

CITY COUNCIL MINUTES

City Council Chambers  
March 1, 1983

The meeting was called to order at 5:02 p.m.

Present on roll call: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

The Flag Salute was led by Deputy Mayor Nielsen.

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C O N S E N T   A G E N D A

Approval of the minutes of the regular meeting of February 22, 1983.

PETITIONS:

Robert Jones requesting the reclassification of the property located on the North side of South 8th Street between Winnifred and Highland Streets from a "R-2" to a "C-1" District.

RESOLUTIONS:

Resolution No. 27762

Setting Tuesday, May 3, 1983 at 10:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate Villard Street between South 12th and South 13th Streets and the adjacent alley. (Darrell H. Wilber)

Resolution No. 27763

Setting Tuesday, May 10, 1983 at 9:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate Whitman Place in the vicinity of South 38th and Pine Streets. (Michael Sterbick, et al.)

Resolution No. 27764

Authorizing the execution of a Concomitant Zoning Agreement Addendum with the Tacoma Mall Corporation relative to the placement of a traffic signal device at the west Tacoma Mall entrance to Pine Street near South 45th Street.

ASSESSMENT ROLLS:

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

L.I.D. 5630 for the construction of water mains in South 40th Street from Ferry Street to Steele Street, along Steele Street from South 49th to South 43rd Street; along vacated South 43rd Street from Steele Street to Ferry Street, and in vacated South 39th Street from Steele Street to the west 300 feet.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, March 1, 1983.
- b. Minutes of the meeting of the Appointments Committee, February 21, 1983.
- c. Minutes of the meeting of the Civil Service Board, February 7, 1983.
- d. Minutes of the meetings of the Tacoma Planning Commission, January 17 and January 26, 1983.
- e. Minutes of the meeting of the Public Utility Board, February 9, 1983.
- f. Minutes of the meeting of the Tacoma Employees' Retirement System, January 27, 1983.

Councilwoman Bichsel moved that the Consent Agenda, including Resolution Nos. 27762, 27763, and 27764, be approved. Seconded by Councilman Rasmussen. Voice vote was taken and carried with Councilman Rasmussen abstaining on Resolution No. 27762. The Consent Agenda was declared approved.

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R E G U L A R   A G E N D A

ANNOUNCEMENTS, PRESENTATIONS, AND APPOINTMENTS:

Resolution No. 27765

Appointing members to various committees, boards and commissions.

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

COMMUNICATIONS:

- a. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.292 of J. A. Jones Construction Company for the modification of an existing graving dock facility located at the southeasterly corner of Lincoln Avenue and Alexander Avenue.

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Deputy Mayor Nielsen. Roll call vote was taken, resulting as follows: Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland. Nays: 0. The motion was declared adopted.

- b. Hearings Examiner recommending that the request of Alex Heinz for the reclassification of the north side of East 30th Street between East "R" Street and East "T" Street from an "R-2" to an "R-3" District be denied.

Mayor Sutherland moved to concur in the recommendations of the Hearings Examiner. Seconded by Councilman Kirby. Voice vote was taken and carried. The motion was declared adopted.

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Mayor Sutherland proclaimed the week of February 28th to March 6th, 1983 to be Opera Week, presenting the proclamation to Dr. Kurt Blau, Chairman of the Tacoma-Pierce County Opera Society.

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FINAL READING OF ORDINANCES:

Ordinance No. 22878

Amending Chapter 12.06 of the Official Code relative to an electric rate revision effective April 1, 1983.

Mayor Sutherland moved to suspend the rules to consider additional public testimony on Ordinance No. 22878. Seconded by Councilman Hyde. Voice vote was taken and carried. The motion was declared adopted.

Testifying on the Ordinance were:

- |                        |                               |
|------------------------|-------------------------------|
| Ms. Dorothy J. Kellogg | Tacoma Resident               |
| Ms. Jane Anderson      | Tacoma Light Brigade          |
| Mr. Alfred Sortland    | 1106 South Monroe             |
| Mr. Dennis Manley      | U.P.S. Student                |
| Mr. Bob Jamison        | Chairman, Chamber of Commerce |
|                        | Energy Task Force             |

Roll call vote was taken, resulting as follows:

Ayes: 6 - Bichsel, Hyde, Ladenburg, Nielsen, Rasmussen and Mayor Sutherland.

Nays: 3 - Hawkins, Kirby and Strege.

The Ordinance was declared passed.

Ordinance No. 22879

Providing for the improvement of L.I.D. 8358 for the placement of permanent pavement and modern street lights on South 14th Street from Sunset Drive to Brookside Terrace, and on Brookside Terrace from South 14th Street south approximately 250 feet.

