

CITY COUNCIL MINUTES

City Council Chambers  
March 20, 1979

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

Present on roll call: 8 - Bichsel, Evans, Hudson, Kirby, Nielsen, Schroeder, Strege and Mayor Parker. Absent: 1 - Deputy Mayor Warnick. Deputy Mayor Warnick arrived at 5:07 p.m.

The Flag Salute was led by Mayor Parker.

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CONSENT AGENDA

Approval of the minutes of the regular meeting of March 13, 1979.

PETITIONS:

Robert Dyberg requesting the rezoning of the property located on the north side of SR 16 (Freeway) between Cedar Street and Union Avenue from an "R-2" to an "R-4-LT" and "PDB" District.

John B. Dobler requesting the rezoning of the property located on the southeast corner and southwest corner of South 43rd and Cedar Streets from an "R-3" to an "R-4-L" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 25589

Setting Monday, April 9, 1979 at 5:00 p.m. as the date for hearing L.I.D. 3810 for sanitary sewers in East 52nd Street from East "E" to East "G" Street; East 54th Street from East "F" to East "G" Street, and other nearby streets.

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Resolution No. 25590

Setting Monday, April 9, 1979 at 5:00 p.m. as the date for hearing L.I.D. 8254 for permanent pavement in East 58th Street from McKinley Avenue to East "K" Street; East "Q" Street from East 62nd to East 64th Street; and East 63rd Street from Portland Avenue to East "Q" Street.

Resolution No. 25591

Setting Monday, April 9, 1979 at 5:00 p.m. as the date for hearing L.I.D. 5597 for installation of water mains and a fire hydrant in Fife Street from South 76th to South 78th Streets.

ASSESSMENT ROLL:

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

L.I.D. 5572, constructing water mains in Bell Street from South 68th Street to approximately 250 feet south of South 70th Street;

Fixing Monday, April 23, 1979 at 5:00 p.m., as the date for hearing.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday and Friday, March 20, 1979.
- b. Minutes of the meeting of the Civil Service Board, March 5, 1979
- c. Minutes of the regular meeting of the Board of Park Commissioners, February 26, 1979.
- d. Minutes of the meeting of the City Beautification Committee, February 7 and 21, 1979.
- e. Minutes of the meeting of the Tacoma Planning Commission, February 21, 1979.
- f. Minutes of the meeting of the Landmarks Preservation Commission, February 28, 1979.
- g. Minutes of the meeting of the Public Utility Board, February 28, 1979.
- h. Minutes of the meeting of the Board of Pierce County Commissioners, March 12 and 13, 1979.

Councilman Nielsen moved that all items, including Resolutions Nos. 25589, 25590 and 25591, be approved. Seconded by Councilman Schroeder. Voice vote was taken and carried. The Consent Agenda was declared approved.

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R E G U L A R   A G E N D A

PUBLIC HEARING AND APPEAL:

- a. This is the date set for hearing the appeal of the Sherwood Coalition on the decision of the Hearings Examiner to approve a preliminary plat for SHERWOOD VILLAGE located between South 86th and South 88th and from Ash Street to a point 150 feet west of Ainsworth Avenue - James Crawford. (Continued from the meeting of March 13, 1979)

Mayor Parker indicated that James Crawford has requested the hearing be continued to the 27th. After discussion Mayor Parker moved that the hearing be continued to April 17, 1979. Seconded by Councilman Nielsen. Voice vote was taken and carried.

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SUGGESTION AWARD:

A Certificate of Merit and \$25.00 award were presented by Mayor Parker and Director of Public Works, Ron Button to Rodney G. Wagner for his suggestion concerning the use of a hose nozzle adaptor to be hooked to the hose when inserting into the sewer pipe to flush sewer lines.

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COMMUNICATIONS:

- a. Hearings Examiner submitting shoreline Management Permit Application No. 141.191 of Puget Sound Plywood, Inc., to allow dredging of approximately 2,000 cubic yards of sand, silt and wood waste and deposit on barges when reloaded by front-end loader and deposited on upland with no return entering navigable waters, located at 230 East "F" Street.

