

CITY COUNCIL MINUTES

City Council Chambers
April 11, 1978

The meeting was called to order at 5:12 p.m.

Present on roll call: 8 - Bichsel, Evans, Hudson, Kirby, Schroeder, Strege, Warnick and Mayor Parker. Absent: 1 - Nielsen.

The Flag Salute was led by Deeann Wells, Brownie.

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

Approval of the minutes of the special and regular meetings of April 4, 1978.

PETITIONS:

- a. Robert Dyberg requesting the rezoning of the property located east of Cedar Street between South 19th and SR-16 from an "R-2" to an "R-4-PRD" District.
- b. Robert Dyberg requesting the rezoning of the southeast corner of South 19th and Cedar Streets from an "R-2" to an "R-4-LT" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 24960

Setting Monday, May 8, 1978, at 4:00 p.m. as the date for hearing L.I.D. 8223 for permanent pavement on South Ash Street from South 23rd to South 25th Street.

ASSESSMENT ROLLS:

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

L.I.D. 5570 - Constructing water mains in Narrows Place from North 27th Street to North 28th Street and in North 28th Street from Narrows Place, 470 feet east of Narrows Place.

Fixing Monday, May 8, 1978, at 4:00 p.m. as the date for hearing.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner agenda for Tuesday, April 11, 1978.
- b. Minutes of the Environmental/Permit Process Task Force meeting of March 23, 1978.
- c. Minutes of the Tacoma Employees' Retirement Board meeting of February 23, 1978.
- d. Monthly report of investments purchased and sold, March, 1978.
- e. Minutes of the Natural Systems Citizens' Committee meeting of February 22, 1978.
- f. Minutes of the Board of Pierce County Commissioners meeting of April 3, 1978.
- g. Minutes of the Board of Park Commissioners meeting of March 27, 1978.
- h. Board of Pierce County Commissioners filing Resolution 20556, acknowledging proposal of Baseball Tacoma, Inc. to lease Cheney Stadium for a period of one year.
- i. Monthly report, December 1977, Finance Director.

Mr. Schroeder moved that all the items on the Consent Agenda, including Resolution No. 24960, be approved. Seconded by Mrs. Bichsel. Voice vote was taken and carried. The items were declared approved.

Mayor Parker presented an award to Finance Director, Earl Mittelstaedt. The award was from the Municipal Finance Officers Association for outstanding service.

PROCLAMATION:

Mayor Parker proclaimed April 15, 1978 as "Take a Hike Tacoma Day," in support of the Annual March of Dimes Walk-A-Thon. Mayor Parker asked that Council members meet at 12th and Proctor at 12:30 p.m. Saturday to walk the last mile of the Walk-A-Thon.

Mayor Parker proclaimed Wednesday, April 12, 1978 as "Arbor Day in the City of Tacoma."

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

COMMUNICATIONS:

Hearings Examiner recommending modification and/or removal of certain land use restrictions placed on property located on the east side of Wapato Street between South 72nd and South 74th Streets at the time of reclassification to an "R-4-L" District. (Gary Monegan Co., Inc.)

Mr. Warnick moved to concur in the recommendation of the Hearings Examiner. Seconded by Mr. Schroeder. Voice vote was taken and carried.

FINAL READING OF ORDINANCES:

Ordinance No. 21309 (Continued from March 21)

Authorizing the transfer of the sum of \$22,000.00 from the Contingency Fund to the General Fund and appropriating said sum for the purpose of paying the salary and fringe benefits for balance of 1978 for the position of Executive Assistant to the Mayor, and declaring an emergency making necessary the passage of this ordinance.

Mr. Evans moved that Ordinances 21309 and 21310 be tabled. Seconded by Mr. Hudson. Voice vote was taken and carried. The Ordinance was tabled.

Ordinance No. 21310 (Continued from March 21)

Amending the pay and compensation plan to add the position of Executive Assistant to the Mayor, and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was tabled.

Ordinance No. 21316

Repealing and reenacting Chapter 1.40 of the Official Code relating to the City Beautification Committee.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Evans, Hudson, Kirby, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 0

Absent: 1 - Nielsen

The Ordinance was declared passed.

