
Alternative No. 3	John LaRose, 1001 North Whitman

Mayor Sutherland then congratulated the winner and thanked all the participants.

REGULAR AGENDA

COMMUNICATIONS:

Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.365 to allow construction of a two-story addition consisting of a shop, bedroom, and dining room onto an existing over-water single-family residence at #60 Salmon Beach. (Tim Holland; File No. 141.365)

Council Member Bichsel moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Rasmussen. Roll call vote was taken, resulting as follows: Ayes: 8 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Warrick, and Mayor Sutherland. Nays: 0. The motion was declared adopted.

Mayor Sutherland proclaimed the week of September 23-29, 1985, to be "Art Week," and presented the proclamation to Ms. Ruth Kors, Managing Director of the Tacoma Actors Guild.

FINAL READING OF ORDINANCES:

Ordinance No. 23416

Reclassifying the southeast corner of South 37th Street and Pacific Avenue from an "R-3" Two-Family Dwelling District to an "R-3-T" Residential- Commercial Transitional District to allow the construction of two three-story wood frame professional office buildings totaling 15,000 square feet. (Larry R. Bauml; File No. 120.1118)

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12

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City Council Minutes - Page 3 - September 17, 1985

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, and Harnick

Nays: 0.

Absent: 1 - Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 23471

Providing for the formation of L.I.D. No. 5666 for the construction of water mains and related improvements in East 30th Street from East "R" Street to approximately 550 feet east.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, and Harnick

Nays: 0.

Absent: 1 - Mayor Sutherland.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 23472

Amending Section 11.28.230 of the Official Code to provide for two-hour parking on Baker Street and Fawcett Avenue.

The Ordinance was set over for final reading next week.

Ordinance No. 23473

Amending Section 12.06.160 of the Official Code to provide for a Low-Income/Handicapped electrical rate effective December 1, 1985.

The Ordinance was set over for final reading next week.

Ordinance No. 23474

Appropriating \$650,000.00 from the Department of Public Utilities Self Insurance Claim Fund to pay additional claims and judgments not anticipated at the time the 1985 Budget was prepared; and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 28888 (Continued from the meeting of September 3, 1985.)

Expressing the intent of the Tacoma City Council to allocate Community Development Block Grant funding in the amount of \$30,000.00 for the implementation of the Tacoma Garden Center Project; tentatively approving a reduction in the operation of the Tacoma Vegetable Garden Project by the Tacoma Urban League for the 1985-1986 year by a two-month period; further authorizing proper officers of the City to confer with the Public Utilities Department relative to the use of certain properties; and directing staff to negotiate a proposed agreement for implementation of the project.

Council Member Kirby moved that the Resolution be adopted. Seconded by Council Member Hyde. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 28893 (Continued from the meeting of September 3, 1985.)

Adopting the Policy Statement for implementation of the Twelfth Year Community Development Block Grant Program.

Council Member Harnick moved that the Resolution be adopted. Seconded by Council Member Rasmussen.

Speaking to the Council was

Linda Bowman

Urban Policy Committee

Council Member Ladenburg moved to continue Resolution No. 28893 for a period of 60 days. Seconded by Council Member Hyde.

Mayor Sutherland suggested that the Resolution be continued to December 3, 1985.

Council Member Ladenburg stated that this would be considered a friendly amendment.

Voice vote was taken and carried. The motion, as amended, was declared adopted.

The Resolution will be considered at the regular City Council meeting of December 3, 1985.

Purchase Resolution No. 28905

Awarding contracts to:

1. Start Computing, Inc. on their bid of \$21,453.28 for Kaypro computer equipment and training - Specification No. G-094-85;

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14

2. Orton Utility Construction, Inc. on their bid of \$105,427.32 for a radio antenna tower at South 12th Street and Cushman Avenue - Specification No. G-110-85;
3. TCBC Pacific Computer Products on their bid of \$28,689.00 for seven (7) IBM personal computers for the Police Department - Specification No. G-121-85;
4. Pacific Coast Truck Center on their bid of \$62,480.88 for two (2) used three-axle cab and chassis for drop off box - Specification No. G-131-85;
5. Mallon Motors, Inc. on their bid of \$11,873.06 for one (1) mini cargo van - Specification No. G-133-85;
6. Nalco Chemical Company on their bid of \$33,920.00 for Ultrion 7109 Liquid and 7128 Chemical;
7. PPG Industries on their bid of \$18,273.27 for an increase of 1984-1985 annual purchase order for paint and related items - Specification No. G-094-84;
8. PPG Industries on their bid of \$30,000.00 for an extension of 1985-1986 contract for paint and related items - Specification No. G-094-84;
9. Burns Towing on their bid of \$38,100.00 for an extension of contract for Towing Service (South) - Specification No. G-097-84;
10. Bill's Towing on their bid of \$34,162.50 for an extension of contract for Towing Service (North) - Specification No. G-098-84; and
11. Oxygen Sales and Service, Inc. on their bid of \$17,000.00 and A & L Welding Products, Inc. on their bid of \$10,000.00 for an extension of contract for welding gases and supplies - Specification No. G-110-84.