Gary Sullivan, Hearings Examiner, reviewed his recommendations.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Evans, Hudson, Kirby, Nielsen, Schroeder, Strega and Deputy Mayor Warnick.

Nays: 0

Absent: 1 - Mayor Parker.

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- b. H. B. Bond, City Clerk, advising the City Council that the L.I.D. Committee recommends that L.I.D. No. 5595 not be created.

John Roller, Water Superintendent, advised that the L.I.D. has a 51% remonstrance and asked that the size of the L.I.D. be realigned by removing East "F" Street. He said that if East "F" Street were removed the L.I.D. would have 67% in favor of it. He recommended that the L.I.D. be sent back to the L.I.D. Committee.

Councilman Hudson moved that the L.I.D. be sent back to the L.I.D. Committee. Seconded by Deputy Mayor Warnick. Voice vote was taken and carried.

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FINAL READING OF ORDINANCES:

Ordinance No. 21633

Accepting a grant in the sum of \$33,036.00 from the State of Washington through Pierce County, appropriating said sum, or so much thereof as may be necessary, for the purpose of continuing the County-City Historic Properties Survey, 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, Evans, Hudson, Kirby, Nielsen, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 21634

Authorizing execution of a grant award contract with the State of Washington Department of Social and Health Services in the amount of \$105,027.00; appropriating the sum of \$105,027.00, or so much thereof as may be necessary, from the Crisis Child Care Project Fund, for the purpose of operating the Volunteer Shelter Care Project, and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Councilman Nielsen moved that the final reading of the ordinance be continued for one week. Seconded by Deputy Mayor Warnick. Voice vote was taken and carried. Final reading was continued to March 27, 1979.

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Ordinance No. 21635

Authorizing execution of a grant award contract with the National Endowment for the Arts in the amount of \$15,000; accepting a grant of \$10,000 from Pierce County and appropriating the sum of \$38,922, or so much thereof as may be necessary from the Neighborhood Arts Program Fund for the purpose of operating the Neighborhood Arts Assistance Program.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Evans, Hudson, Kirby, Nielsen, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 21636

Appropriating the sum of \$1,775.00, or so much thereof as may be necessary, from the Library Fund No. 1200 for the purpose of providing a portion of the funds necessary for the purchase of a motor vehicle for the Tacoma Public Library.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Evans, Hudson, Kirby, Nielsen, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 21639

Providing for the improvement of L.I.D. 5592 for constructing water mains in 19th Street N.E. from 64th Avenue N.E. to 65th Avenue N.E.; 19th Street N.E. from 63rd Avenue N.E. to 64th Avenue N.E. and 63rd Avenue N.E. from 19th Street N.E. to approximately 630 feet south.

Speaking on the ordinance was Ed Lindstrom, P.O. Box 1317, Tacoma, Washington.

Councilman Strege moved that final reading of the ordinance be continued for two weeks. Seconded by Councilman Kirby. Roll call vote was taken, resulting in: Ayes: 5 - Evans, Kirby, Nielsen, Strege and Deputy Mayor Warnick. Nays: 4 - Bichsel, Hudson, Schroeder and Mayor Parker. The motion carried. Final reading of the Ordinance was continued to April 3, 1979.

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Ordinance No. 21640

Providing for the improvement of L.I.D. 5596 for constructing water mains in Orchard Street from approximately South 42nd Street to a point 250 feet north of South 40th Street.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Evans, Hudson, Kirby, Nielsen, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 21641

Providing for the improvement of L.I.D. 6954 for installing street lights on North Winnifred from North 39th to North 42nd; North Highland from North 39th to North 42nd; and adjoining cul-de-sacs.

Ron Button, Public Works Director, advised that the L.I.D. has 56% remonstrance.

Councilman Strege moved that the ordinance be removed from the agenda. Seconded by Councilman Nielsen. Voice vote was taken and carried. The Ordinance was removed from the agenda.