Ordinance No. 21317

Amending the pay and compensation plan to implement salary adjustments reached through collective bargaining with Service Employees International Union Local 38, Local 483 IBEW, Controllers Division, and County and City Employees Local 120.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Evans, Hudson, Kirby, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 0

Absent: 1 - Nielsen

The Ordinance was declared passed.

Ordinance No. 21318

Accepting \$446.00 from the U. S. Department of Labor under Title I CETA, transferring \$442,089.00 from Title I Fund No. 171 to Title I Fund No. 190 and appropriating the sum of \$442,535.00, or so much thereof as may be necessary, from Title I Employment & Training Fund No. 190.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Evans, Hudson, Kirby, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 0

Absent: 1 - Nielsen

The Ordinance was declared passed.

Ordinance No. 21319

Accepting a donation of certain property and property rights from Eastside Boys' Club.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Evans, Hudson, Kirby, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 0

Absent: 1 - Nielsen

The Ordinance was declared passed.

Ordinance No. 21320

Providing for the improvement of L.I.D. 3793 for constructing sanitary sewers in Sixth Avenue from Seashore Drive to Wilton Road and Wilton Road from Sixth Avenue south 600 feet more or less.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Evans, Hudson, Kirby, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 0

Absent: 1 - Nielsen

The Ordinance was declared passed.

Ordinance No. 21321

Providing for the improvement of L.I.D. 3802 for constructing sanitary sewers in South 42nd from South Pine to South Fife Street.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Evans, Hudson, Kirby, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 0

Absent: 1 - Nielsen.

The Ordinance was declared passed.

Ordinance No. 21322

Providing for the improvement of L.I.D. 5583 for constructing water mains and fire hydrants in 115th Street East from Shaw Road to 133rd Avenue East; 106th Street East from 136th Avenue East to 140th Avenue East; and other nearby streets.

John C. Frye spoke.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Evans, Hudson, Kirby, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 0

Absent: 1 - Nielsen

The Ordinance was declared passed.

Ordinance No. 21323

Providing for the improvement of L.I.D. 8216 for permanent paving on North Washington from Sixth Avenue to North Seventh and from North 11th to North 12th Street; and North 25th from North Stevens to North Verde Street.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Evans, Hudson, Kirby, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 0

Absent: 1 - Nielsen

The Ordinance was declared passed.

Ordinance No. 21324

Providing for the improvement of L.I.D. 8197 for permanent paving on South Fife from South 38th to South 42nd and South 42nd from South Fife to South Pine Street.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Evans, Hudson, Kirby, Schroeder, Strega, Warrick and Mayor Parker.

Nays: 0

Absent: 1 - Nielsen

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 21325

Amending Chapter 13.06 of the Official Code to reclassify the southeast corner of Pacific Avenue and South 80th Street extended from "R-2" and "R-4-L" to an "C-1" District. (David B. Roberts)

Mr. Hudson moved to concur in the recommendation of the Hearings Examiner. Seconded by Mrs. Bichsel. Voice vote was taken and carried.

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

Ordinance No. 21326

Amending Chapter 13.06 of the Official Code to reclassify the east side of Pacific Avenue and north of South 94th Street extended from an "R-2" to a "C-2" District. (Ash Motor Company)

Mr. Schroeder moved to concur in the recommendation of the Hearings Examiner. Seconded by Mrs. Bichsel. Voice vote was taken and carried.

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

Ordinance No. 21327

Vacating a small portion of Sixth Avenue at Howard Street.
(Ron Miller)

Mr. Schroeder excused himself from sitting in on the discussion of the ordinance due to possible conflict of interest. He left the Council Chambers.

Mrs. Bichsel moved to concur in the recommendation of the Hearings Examiner. Seconded by Mr. Hudson. Voice vote was taken and carried.

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

Ordinance No. 21328

Amending Chapter 13.06 of the Official Code to reclassify the south side of South 72nd Street between Alaska Street and Sheridan Avenue from an "R-2" to an "R-4-LT" and "R-4-L PRD" District. (The Harkey Company, Inc.) (Appeal filed.)

Prior to the commencement of the hearing, Mayor Parker and various members of the Council made a disclosure of pre-hearing contacts primarily relating to opponents of the rezone who have contacted members of the City Council.

