

CITY COUNCIL MINUTES

City Council Chambers
June 20, 1978

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

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

The Flag Salute was led by Councilman Hudson.

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

Approval of the minutes of the meeting of June 13, 1978.

PETITIONS:

a. Jack A. Anderson dba Genesis Builders requesting the rezoning of the property located on the north side of South 12th Street between Proctor and Adams Streets from an "R-2" to an "R-3" District.

For referral to the Hearings Examiner.

b. Petition from citizens requesting assignment of a radar car to periodically monitor traffic in the Salishan Housing Complex. Also requesting a study of feasibility of traffic control bump and alternatives to parking on East 44th Street in front of Lister School.

For referral to the Public Works Dept.

RESOLUTIONS:

Resolution No. 25104

Setting Tuesday, July 11, 1978, at 10:30 a.m. as the date for hearing, by the Hearings Examiner, the request for vacation of Ash Street from South 40th Street to the southerly right-of-way line of I-5 and South 39th Street from Ash Street to the easterly right-of-way line of I-5. (George Economou)

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Resolution No. 25105

Setting Tuesday, July 11, 1978, at 10:30 a.m. as the date for hearing, by the Hearings Examiner, the request for the vacation of South 35th Street from Pine Street to South Tacoma Way. (Al's Used Cars)

Resolution No. 25106

Setting Friday, July 14, 1978, at 1:30 p.m. as the date for hearing, by the Hearings Examiner, the request for vacation of the alleys in the vicinity of Green Hills Avenue and N.E. 51st Street. (Aaron Litowitz)

Resolution No. 25107

Setting Friday, July 14, 1978, at 1:30 p.m. as the date set for hearing by the Hearings Examiner, the request for vacation of Bismarck Street from East "C" Street to McKinley Avenue. (Clifford Burns)

Resolution No. 25108

Setting Friday, July 14, 1978, at 9:00 a.m. as the date for hearing by the Hearings Examiner, the request for vacation of parts of North Shirley Street between North 47th Street and North 46th Street. (Weathervane Builders)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner agenda for Tuesday, June 20, 1978.
- b. Minutes of the Civil Service Board Meeting of June 5, 1978.
- c. Minutes of the meeting of the Board of Commissioners of the Tacoma Housing Authority of May 16, 1978.
- d. Minutes of the Natural Systems Citizens' Committee meetings of April 10 and May 8, 1978.
- e. Minutes of the Tacoma Planning Commission meeting of May 15, 1978.
- f. Minutes of the Human Relations Commission Business Meeting of May 25, 1978.
- g. Minutes of the Landmarks Preservation Commission Meeting of May 26, 1978.
- h. Municipal Court's statistical report for the Month of May, 1978.

Mr. Schroeder moved that all items on the Consent Agenda, including Resolutions Nos. 25104, 25105, 25106, 25107 and 25108, be approved. Seconded by Mrs. Bichsel.

Deputy Mayor Warnick moved that the minutes of June 13, 1978 be amended on Page 2, by changing the date for hearing on the assessment roll for L.I.D. 8178 from July 10, 1978 to July 24, 1978 at 4:00 p.m. Seconded by Mr. Schroeder. Voice vote was taken and carried.

Voice vote was taken on the Consent Agenda as amended and carried.

PROCLAMATION:

Deputy Mayor Warnick called on Mr. Ray Corpuz, Sr., representing the Philippino community in Tacoma, to receive a proclamation which proclaimed Saturday, June 24, 1978, as Philippine Day in the City of Tacoma. Mr. Corpuz introduced Mariano Lanvicho, Counsel General, Philippine Republic, N.W. who accepted the proclamation.

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

COMMUNICATIONS:

- a. Hearings Examiner recommending that Application Nos. 120.834 and 130.1433 of B.S.M. Corp. for rezoning of the property located on the south side of Center Street between Huson and Ferdinand Streets from a "C-1" and "R-4" to a "C-2" District be withdrawn, as requested by B.S.M. Corp., and filing fee be refunded.

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

- b. City Attorney advising that Mr. Glen E. Graves, petitioner, has abandoned the project under Rezone Request No. 120.809, Conditional Use Permit No. 121.175 and Waiver Request No. 122.218 for the property located at the northeast corner of South 12th and Cedar Streets and that the files should be closed, and that Ordinance No. 21184, which had first reading October 11, 1977, be tabled.

Mr. Nielsen moved to concur in the recommendation of the City Attorney, that the files be closed and that Ordinance No. 21184 be tabled. Seconded by Mr. Schroeder. Voice vote was taken and carried.