Ordinance No. 21642

Approving and confirming the assessment roll for L.I.D. 2460 for oil surface treatment on certain streets in the City.

Speaking on the ordinance was John C. Frai, 1423 South 43rd Street.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Evans, Hudson, Kirby, Nielsen, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 21643

Approving and confirming the assessment roll for L.I.D. 2461 for oil surface treatment on East "R" from East 30th to East 34th Street; East Fairbanks from East Roosevelt to East Grandview Avenue; and other nearby streets.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Evans, Hudson, Kirby, Nielsen, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 21644

Approving and confirming the assessment roll for L.I.D. 3737 for constructing sanitary sewers in Dock Street from East 15th to East Fourth Street.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Evans, Hudson, Kirby, Nielsen, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 0

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 21632 (Continued from the meeting of March 13, 1979)

Repealing Ordinance Nos. 19282, 16249, 13989, 16733, 15752, 21119, 16366 and 15273 and repealing and reenacting Chapter 12.08 of the Official Code, all relating to storm drain utility and sewer utility and adopting a system of regulations, rates and charges for administration of the utility and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately after publication.

Speaking on the ordinance were: John C. Frai, 1423 So. 43rd; Margaret O'Malley, 872 So. 92nd and Anna Munoz, 912 So. 92nd; and Tom Fowl, representing the Highlands Golf Course.

The Ordinance was set over for final reading next week.

Ordinance No. 21638

Establishing a sewer utility and transferring certain assets of the City to such utility and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately after publication.

Speaking on the ordinance was John C. Frai, 1423 So. 43rd.

The Ordinance was set over for final reading next week.

Ordinance No. 21645

Amending Section 1.24.870 of the Personnel Rules and Official Code to allow classified employees to take an approved leave of absence to accept employment with an agency jointly funded by the City and other public body rendering municipal services.

Speaking on the ordinance was John C. Frai, 1423 So. 43rd.

The Ordinance was set over for final reading next week.

Ordinance No. 21646

Amending the pay and compensation plan by adding two new classes- Principal Accountant and Program Compliance Auditor.

The Ordinance was set over for final reading next week.

Ordinance No. 21647

Amending the rates of certain classes in the Compensation Plan agreed to by collective bargaining between IBEW Local 483, Light Division and the City of Tacoma.

The Ordinance was set over for final reading next week.

Ordinance No. 21648

Vacating portion of Wright Avenue and the alley to the north between Pacific and "A" Streets. (Oscar T. Hokold)

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

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

Ordinance No. 21649

Amending Chapter 13.06 of the Official Code to reclassify the southeast corner of South Wright and Pacific Avenues from an "R-4" to an "R-4-T" District. (Oscar Hokold)

Deputy Mayor Warnick moved to concur in the Findings, Conclusions and Recommendation of the Hearings Examiner. Seconded by Councilman Evans. Voice vote was taken and carried.

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



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Ordinance No. 21650

Creating three new funds to be known as the 1979 Title II-D Transitional Employment Fund, the 1979 Title VI Public Service Employment Fund, and the CETA Administrative Pooling Fund, appropriating a total of \$5,100,000 from the new funds 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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RESOLUTIONS:

Mayor Parker moved to suspend the rules to consider Resolution No. 25601. Seconded by Councilman Kirby. Voice vote was taken and carried.

Resolution No. 25601

Amending Resolution No. 25524 by substituting the name of Huntly Gordon for Danna Clancy, and amending Resolution No. 25561 by substituting the name of Mac Morrison for the name of Huntly Gordon.

Mayor Parker advised the Human Relations Commission has expressed concern that the Tribunal does not contain a woman member and since the hearing deals with sensitive subject he would make a motion to place a woman on the Tribunal.

Mayor Parker moved to substitute the name of Doreen Grassi in place of Mac Morrison. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

Councilwoman Bichsel moved to adopt the Resolution as amended. Seconded by Councilman Schroeder. Voice vote was taken and carried. The Resolution, as amended, was declared adopted.