Deputy Hearings Examiner Bud Bond then made a detailed presentation to members of the Council, outlining the following:

1. The history and topography of the property including the ownership, location and adjacent zoning.
2. Citing that the population has doubled in that area over the past six years due to single family and multiple family developments.
3. Cited the hearings of February 14th and 15th and the testimony and exhibits received.
4. Reviewed the proposed applicants request for development.
5. The Planning Department's recommendation.
6. The final examiners recommendation before the Council.

The examiner then presented a resume of the objections presented at the hearings after which he presented his rationale for recommending the examiners decision to the Council. Mr. Bond then responded to questions from various members of the Council pertaining to his reasons for the recommendation together with related informational requests.

Representatives of the opponents then were afforded the ten minute time period to make a presentation. Those speaking included: Mrs. Joan Phillips and Ellida Kirk, representing the Wapato Lake Citizens Coalition Group, Mrs. Lillian Babbit Edwardson, Metropolitan Park District Commission and Mr. Derrill Bastian an attorney representing the Coalition. He presented a summation as to why the Hearings Examiner's recommendation should be overruled.

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Mayor Parker than recognized Mr. George Fiori, Attorney representing the Harkey Corporation, who spoke for the proponents. He urged the Council to approve the examiners decision for the proposed multi-family development.

Following additional discussion by members of the Council, Councilman Jack Warnick than made a motion to concur in the Findings of Fact and Recommendations of the Hearings Examiner. Mayor Parker ruled that the motion failed for lack of a second.

Councilman Strege than made a motion to move not to concur in the recommendations of the Hearings Examiner and that the rezone request be denied. Seconded by Mr. Kirby. Voice vote was taken and carried. The Deputy Hearings Examiner's recommendations were overruled and the zoning was denied.

Mr. Schroeder moved for a five minutes recess. Seconded by Mr. Hudson. Council recessed at 7:30 p.m. Council reconvened at 7:37 p.m.

Ordinance No. 21329

Vacating South 74th Street from Ainsworth Avenue east 392 feet.

Mr. Schroeder moved that the Ordinance be tabled. Seconded by Mr. Evans. Voice vote was taken and carried. The Ordinance was tabled.

RESOLUTIONS:

Resolution No. 24927 (Continued from March 21)

Expressing the Council's intent to establish the position of Executive Assistant to the Mayor and providing for the method of recruitment.

Mayor Parker moved that the Resolution be removed from the agenda. Seconded by Mr. Warnick. Voice vote was taken and carried.

Resolution No. 24962

Authorizing the creation of a temporary staff position to serve the Mayor and City Council in a legislative capacity.

Mr. Evans moved that the Resolution be adopted. Seconded by Mrs. Bichsel.

Mayor Parker moved to amend Exhibit "A" to change the title from Ombudsman to Executive Assistant to the Mayor and City Council. Seconded by Mr. Evans. Roll call vote was taken, resulting as follows: Ayes: 5 - Evans, Kirby, Strege, Warnick and Mayor Parker. Nays: 3 - Bichsel, Hudson and Schroeder. Absent: 1 - Nielsen. The motion carried.

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Mayor Parker distributed to Council Substitute Resolution No. 24962. Mayor Parker advised that the substitute resolution strikes the temporary basis of the position and makes it a full-time position.

Mayor Parker moved to adopt substitute resolution 24962. Seconded by Mr. Evans.

Mr. Strege moved to amend Page 2, line 3 of the proposed substitute resolution by adding the following: "be it further resolved that the City Manager be and he is further requested to assign the individual selected by the Mayor and the City Council to perform the functions outlined for a period of 6 months during which period the City Council shall evaluate the staffing arrangement. At that time the Council shall reaffirm its decision on whether or not to request such a position." Seconded by Mrs. Bichsel.

Mr. Strege and Mayor Parker withdrew their motions with the consent of their seconds, Mr. Evans and Mrs. Bichsel.

A motion to adopt Substitute Resolution No. 24962 and the amendment thereto was withdrawn.

Mayor Parker moved that Resolution No. 24962 be continued one week. Seconded by Mr. Warnick. Voice vote was taken and the motion was declared failed.

John C. Frye, 1423 South 43rd Street, spoke in favor of a full-time staff member. Ted Amell spoke in favor of a six month staff member.