- c. Hearings Examiner recommending denial of John G. Finch's request for reclassification from an "R-1" to an "R-2T" District, an existing single-family dwelling at 1802 Jackson Avenue into a psychologist's clinic. An appeal has been filed. (Cont. from 5-30-78)

Bob Backstein, Hearings Examiner, reviewed the requested reclassification and his reasons for recommending denial of the reclassification.

Ron Leighton, Attorney, representing Dr. Finch, outlined Dr. Finch's view on the denial of their request and asked that the rezone be granted.

Also speaking was Dr. John G. Finch.

Speaking against the rezone request was Dr. Robert Whitney, 1736 Fairview Drive So. and Donald Miller, 1730 Fairview Drive So.

Mr. Strege moved to accept the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Mr. Nielsen. Roll call vote was taken, resulting in Ayes: 8 - Bichsel, Evans, Hudson, Kirby, Nielsen, Schroeder, Strege and Deputy Mayor Warnick. Nays: 0. Absent: 1 - Mayor Parker. Motion carried.

Deputy Mayor Warnick moved to recess into Executive Session to consider legal, personnel and a real estate matter. Seconded by Mr. Schroeder. Voice vote was taken and carried. The Council recessed at 6:08 p.m. The Council reconvened at 7:15 p.m.

FINAL READING OF ORDINANCES:

Ordinance No. 21388 (Continued from meeting of June 13, 1978)

Providing for the improvement of L.I.D. 3798 for constructing sanitary sewers in Blossom Drive from Brown's Pt. Blvd. to 41st Street NE and other nearby streets.

Speaking against the ordinance were: Mark Patterson, Attorney representing Mr. & Mrs. Barthule; Mrs. Ben Barbee of 2319 Brown's Point Blvd.; and Mr. Iesheim, property owner.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Evans, Hudson, Nielsen, Schroeder, Strege and Deputy Mayor Warnick.

Nays: 1 - Kirby

Absent: 1 - Mayor Parker

The Ordinance was declared passed.

Ordinance No. 21391

Authorizing execution of a grant award contract with the U.S. Dept. of Labor under Title III of the Comprehensive Employment and Training Act of 1973 in the amount of \$80,598.00, creating a new fund to be known as the HIRE II Fund and appropriating the sum of \$80,598.00, or so much thereof as may be necessary from the HIRE II Fund for the purpose of conducting the Help Through Industry Retraining and Employment Program 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: 8 - Bichsel, Evans, Hudson, Kirby, Nielsen, Schroeder, Strege and Deputy Mayor Warnick.

Nays: 0

Absent: 1 - Mayor Parker

The Ordinance was declared passed.

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Ordinance No. 21392

Authorizing the transfer of the sum of \$9,000.00 from the Contingency Fund to the General Fund; appropriating said \$9,000.00 for the purpose of paying the costs of a portion of the Fourth of July civic celebration; authorizing execution of an agreement for services with the Daffodilians Organization and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Mrs. Bichsel moved to amend the ordinance wherever the figure \$9,000.00 appears that it be changed to \$6,000.00. Seconded by Mr. Hudson. Voice vote was taken and carried.

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

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

Nays: 2 - Kirby and Strege.

Absent: 1 - Mayor Parker

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 21393

Vacating a 30-foot strip of right-of-way abutting and paralleling I-5 between Hosmer and Ash Streets. (Donald Doyle)

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

The Ordinance was set over for final reading to a date to be determined.

Ordinance No. 21394

Amending Chapter 11.36 of the Official Code by repealing subsection 11.36.100 (103) reducing speed limit on Pearl Street from North 42nd to Point Defiance Park entrance from 30 MPH to 25 MPH.

The Ordinance was set over for final reading next week.

Ordinance No. 21395

Authorizing execution of a grant award contract with the State of Washington Department of Ecology in the amount of \$32,000.00 for the purpose of developing and implementing a shoreline site inspection program; appropriating the sum of \$32,000.00 or so much thereof as may be necessary from the Coastal Zone Management Fund 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.

Ordinance No. 21396

Establishing a new fund to be known as the "Community Development Fourth Year Block Grant Fund" appropriating the sum of \$3,304,000.00 or so much thereof as may be necessary from said fund for the purpose of carrying out certain programs set forth in the Fourth Year Block Grant Agreement 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.

Ordinance No. 21397

Amending Chapter 12.08 of the Official Code by repealing Section 12.08.165 relating to the Sewer Utility Board of Review.

The Ordinance was set over for final reading next week.