Resolution No. 25561 (Continued from the meeting of March 13, 1979)

Appointing Gary Sullivan, Doreen Grassi and Bill Gilven to the Hearings Tribunal of the Human Relations Commission to hear the case of Jana Lovely vs. Old City Hall Aquarium.

Motion to adopt the Resolution was made at the March 13th meeting. Voice vote was taken and carried.

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Purchase Resolution No. 25592

Awarding contracts to:

1. C. E. Skinner, Inc. on its bid of \$103,598.00 for Larchmont Community Playground and Park, W.O. ADO30A.
2. Tonnesen Construction Company on its bid of \$74,764.99 and \$3,731.05 for I.I.D. 3800 - sanitary sewers on 53rd Avenue N.E. from 27th Street to 29th Street N.E., 54th Avenue N.E. from 25th Street N.E. to 29th Street N.E., and 27th Street N.E. from 53rd Avenue N.E. to 56th Avenue N.E.

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

Resolution No. 25593

Authorizing the purchase of fifteen (15) police cars using the State of Washington contract and waiving the requirement for competitive bidding.

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

Resolution No. 25594

Authorizing execution of a Collective Bargaining Agreement between I.B.E.W. Local 483 and the Department of Public Utilities Light Division and the City for the period of April 1, 1979 through March 31, 1980.

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

Resolution No. 25595

Authorizing execution of supplemental agreement between the Belt Line Railway and the United Transportation Union (Trainmen).

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

Resolution No. 25596

Adopting Legislative Position Statement No. 8, as set forth on Exhibits "A through D" attached, as the official position of the City of Tacoma on proposed legislation.

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

Ray Corpuz, Director of the Office of Intergovernmental Affairs, asked that three additional exhibits be added to the position statement, Exhibits "E, F and G" and asked that the Resolution be amended to include those as part of the City's position statement.

Mayor Parker moved that Exhibits "E, F and G" be included. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

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

Resolution No. 25597

Approving the preliminary plat of STONEGATE II, DIVISION IV, located in the area south of 33rd Street N.E. and east of 53rd Avenue N.E. (Rainier Pacific Industries).

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

Resolution No. 25598

Authorizing execution of a lease with Tacoma Urban League for its Vegetable Garden Program.

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

Speaking on the resolution was John C. Frai, 1423 So. 43rd.

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

Resolution No. 25599

Endorsing the "Project SOS 13," to retain KCPQ-Channel 13 as a public television service station.

Deputy Mayor Warnick moved that the Resolution be adopted. Seconded by Councilwoman Bichsel.

Mayor Parker moved that the Resolution be tabled. Seconded by Councilman Kirby. Roll call vote was taken, resulting in: Ayes: 5 - Kirby, Nielsen, Schroeder, Strege and Mayor Parker. Nays: 4 - Bichsel, Evans, Hudson and Deputy Mayor Warnick. The motion carried. The Resolution was tabled.

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Resolution No. 25600

Authorizing execution of a sewerage service agreement with the Town of Fircrest.

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

Resolution No. 25601

Amending Resolution No. 25524 by substituting the name of Huntly Gordon for Danna Clancy, and amending Resolution No. 25561 by substituting the name Mac Morrison for the name of Huntly Gordon.

Motion to adopt and amend were considered under suspension of the rules at the beginning of Resolutions on this agenda. The amended Resolution was adopted.

Resolution No. 25602

Adopting a fee schedule for the use of the South End Neighborhood Center.

Councilman Kirby advised that he had been notified by members of the South End Neighborhood Center Advisory Council asking that they have additional time to review the proposed guidelines and fee schedule.

Councilman Kirby moved that the Resolution be continued for two weeks. Seconded by Councilman Nielsen. Voice vote was taken and carried. The Resolution was continued to April 3, 1979.

Mayor Parker moved to authorize the center to operate under the terms of a written document Council has before them, attached to the Resolution until April 3, 1979. Seconded by Councilman Evans. Voice vote was taken and carried.

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Deputy Mayor Warnick moved to suspend the rules to reconsider Ordinance No. 21624, which had failed last week. Seconded by Councilman Hudson. Voice vote was taken and carried.

