

CITY COUNCIL MINUTES

City Council Chambers
November 15, 1983

The meeting was called to order at 5:04 p.m.

Present on roll call: 8 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, and Strege.

Absent: 1 - Mayor Sutherland.

The Flag Salute was led by Councilman Rasmussen.

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

Approval of the minutes of the regular meeting of November 8, 1983.

PETITIONS:

Ellery K. Weber requesting the reclassification of the property located at the southwest corner of North 48th and Pearl Streets from a "R-2" to a "R-4-L" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 28110

Setting Monday, December 12, 1983 at 5:00 p.m. as the date for hearing by the Hearings Examiner L.I.D. 5650 for the construction of water mains and fire hydrants in East "C" Street from East 40th to East 43rd Streets, and in East 43rd Street from East "B" to East "C" Street.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, November 15, 1983.
- b. Minutes of the meeting of the Tacoma Arts Commission, September 21, 1983.
- c. Minutes of the meeting of the Citizens Energy Conservation Advisory Committee, October 24, 1983.

- d. Minutes of the meeting of the Landmarks Preservation Commission, October 26, 1983.
- e. Minutes of the meeting of the Tacoma Planning Commission, October 3, 1983.
- f. Minutes of the meeting of the Public Utility Board, October 26, 1983.
- g. Minutes of the meetings of the Urban Policy Committee, October 13, and October 20, 1983.
- h. Grantee Performance Report, Community Development Department, July 1983.

Councilwoman Bichsel moved that the Consent Agenda, including Resolution No. 28110, be approved. Seconded by Councilman Rasmussen. Voice vote was taken and carried. The Consent Agenda was declared approved.

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

COMMUNICATIONS:

- a. Hearings Examiner submitting the request of Larry R. Bauml, D. C. regarding Reclassification Request No. 120.1030 and Conditional Use Permit No. 121.884 relative to the modification of Condition 4(a) and the deletion of Condition 4(d) of the Hearings Examiner's Report and Recommendation dated July 15, 1982.

Councilman Hyde moved to concur in the recommendations of the Hearings Examiner. Seconded by Councilman Rasmussen. Voice vote was taken and carried.

- b. Hearings Examiner submitting the recommendation of the Land Use Administrator regarding Reclassification Request No. 120.946 of J. David Paige in accordance with Condition 5.C. of the Hearings Examiner's Report and Recommendation dated March 25, 1980.

Deputy Mayor Nielsen advised that this is informational only and no action is required.

FINAL READING OF ORDINANCES:

Ordinance No. 23023

Vacating a portion of State Street between South 38th and South 40th Streets, north of Tacoma Mall. (George Barber; File No. 124.745)

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, and Strege

Nays: 0.

Absent: 1 - Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 23054

Amending Section 11.34.130 of the Official Code relating to traffic and adding new subsections to change North Ferdinand Street, Ruston Way, a portion of Schuster Parkway and a portion of South 15th Street from minor arterial streets to collector arterial streets.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, and Strege

Nays: 0.

Absent: 1 - Mayor Sutherland.

The Ordinance was declared passed.

Deputy Mayor Nielsen proclaimed the day of November 16, 1983, as Community Education Day, and presented the proclamation to Ms. Colleen Smith and Ms. Arlene Iseberg.

Deputy Mayor Nielsen proclaimed the day of November 18, 1983, as Paramedic Appreciation Day, and presented the proclamation to Mr. Carl Swanson, Firefighter Paramedic of the Year for the State of Washington.

FIRST READING OF ORDINANCES:

Ordinance No. 23032 (Continued from the meeting of October 11, 1983.)

Amending Section 1.30.550 of the Official Code relating to the refund of Retirement Fund contributions.

The Ordinance was set over for final reading next week.

Ordinance No. 23055 (Continued from the meeting of November 8, 1983.)

Amending Chapter 6.88 of the Official Code relating to special excise taxes to increase the Hotel/Motel Tax to 5%, effective January 1, 1984.

Speaking to the Council were:

John R. Gordon	Executive Secretary, Washington State Lodging Association
Robert Van Bergen	Manager, Tacoma Sheraton Hotel
Wes Armstrong	Manager, Lakewood Motor Inn
Michael H. Jones	President, Visitor and Convention Bureau
Stewart Manning	Economic Laboratory, Inc.
Bob Molner	Nendels Inn
Ruth McElliott	906 East 34th
Lanny Wynia	Best Western Tacoma Inn
Ray Gilmour	Tacoma 8 Motel
John Jerentowski	Rodeway Inn and Sunshine Ventures

The Ordinance was set over for final reading next week.