Ordinance No. 21398

Authorizing condemnation of three parcels of right-of-way for the alley paving by L.I.D. 8154 in the vicinity of McKinley Avenue and East 44th and 45th Street.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 25109

Appointing Lillian E. Edwardsen as a member of the Plaza Pavilion Advisory Committee for a two-year term expiring on June 20, 1980.

Mr. Hudson moved to continue the resolution to July 5, 1978. Seconded by Mr. Nielsen. Voice vote was taken and carried. The resolution was continued to July 5, 1978.

Resolution No. 25110

Increasing the number of members of the Sister City Committee from Seven to Nine members and appointing Frederick D. Warnick as a member of the Sister City Committee.

Mr. Hudson moved that the resolution be continued to July 5, 1978. Seconded by Mrs. Bichsel. Voice vote was taken and carried. The resolution was continued to July 5, 1978.

Resolution No. 25095 (Continued from June 13, 1978)

Awarding contracts to:

2. Olson Building Company on its bid of \$155,000 for Kleiner Memorial Group Home.

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

Resolution No. 25099 (continued from June 13, 1978)

Approving the sale of a parcel of land at 605 South "I" Street to Robert L. Hess for the sum of \$16,000.00

Mrs. Bichsel moved that the resolution be adopted. Seconded by Mr. Nielsen.

Mr. Schroeder moved to amend the resolution on Line 19, to change the figure 8% to 9½%. Seconded by Mr. Nielsen. Voice vote was taken and carried.

Robert L. Hess spoke and offered to pay 8-3/4%.

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

Purchase Resolution No. 25111

Awarding contract to:

1. Byron Rockstad, Inc., on its bid of \$13,412.70 for L.I.D. 3802-Sanitary Sewers in South 42nd Street from South Pine to South Fife Street.

Rejecting all bids on:

2. L.I.D. 8180 & 8184 - Grading, asphalt paving and storm drainage in various residential and commercial alleys.
3. W.O. ADO22R & ADO30M - Spanish Steps - Restoration and landscaping of the concrete stairway on South 7th between Broadway and Commerce.

Purchase Resolution No. 25111 (Cont.)

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

Resolution No. 25112

Rescinding Resolution 24369 which created the Energy Task Force and rescinding Resolution 23222 which created the Citizens' Tax Advisory Committee as their projects have been completed.

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

Resolution No. 25113

Approving the final plat for WAPATO LAKE TERRACE located north of South 61st Street and east of Wapator Lake Drive. (Don Leote)

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

Resolution No. 25114

Approving the final plat for the HOFTO HEIGHTS ADDITION located in the vicinity of the west side of 53rd Avenue N.E. and south of 31st Street N.E. (Gary Davis)

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. 25115

Approving the final plat for SUMMERSET located in the vicinity north of North 28th Street, south of Cushman Transmission Line and east of the Burlington Northern Railroad. (Jack Sleavin)

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

Resolution No. 25116

Authorizing execution of a concomitant agreement with Ronald W. Crippen and Nancy E. Crippen concerning the development of a 120 unit apartment complex located on the east side of South Orchard Street between South 35th and South 37th Streets extended.

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. 25117

Approving Resolution No. 194 of the Board of Health of the combined County-City Health Department to amend the compensation plan for certain classes in the Tacoma-Pierce County Health Department.

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. 25118

Authorizing an agreement with Mary Bridge Children's Health Center for a Prenatal & Infant Nutrition program in the amount of \$54,000.

Arthur Brown, representing Social Services Agency spoke in favor of the resolution.

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

Resolution No. 25119

Designating the Seniors Satellite Program as a Major Federal Aid Project.

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

Resolution No. 25120

Establishing a summer program for economically disadvantaged youth entitled "Job Opportunities for Youth," the number of job stations to be available and the hourly rate of pay.

Speaking in favor of the resolution was Arthur Brown and Elise Meyer of 422 North "E".

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

Resolution No. 25121

Authorizing execution of an agreement with Ranger-Howard Productions, Inc. to provide for the performance of a free concert and free student workshop at a cost not to exceed \$5,000.00.

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. 25122

Authorizing the City Manager to execute and submit a request to the Department of Ecology for modifications to existing National Pollutant Discharge Elimination System Waste Discharge Permits for the City of Tacoma's three wastewater treatment plants.

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. 25123

Authorizing execution of an agreement with the Department of Housing and Urban Development for a Community Development Fourth Year Block Grant.

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

PUBLIC HEARINGS

This is the date set for the public hearing on the six year comprehensive street program for the years 1979 through 1984.