Ordinance No. 21624

Amending the pay and compensation plan to provide for collective bargaining adjustments to certain Belt Line Railway classes, amending the title and salary of the City's Insurance Manager and providing for a change to appointive status for the class of Budget Officer.

Roll call vote was taken, resulting as follows:

Ayes: 6 - Bichsel, Evans, Hudson, Nielsen, Schroeder and Warnick.

Nays: 3 - Kirby, Strege and Mayor Parker.

The Ordinance was declared passed.

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PUBLIC HEARINGS AND APPEALS:

- a. This is the date set for hearing the appeal of Talmo Export, Inc. and Talmo, Inc., of certain Audit-Assessment Notices by the Tax & License Department. (Continued from the meeting of March 13, 1979)

Dick Newman, Director of Tax & License, reported that the audit was made in October, 1978 with an additional tax assessment of \$15,727.53. He said the assessment was basically in two areas: a disallowance of a large amount of inter-state and foreign commerce, a deduction being taken by the firm and also the firm was engaging in taxable business activities from two locations, one inside and one outside the City. They were not reporting the income from the firm outside the City.

Dean Mullin, Attorney representing Talmo Export Inc. and Talmo, Inc., advised that Talmo, Inc. has its home office at Wynwood Center on the Gig Harbor Peninsula and therefore should not be subject to the tax, they are in the logging business. He said that the audit of the Tax & License Department covered the period for August, 1958 to June 30, 1978. He asked that the tax assessment on the export business be disallowed.

Answering questions of Council members was James Talmo, President of the two corporations.

Dick Newman, Tax & License Director, advised that the assessment was based on the fact that Talmo, Inc. does not place the logs irrevocably in the stream of foreign commerce.

After further discussion Mayor Parker moved that the hearing be continued for two weeks pending a receipt in writing the State of Washington's position on the subject. Seconded by Councilman Hudson. Voice vote was taken and carried. The hearing on the appeal was continued to April 3, 1979.

- b. This is the date set for hearing James S. Solomon's appeal of the Tax & License Department's decision of requiring a new B & O license for his restaurant and lounges in the Olympus Hotel building. (Continued from the meeting of March 13, 1979)

Mayor Parker advised that he was awaiting an ordinance change and therefore moved that the hearing be continued for one week. Seconded by Councilman Schroeder. Voice vote was taken and carried. The hearing was continued to March 27, 1979.

Councilwoman Bichsel moved that Citizens Request To Be Heard be allowed prior to Comments of the City Council. Seconded by Councilman Schroeder. Voice vote was taken and carried.

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CITIZENS REQUEST TO BE HEARD:

William S. (Bill) Buell, District President of the Indoor Sports Club, Inc. requesting to speak on behalf of the Tacoma Chapter, The Tacoma Handicapped Club, regarding traffic, industrial and domestic safety.

William S. (Bill) Buell, spoke on the subject indicated above.

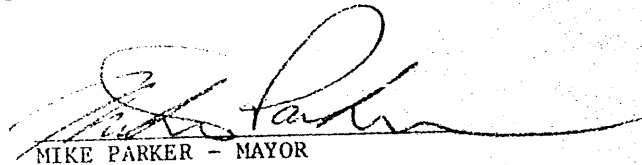
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COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

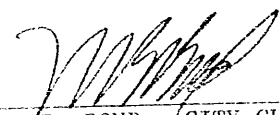
Councilman Schroeder reported that he is a member of the Pantages Center Corporation. He said a resolution would be coming to Council and he was advised by the City Attorney that this would constitute a conflict of interest therefore, he reluctantly said he was resigning from the Pantages Corporation.

Mayor Parker said he had a request from the CETA Boilermakers Union who indicated they need 3 to 5 acres of land in the Port Industrial Area for a training center. He asked management to contact the Port authorities to see if this can be made available.

On proper motion the meeting adjourned at 8:45 p.m.



MIKE PARKER - MAYOR

ATTEST:   
H. B. BOND - CITY CLERK

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