Testifying in opposition to the Ordinance was:

Mr. Brian Payne 4817 North 8th Street

Deputy Mayor Nielsen moved to remand the matter to the Hearings Examiner. Seconded by Councilwoman Bichsel. Roll call vote was taken, resulting as follows: Ayes: 6 - Bichsel, Hawkins, Kirby, Nielsen, Rasmussen and Mayor Sutherland. Nays: 3 - Hyde, Ladenburg and Strege. The motion was declared adopted.

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Mayor Sutherland moved that the Council consider Public Hearings and Appeals. Seconded by Councilman Strege. Voice vote was taken and carried. The motion was declared adopted.

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PUBLIC HEARINGS AND APPEALS: (Began at approximately 6:15 p.m.)

This is the date set for hearing the appeal of Bethlehem Lutheran Church regarding the decision of the Hearings Examiner to deny their request to move an existing Park and Pool (Park and Ride) area to an overflow parking lot located at 101 East 38th Street.

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

Mayor Sutherland announced that Mrs. Marion Rice was a former employee of his and he felt that this association might influence his decision. He stated he would abstain from consideration on this matter and left the Council Chambers.

Councilman Strege announced that he is a member of the Board of Pierce Transit. Councilwoman Bichsel announced that she also is a member of the Board of Pierce Transit. Council members Strege and Bichsel both abstained from consideration of this matter and left the Council Chambers.

Councilman Kirby mentioned that Kim O'Neal was the former secretary to the Mayor and Council, but that this past association with Kim O'Neal would not interfere with his decision.

Deputy Mayor Nielsen also indicated that Kim O'Neal was the past secretary to the Council, but this association would not interfere with his decision.

Ms. Kim O'Neal spoke on behalf of Bethlehem Lutheran Church and then introduced Mr. King Cushman who spoke on matters relative to Pierce Transit

Ms. Marion Rice, 124 East 37th Street, made a presentation in support of the Examiner's decision.

Councilman Rasmussen moved to concur in the findings, conclusions and recommendations of the Hearings Examiner and deny the appeal. Seconded by Councilman Hyde. Voice vote was taken and carried. The motion was declared adopted.

The appeal was denied.

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FIRST READING OF ORDINANCES:

Ordinance No. 22880

Vacating of North "E" Street between North 2nd and North 3rd Streets. (Tacoma School District No. 10)

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. 22881

Amending and re-enacting Chapter 1.44 of the Official Code to restructure the City's Councilmanic Districts.

The Ordinance was set over for final reading at the regular City Council meeting on March 15, 1983.

Ordinance No. 22882

Authorizing the execution of an amendment to a grant award agreement with the Economic Development Administration of \$9,255.00; appropriating said sum or so much thereof as may be necessary from the Economic Development Assistance Grant Fund for continuing economic development planning through March 31, 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 at the regular City Council meeting on March 15, 1983.

Ordinance No. 22883

Amending Chapter 5.02 of the Official Code to add a new section designated as Section 5.02.015 relating to the coordination of emergency medical services.

The Ordinance was set over for final reading at the regular City Council meeting on March 15, 1983.

Ordinance No. 22884

Amending Chapter 13.10 of the Official Code relative to zoning and shoreline management to amend the City's shoreline sign regulations.

Councilman Rasmussen moved to suspend the rules to consider Substitute Ordinance No. 22884. Seconded by Councilman Hawkins. Voice vote was taken and carried. The motion was declared adopted.

Councilman Rasmussen noted that the only change in the Substitute Ordinance related to neon signing.

The Substitute Ordinance was set over for final reading at the regular City Council meeting on March 15, 1983.

Ordinance No. 22885

Repealing and re-enacting Chapter 2.09 of the Official Code to revise construction-related permit fees and fee collection procedures.

The Ordinance was set over for final reading at the regular City Council meeting on March 15, 1983.

Ordinance No. 22886

Amending Chapters 2.11 and 6.20 of the Official Code relating to fees for Boiler and Pressure Vessel Licensing.

The Ordinance was set over for final reading at the regular City Council meeting on March 15, 1983.

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RESOLUTIONS:

Substitute Resolution No. 27735

Declaring the intention of the City Council to utilize certain revenues to provide assistance to low-income citizens with an anticipated utility rate increase.

Councilman Rasmussen moved to adopt Substitute Resolution No. 27735. Seconded by Councilwoman Bichsel.