Ron Button, Director of Public Works, advised Council that State law requires that the six year comprehensive street program be updated each year. Mr. Button reviewed the plan and answered questions of Council members.

Arthur Brown of 2502 Tacoma Avenue So. asked for a copy of the plan. No other members of the public came forward to speak on the plan.

Mr. Hudson moved that the public hearing on the six year comprehensive street program for the years 1979 through 1984 be closed. Seconded by Mr. Nielsen. Voice vote was taken and carried.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Councilman Hudson asked to be excused from next week's meeting. Councilman Nielsen moved that Councilman Hudson be excused from next week's meeting. Seconded by Councilman Strege. Voice vote was taken and carried.

Councilman Evans moved to suspend the rules in order to allow Jim Brewster, Mayor of the Old City Hall, to speak in order to invite everyone to a dance.

Jim Brewster, Manager of the Old City Hall, invited the Mayor and Council members and all citizens of the City to attend a summer dance under the stars, on the third floor of the Old City Hall on June 24, 1978 from 9:00 p.m. to 1:00 a.m. He advised that the dance would be free.

Councilwoman Bichsel asked for a report from the City Manager on how much money was spent last year by the Public Works Department for clean-up in the Old Town area and the cost of Police protection last year for the 4th of July celebration.

Councilman Nielsen, Council representative on the Planning Commission, reminded Council members there will be a joint Study Session between the City Council and the Planning Commission very shortly. He asked that Council make a decision as to whether they wish an afternoon or evening session.

Councilwoman Bichsel inquired as to a proclamation for Ms. Downtown Tacoma Week. Deputy Mayor Warnick advised that this is Ms. Downtown Tacoma Week, however, since the Mayor was a judge he is desirous of presenting the proclamation when he returns to Tacoma. It will be presented at next weeks' meeting.

CITIZENS' REQUEST TO BE HEARD:

- a. Robert M. DeMarais, President, Concerned Citizens For the Development of the Westend, wishing to speak regarding their opposition to further development of multi-family units within the westend area.

William Coggin, 6224 No. 35th, spoke on behalf of Mr. DeMarais who could not be present at the meeting. He presented petitions to Council members of citizens in the westend and related that the neighborhood is asking that a limit of density be established for their area, particularly in Census Tract 609. He advised the neighborhood opposes the new development of multi-unit apartments in their area.

Also speaking were: Joseph Archibald, a resident of the area and Jean Hartstein, teacher at Pt. Defiance School and a recent resident of the area.

Deputy Mayor Warnick asked the City Manager to present the petitions to the Planning Department and that the subject be scheduled for a Council Study Session in the near future.

Councilman Strege asked the City Manager to report on how many total apartment units have already been allowed in the westend and how many are proposed for rezoning in this and other nearby areas. Also, in what instances were the Planning Commission and the Planning Department allowing citizens groups to work with them in comprehensive planning of the area. He asked that this information be brought to the Study Session.

- b. Wendy Isenhart, Chairperson, of the Wedge Association, wishing to speak concerning their neighborhood in the Central District.

Wendy Isenhart, Chairperson, of the Wedge Association, presented petitions of the residents and property owners of the "Wedge District," which is an area bounded by Division Avenue, 6th Avenue and "K" Street. She described the immediate problem is the plan by the Latter Day Saints Church to remove or demolish four homes on the east side of "M" Street, a residential block, to construct parking lots. On behalf of the residents she asked that the City Council stop all zoning changes, demolition, removal of homes and building permits until a Land Use Plan for the neighborhood is developed and adopted.

Deputy Mayor Warnick suggested that this be a project for the Planning Commission.


Assistant City Manager, Severo Esquivel, advised that the City Manager will work with the Planning Department Director to prepare recommendations to the Planning Commission.

Councilman Evans commented, the Wedge District does not contain an R-1 zone in spite of the beautiful homes in the area. He also commented that the land owners of the area are making a unified approach toward a plan that makes sense and will involve down-zoning. He urged Council members to be attentive to what these people are attempting to do within the next few months and to give them due consideration.


Councilman Strege requested that the City Manager's office seek a legal opinion on the legality for down-zoning. He cited the City of Seattle as an example of the down-zoning of the Queen Anne area.

Councilman Hudson commented on the possibility of deed restrictions as a way of down-zoning. He asked that the opinion also contain the legality of deed restrictions on down-zoning proposed by the people in the community themselves for their own property.

On proper motion the meeting adjourned at 9:15 p.m.


JACK WARNICK - DEPUTY MAYOR

ATTEST:


H. B. BOND - CITY CLERK