Mayor Sutherland moved that the Purchase Resolution be adopted, including waiving the formal bidding requirements on Item No. 6. Seconded by Council Member Stenger.

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

Resolution No. 28906

Authorizing execution of an agreement with the Tacoma-Pierce County Economic Development Board in the amount of \$50,000.00 to implement the Small Business Incubator Project.

Council Member Warnick moved that the Resolution be adopted. Seconded by Council Member Hyde.

Council Member Rasmussen announced that he would abstain from consideration of this matter and left the Council Chambers.

Voice vote was taken and carried with Council Member Rasmussen abstaining. The Resolution was declared adopted.

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Resolution No. 28907

Authorizing execution of an agreement with the Metropolitan Park District in the amount of \$15,434.00 to provide recreation programs at the Eastside Community Center.

Council Member Hyde moved that the Resolution be adopted. Seconded by Council Member Ladenburg. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 28908

Authorizing execution of an agreement with King County Fire Protection District #39 for mutual fire protection assistance.

Council Member Hyde moved that the Resolution be adopted. Seconded by Council Member Ladenburg. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 28909

Authorizing the execution of a deed and easement to Beulah M. Kupka for an access across the Potlatch Transmission Line near the Gig Harbor-Longbranch Highway.

Council Member Hyde moved that the Resolution be adopted. Seconded by Council Member Warrick. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 28910

Directing the City Clerk to prepare an informational pamphlet describing two ballot propositions regarding the City's "One Percent For The Arts" Program.

Council Member Rasmussen moved that the Resolution be adopted. Seconded by Council Member Warrick. Voice vote was taken and carried. The Resolution was declared adopted.

CITIZEN'S REQUEST TO BE HEARD: (Will begin at approximately 6:00 p.m.)

- a. Mary McMillin requesting to speak regarding the placement of ASARCO slag on their property.

Mary McMillin spoke to the Council on this matter. Also speaking to the Council were Peter Breysse, University of Washington, and Steve McMillin.

- b. Don McGavick requesting to speak regarding the Sixth Sense sponsored initiative petition on No-First-Use of Nuclear Weapons.

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Don McGavick, attorney representing Sixth Sense, spoke to the Council regarding this matter.

Mayor Sutherland moved to instruct the City Attorney to prepare appropriate Resolution language regarding this matter. Seconded by Council Member Bichsel. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland stated that the Council would take a five-minute recess.

Council recessed at 6:50 p.m. and reconvened at 6:55 p.m.

Mayor Sutherland called the Council meeting back to order and requested a roll call. Roll call was taken, resulting as follows: Present: 7 - Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Warrick, and Mayor Sutherland. Absent: 1 - Bichsel (Council Member Bichsel was present at 6:56 p.m.)

PUBLIC HEARINGS AND APPEALS: (Began at 6:56 p.m.)

This is the date set for a public hearing on the Greater Central Business District Plan.

Mr. Bill Bailey, Planning Department, made a presentation to the Council on the draft plan.

Mayor Sutherland called for public testimony.

There being no testimony, Mayor Sutherland declared the public hearing closed at 7:05 p.m.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Council Member Ladenburg stated that he had received a complaint from a citizen regarding ticketing individuals using the parks after the closure of the parks. He stated that Metropolitan Parks police ticket people for being in City parks after 10:00 p.m. Council Member Ladenburg requested that the City Attorney look into the matter of posting signs to warn people of park hours. He requested that the City Manager contact Metropolitan Parks staff regarding posting of hours on City parks.

Mayor Sutherland moved to recess to Executive Session to discuss pending litigation, not to exceed 20 minutes. Seconded by Council Member Warrick. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 7:10 p.m.

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Mayor Sutherland re-entered the Council Chambers and stated that the Executive Session was not complete and that Council would extend the time period an additional 15 minutes.

Council reconvened at 7:39 p.m.