Ordinance No. 23056

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northwest corner of South 12th and Anderson Streets from an "R-3" to a "C-1" District. (Gull Industries, Inc.; File No. 120.1061)

Councilman Hyde 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. 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)

Councilwoman Bichsel 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. 23058

Amending Section 6.62.020 of the Official Code relative to admissions tax.

The Ordinance was set over for final reading next week.

Deputy Mayor Nielsen proclaimed the second week of November 1983, as Youth Appreciation Week, and presented the proclamation to Mr. Roger Huey.

Deputy Mayor Nielsen announced that the Council would consider Public Hearings and Appeals next.

PUBLIC HEARINGS AND APPEALS: (Began at 6:04 p.m.)

This is the date set for hearing the appeal of Frederick William Holt regarding the recommendations of the Hearings Examiner on his request for reconsideration relative to variance applications for a deck and bay window.

Hearings Examiner, Robert Backstein, made a presentation regarding the appeal.

Mr. Dwight Williams, attorney representing Frederick William Holt, presented the reasons for the appeal.

Mr. Otto Matsch, attorney representing Joseph and Margaret Englet, made a presentation in support of the Hearings Examiner's decision.

Councilman Rasmussen moved to concur in the Findings, Conclusions, and Recommendations of the Hearings Examiner with respect to the deck, but not the bay window. Seconded by Councilman Hawkins.

After further discussion and modifications, Councilman Rasmussen moved to not concur with the Findings, Conclusions, and Recommendations of the Hearings Examiner regarding the bay window, and: to grant the variance; to permit a variance in regard to the fireplace; to deny the variance for the deck; to not allow Mr. Holt to avoid payment of the permit fee and inspection of these two structures; and, further, that the fee be paid and the structures be inspected. Seconded by Councilman Hyde.

Roll call vote was taken, resulting as follows: Ayes: 5 - Hawkins, Kirby, Rasmussen, Strege, and Deputy Mayor Nielsen. Nays: 3 - Bichsel, Hyde, and Ladenburg. Absent: 1 - Mayor Sutherland. The motion was declared adopted.

Deputy Mayor Nielsen requested that the Legal Department present findings on the basis of the Council's comments.

Councilman Hyde requested that the Legal Department investigate whether there are grounds for proceeding on the violation of the ordinance involved.

Councilman Ladenburg requested that the Legal Department follow up on his previous request to investigate the possibility of imposing a civil penalty in addition to the criminal penalty on those individuals who come in late to apply for a building permit after construction has been completed.

Ordinance No. 23059

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

Deputy Mayor Nielsen moved to continue Ordinance No. 23059 to the meeting of December 6, 1983. Seconded by Councilman Hawkins. The motion was declared adopted.

The Ordinance will be considered at the regular City Council meeting of December 6, 1983.

Ordinance No. 23061

Amending Chapter 12.06 of the Official Code relating to Electrical Energy Regulations by revising Schedule A-1 to incorporate a rate for low-income and elderly citizens.

The Ordinance was set over for final reading next week.

Ordinance No. 23060

Amending Chapter 2.10 of the Official Code to adopt the Northwest Power Planning Council's Model Conservation Standards.

Councilman Ladenburg moved to consider Substitute Ordinance No. 23060. Seconded by Councilman Hyde. Voice vote was taken and carried. The motion was declared adopted.

Speaking to the Council were:

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| James Hackett | Vice President, American Plywood Association |
| Kingsley Macomber | Weyerhaeuser Company |
| Bruce Murray | Washington Natural Gas Company |
| John Miller | Director, Home Builder's Association of Tacoma |
| Dean Matthews | Consultant |
| John W. Magnuson | President, Building Owners and Managers Association |
| Rick McGovern | Representing various architects and engineers |
| Jim Longquist | Tacoma area home builder |
| James W. Herr | Dow Chemical, U.S.A. |
| Joe Hoots | Tacoma area home builder |
| Harold Hansen | Tacoma area home builder |
| Kent Alcorn | Vice President, Pacific Sun |
| Clem Johnson | Viking Builders, Inc. |
| Peter Tronquet | West Coast Door |
| Chuck Collins | Northwest Power Planning Council |
| Larry Johnson | American Savings Bank |
| Earl Pennington | 1746 - 49th N.E. |
| Skip Bush | President, Tacoma Section of American Society of Civil Engineers |