Roll call vote was taken on the resolution, resulting as follows:

Ayes: 6 - Evans, Hudson, Kirby, Schroeder, Strege and Mayor Parker.

Nays: 2 - Bichsel and Warnick.

Absent: 1 - Nielsen

The Resolution was declared adopted.

Resolution No. 24953 (Continued from April 4)

Approving the preliminary plat of Bridgeview Park located on the northeast side of Olympic Boulevard between North 13th and 17th Streets, extended west. (Trademark Corporation) (Appeal filed)

Mrs. Bichsel moved to amend the resolution to provide that the developer open up North 13th Street from Fir to Jackson, at the developer's expense. Seconded by Mr. Strege.

City Attorney, Robert Hamilton, commented that it is his understanding that the proposed amendment is a street that is outside of the proposed plat which poses a question as to whether that condition would be valid so far as plat approval is concerned.

Mrs. Bichsel moved that the Resolution be continued for one week. Seconded by Mr. Strege. Voice vote was taken and carried. The Resolution was continued to April 18th.

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Resolution No. 24958

Authorizing the purchase of one Dodge pickup truck and four Ford sedans, utilizing the State of Washington Contract #368-77.

Arthur Brown of 2127 South "L" spoke.

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

Purchase Resolution No. 24961

1. Awarding contract to Morris Construction, Inc. on its bid of \$25,581.34 for pump station replacement, W.O. 19825.
2. Rejecting all bids on Kleiner Memorial Group Home, W.O. 74367.

Arthur Brown of 2127 South "L" spoke.

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

Resolution No. 24963

Expressing the intent of the City of Tacoma to enter into an Inter-local Government Agreement with Pierce County with respect to the development, formation and review of an employment and training consortium.

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

Resolution No. 24964

Expressing the City Council's intent to prepare a site proposal to submit to the National Oceanic & Atmospheric Administration for location of the NOAA facilities in the City of Tacoma.

Speaking in favor of the resolution were: Ruth Kors, 620 No. "J", representing the Tacoma Chamber of Commerce and the Downtown Tacoma Association; Arthur Brown of 2127 South "L"; Dick Sonntag, former City Council member; and Robert Ellner.

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

Resolution No. 24965

Authorizing execution of an agreement between the Tacoma-Pierce County Civic Arts Commission and the Tacoma Symphony Orchestra Association and payment of the sum of \$6,000.00 for two free concerts.

Raymond Roland, 1620 East Columbia, spoke against the resolution.

Arthur Brown 2127 South "L" spoke in favor of the resolution.

Mr. Warnick moved that the Resolution be adopted. Seconded by Mr. Hudson. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 24965

Authorizing execution of an agreement with the County of Pierce for the care and custody of County prisoners temporarily housed in the City Jail.

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

Resolution No. 24967

Amending the schedule of fees for private occupancies of public rights-of-way.

Mr. Warnick moved that the Resolution be adopted. Seconded by Mr. Evans. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 24968

Authorizing the purchase of additional sewer monitoring equipment from Speedcall Corporation and waiving the requirement for competitive bidding.

Mr. Warnick moved that the Resolution be adopted. Seconded by Mr. Evans. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 24969

Authorizing execution of an agreement with Pierce County to enable the City to accept State Historic Preservation funds and to assist the County in a county-wide structures survey.

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

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REPORTS BY CITY MANAGER:

The City Manager, Erling Mork, advised that it is suggested a Joint City Council, Public Utilities Board meeting be held on April 24, 1978, with Council's approval.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

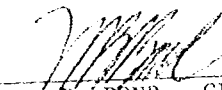
Mr. Hudson asked that a draft ordinance be brought to Council that would make a change in the Hearings Examiner ordinance which would allow the respondent to answer questions of Council members.

Mr. Hudson asked that background information be submitted to Council regarding the proposed sister city of Kusan City, Korea.

Mr. Hudson also asked for information which has been developed so far regarding the proposed World's Fair and information on the Mayor's recommended consultant for the proposed World's Fair.

On proper motion, the meeting adjourned at 9:00 p.m.


MIKE PARKER - MAYOR

ATTEST: 
H. B. BOND - CITY CLERK

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