Mayor Sutherland called the Council back to order and requested a roll call. Roll call vote was taken, resulting as follows: Present: 7 - Bichsel, Hyde, Ladenburg, Rasmussen, Stenger, Warrnick, and Mayor Sutherland. Absent: 1 Kirby. (Council Member Kirby arrived at 7:43 p.m.)

Mayor Sutherland moved that the claims arising from the case of Gaines v. Wellinger v. Pierce County and City of Tacoma, et al., Pierce County Cause No. 85-2-04717-5 be settled in accordance with the terms and conditions outlined in the Executive Session with the Department of Public Utilities of the City of Tacoma paying its entire \$500,000 self-insurance retention towards settlement and costs of litigation with the balance of the City's share of the settlement being paid by its insurance carriers, the total settlement to be divided between the City of Tacoma, Pacific Northwest Bell Telephone Company, and Pierce County on the basis of 40%/40%/20%, respectively. Seconded by Council Member Ladenburg. Voice vote was taken and carried. The motion was declared adopted.

Council Member Warrnick moved to suspend the rules to consider a possible Resolution. Seconded by Council Member Stenger. After further discussion, Mayor Sutherland suggested that the motion be set aside temporarily.

Robert J. Backstein, City Attorney, read the proposed motion into the record.

"I hereby move that there be submitted to the qualified electors of the City of Tacoma, Washington, for adoption or rejection, the following Ordinance:

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the Mayor of the City of Tacoma shall submit a resolution on behalf of the City of Tacoma to this State's elected representatives in the United States House of Representatives and the United States Senate, which resolution shall be in the following form:

Whereas the people of Tacoma find that the possibility of nuclear war grows more threatening daily; that nuclear war will destroy our civilization; that even limited use of nuclear weapons will lead to global thermonuclear war; that there can be no use of nuclear weapons without their first use by someone; and that the vast majority of Americans believe that no nation can be justified using nuclear weapons first under any circumstances, and Whereas the people of Tacoma have a responsibility to help prevent nuclear war; Now, Therefore,

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BE IT RESOLVED that the City of Tacoma, for and on behalf of its citizens, does hereby petition the elected representatives of the State of Washington to the United States Congress to introduce into the Congress of the United States a resolution calling upon the President to make the policy of "No First Use of Nuclear Weapons" official United States policy.

Said ordinance shall be submitted to the qualified electors for their approval or rejection at the next general municipal election to be held November 5, 1985.

And that the City staff prepare and submit the appropriate papers and ballot title to the County Auditor. These papers to be reviewed and ratified by the City Council at its next regular meeting on September 24, 1985.

The appropriate ballot title should contain the following information:

SHOULD THE CITY OF TACOMA, FOR AND ON BEHALF OF ITS CITIZENS, PETITION THE ELECTED REPRESENTATIVES OF THE STATE OF WASHINGTON TO THE UNITED STATES CONGRESS TO INTRODUCE INTO THE CONGRESS OF THE UNITED STATES A RESOLUTION CALLING UPON THE PRESIDENT TO MAKE THE POLICY OF "NO FIRST USE OF NUCLEAR WEAPONS" OFFICIAL UNITED STATES POLICY?"

Mayor Sutherland moved to suspend the rules to consider Ordinance No. 23475. Seconded by Council Member Bichsel. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved to have final reading of Ordinance No. 23475 on November 12, 1985. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 23475 will have final reading at the regular City Council meeting of November 12, 1985.

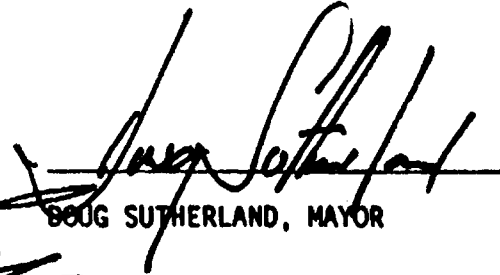
Mayor Sutherland moved to suspend the rules to consider Resolution No. 28911. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland stated that Resolution No. 28911 instructs staff to prepare the proper paperwork to notify the County Auditor to place the ballot issue relative to the "No First Use of Nuclear Weapons" on the November 5, 1985 ballot - to have such notification in a timely manner to be able to comply with the 45-day requirement by State law. Seconded by Council Member Hyde.

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Voice vote was taken and carried on Resolution No. 28911, with Mayor Sutherland voting "nay." The Resolution was declared adopted.

On proper motion, the meeting adjourned at 7:50 p.m.


DOUG SUTHERLAND, MAYOR

ATTEST: 
GENELLE BIRK, CITY CLERK

WPC. 37226

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20