Mayor Sutherland moved to suspend the rules to consider Resolution No. 27735-Substitute No. 2. Seconded by Councilman Hyde. Voice vote was taken and carried. The motion was declared adopted.

Councilman Hyde moved to amend the Resolution to add after line 19, "or the Utilities Department, whichever be appropriate." Seconded by Councilman Strege.

After further discussion, Councilman Hyde withdrew his amendment. Councilman Strege concurred.

Voice vote was taken and carried on the Substitute Resolution. The Substitute Resolution 27735-No. 2 was declared adopted.

Purchase Resolution No. 27766

Awarding contracts to:

1. Axme Tree Experts on their bid of \$9,928.00 for emergency tree removal - Specification No. G-030-83;
2. Puget Sound Office Interiors on their bid of \$6,791.46 for Tacoma Dome furniture and equipment - round folding tables (4.00) - Specification No. G-177-82;
3. Ceccanti, Inc., on their bid of \$6,060.56 for bank run - Specification No. G-195-82;
4. Manning Technologies, Inc., on their bid of \$4,024.85 for purchase of two (2) automatic composite samplers for sewer utility laboratory; and
5. Morris Construction, Inc., on their bid of \$126,037.77 for sanitary sewer replacement in the alley between Fife and Oakes Streets, from South 48th to South 54th Streets - Specification No. G-021-83;

Councilwoman Bichsel moved that the Resolution No. 27766 be adopted. Seconded by Councilman Hyde.

Mayor Sutherland moved to waive the formal bidding procedures for Item 4 for the purchase of two (2) automatic composite samplers. Seconded by Councilman Hyde. Voice vote was taken and carried. The motion was declared adopted.

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

Resolution No. 27767

Authorizing amendments to the Charter of the Municipal Authority to increase the number of board members from three to five, and provide for additional governmental functions relative to the Pantages Centre.

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

Resolution No. 27768

Adopting the final statement of objectives and use of funds for the 1983-84 Community Development Block Grant Program.

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

Resolution No. 27769

Authorizing the sale of surplus copper wire and insulated cable to General Metals of Tacoma, Inc.

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. 27770

Authorizing the partial release of an easement in the vicinity of the Tacoma-Cushman Transmission Line right-of-way south of Hoodspport, Washington to Robert L. and Laurretta M. Hays.

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. 27771

Authorizing the acquisition of property located in the Prairie Ridge area for the installation of a water reservoir.

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. 27772

Deleting the reference to passenger rail transportation at the Union Station from Resolution No. 27660 which relates to the development of a plan for the physical revitalization of the lower Pacific - Union Depot Warehouse District.

Deputy Mayor Nielsen moved to adopt Resolution No. 27772. Seconded by Councilman Rasmussen.

Councilman Strege moved to suspend the rules to adopt Substitute Resolution No. 27772. Seconded by Councilman Hyde.

Councilman Strege read the language from Substitute Resolution No. 27772 that did not appear on Resolution No. 27772.

Roll call vote was taken on Substitute Resolution No. 27772, resulting as follows: Ayes: 5 - Hawkins, Hyde, Kirby, Ladenburg and Strege. Nays: 4 - Bichsel, Nielsen, Rasmussen and Mayor Sutherland.

The Substitute Resolution was declared adopted.

Supplemental Purchase Resolution No. 27773

Awarding contracts to:

1. Ticketmaster Northwest for computerized ticketing service - Specification No. G-001-83; and
2. The Wackenhut Corporation on their proposal for the provision of public services such as ushering, parking, service door, crowd control and admission control attendants - Specification No. G-002-83.

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



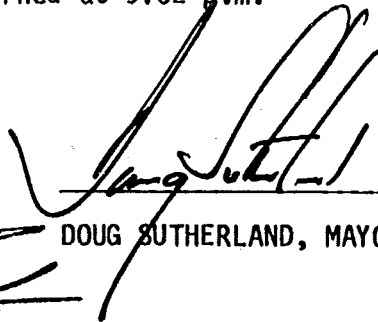


Mayor Sutherland moved to recess into an Executive Session for the purpose of discussing litigation. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. Council recessed at 8:47 p.m. and reconvened at 9:01 p.m.

Mayor Sutherland moved that the City Council approve and authorize the execution of the settlement agreement in the matter of Venture Construction Company vs. the City of Tacoma, as recommended by the City Attorney and the Public Works Department. Seconded by Councilman Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

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On proper motion, the meeting adjourned at 9:02 p.m.

  
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DOUG SUTHERLAND, MAYOR

ATTEST:



GENELLE BIRK, CITY CLERK