Substitute Ordinance No. 23060 was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 28104

Awarding contracts to:

1. Bell Petroleum, Inc. on their bid of \$205,000.00 for automotive diesel fuel - Pierce Transit Specification No. PT-021-83;
2. Manpower Temporary Services on their bid of \$43,935.76 for temporary services contract extension - Specification No. G-142-82;
3. Seahurst Lumber Company on their bid of \$7,721.38 for wood sign posts - Specification No. G-179-83;
4. Gun & Bow on their proposal for the trade of surplus shotguns;
5. Delong Roofing on their bid of \$4,332.82 for home roof repair - Specification No. G-180-83;
6. Rejection of all bids for home roof repair - Work Order Nos. 1144 and 1146 - Specification No. G-180-83; and
7. Brodsky's Uniforms, Amfac Electric Company and Tacoma General Hospital for open purchase orders for 1983.

Councilman Hyde moved to adopt Purchase Resolution No. 28104, including Substitute Exhibit A. Seconded by Councilwoman Bichsel. Voice vote was taken and carried. The motion was declared adopted.

Purchase Resolution No. 28104

Awarding contracts to:

1. Bell Petroleum, Inc. on their bid of \$205,000.00 for automotive diesel fuel - Pierce Transit Specification No. PT-021-83;
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4. Gun & Bow on their proposal for the trade of surplus shotguns;
5. Delong Roofing on their bid of \$4,332.82 for home roof repair - Specification No. G-180-83;
6. Rejection of all bids for home roof repair - Work Order Nos. 1144 and 1146 - Specification No. G-180-83; and
7. Brodsky's Uniforms, Amfac Electric Company and Tacoma General Hospital for open purchase orders for 1983.
8. Reinhard Distributing Co., Inc. on their bid of \$.839 per gallon (truck and trailer, regular) and \$.885 per gallon (truck and trailer, unleaded) for gasoline supply.

Councilman Hyde moved to waive the formal bidding procedures on Purchase Item Nos. 2 and 7. Seconded by Councilman Strege. 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. 28105

Authorizing the Purchasing Agent to utilize the services of South Seattle Auto Auction, Inc. for the disposal of surplus equipment.

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

Resolution No. 28106

Authorizing the invitation of three design/build teams to submit Phase II proposals for the design and construction of the Waste-to-Energy Facility at the City's landfill.

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

Resolution No. 28107

Authorizing the execution of an agreement with Robert W. Seabloom for the provision of evaluation services for the Waste-to-Energy Facility Phase II proposals.

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

Resolution No. 28111

Authorizing the sale of surplus copper wire to Pacific Iron and Metal Company.

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

Resolution No. 28112

Authorizing the approval of a Memorandum of Understanding with Public Utility District No. 1 of Jefferson County to fund feasibility and licensing work for the Big Quilcene and Elkhorn Hydroelectric Projects.

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

Resolution No. 28108

Amending Rule 1 of the Council Rules of Procedure to allow for the scheduling of regular City Council meetings on Election Day if both fall on the same day.

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

The Resolution was set over for a second reading next week.

Resolution No. 28109

Authorizing the City Manager to seek an option agreement from Burlington Northern Railroad Company for conveyance of the Union Station building to the City of Tacoma.

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

Speaking to the Council were:

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| Kathryn Van Wagenen | Co-chair, Save Our Station (S.O.S.) |
| Linda Bowman | Co-chair, Save Our Station (S.O.S.) |
| Bill Anderson | National Railway Historical Society, Tacoma Chapter |
| Dave Brubaker | Touchstone Development Corporation |
| Edward M. Berntsen | National Railway Historical Society, Tacoma Chapter |

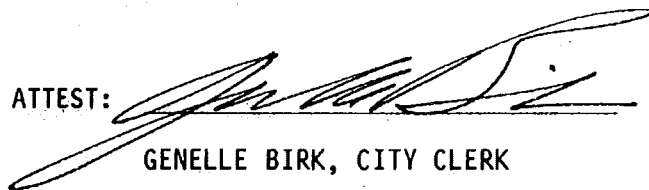
Councilman Hyde moved that the Resolution be adopted. Seconded by Councilwoman Bichsel. Voice vote was taken and carried. The Resolution was declared adopted.

On proper motion, the meeting adjourned at 10:25 p.m.



HAROLD E. NIELSEN, JR.
Deputy Mayor

ATTEST:


GENELLE BIRK, CITY CLERK