

CITY COUNCIL MINUTES

City Council Chambers
Tuesday, October 12, 1982

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

Present on roll call: 6 - Bichsel, Hawkins, Hyde, Nielsen, Rasmussen, and Mayor Sutherland. Councilmen Kirby, Ladenburg, and Strege arrived at 5:06 p.m.

Absent: 3 - Kirby, Ladenburg, and Strege.

The Flag Salute was led by Mayor Sutherland.

Mayor Sutherland proclaimed the week of October 11-15, 1982 as Energy Awareness Week, and presented the proclamation to Ivonna McCabe of the Citizens' Energy Conservation Advisory Committee.

Councilmen Kirby, Ladenburg, and Strege arrived at 5:06 p.m.

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

Approval of the minutes of the regular meeting of October 5, 1982.

PETITIONS:

- a. Northwest Plaza Associates requesting the reclassification of the property located on the east side of Ferry Street approximately 300 feet south of South 48th Street from an "R-2-T" to a "C-2" District.
- b. Art Redford requesting the reclassification of the property located on the west side of Pacific Avenue between Spooner and South 79th Streets from an "R-2" to an "R-2-T" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 27601

Authorizing the execution of a Concomitant Agreement with Ralph and June Emerson relative to a "R-3PRD" Planned Residential Development District located approximately 285 feet east of Orchard Street between South 48th and South 52nd Streets.

Resolution No. 27602

Setting Tuesday, November 16, 1982 at 6:00 p.m. as the date for a public hearing on proposed amendments to the Official Code to change the definition of building height to conform with the Uniform Building Code and include a method of identifying "grade."

Resolution No. 27603

Setting Tuesday, November 30, 1982 at 10:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate the alley between East 26th Street and East 27th Street from East "F" Street to East "G" Street. (Donald E. Engle)

APPEALS:

Sten Goodhope appealing the decision of the Hearings Examiner to approve the requests of Progress House Associates for a Special Use Permit and Parking Variance to allow a Group Care Home Class II for juvenile boys at the property located on the southeasterly corner of South "K" Street and Sixth Avenue.

Setting Tuesday, October 26, 1982, at 6:00 p.m. as the date for hearing.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner's Agenda for Tuesday, October 12, 1982.
- b. Minutes of the meeting of the Landmarks Preservation Commission, September 21, 1982.
- c. Monthly report of the Director of Finance, August, 1982.
- d. Monthly report of Tacoma Police Department, August, 1982.
- e. Quarterly report of the Volunteer Services Division, June, 1982.
- f. Planning Department's Land Use Policy Manual, and Goals and Policies Manual, December 31, 1981.
- g. Refuse Utility Division Rate Study Report for 1983-1984, and Sanitary Sewer Utility Rate Study Report for 1983-1984.

Deputy Mayor Nielsen moved that the Consent Agenda, including Resolutions Nos. 27601, 27602 and 27603, be approved. Seconded by Councilwoman Bichsel. Voice vote was taken and carried. The Consent Agenda was declared approved.

Mayor Sutherland proclaimed the day of October 18, 1982, as the Tacoma Branch of the American Association of University Women's Day and presented the proclamation to Thelma Saltman of the Tacoma Branch of the American Association of University Women.

REGULAR AGENDA

FINAL READING OF ORDINANCES:

Ordinance No. 22480

Amending Chapter 13.06 of the Official Code to reclassify the area located approximately 285 feet east of Orchard between South 48th and South 52nd Streets, extended, from an "R-2" to an "R-3-PRD" District. (Ralph Emerson)

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Substitute No. 3 Ordinance No. 22774

Amending the Official Code to add a new Chapter, designated as Chapter 1.46, which establishes a Code of Ethics for the officials and employees of the City of Tacoma.

Deputy Mayor Nielsen moved to table Ordinance Substitute No. 3 Ordinance No. 22774. Seconded by Councilman Hyde.

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

Ayes: 5 - Bichsel, Hyde, Nielsen, Rasmussen, and Mayor Sutherland.

Nays: 4 - Hawkins, Kirby, Ladenburg and Strege.

The Ordinance was declared tabled.

Substitute Ordinance No. 22788

Adopting a refinancing plan for the University of Puget Sound Law Center and authorizing the necessary enabling agreements for said plan.

Mayor Sutherland moved to amend Substitute Ordinance No. 22788 on page 15, to insert "5th" and "12th" before the word "day" on lines five and nine respectively. Seconded by Councilman Rasmussen. Voice vote was taken and carried.

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

Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

The Ordinance, as amended, was declared passed.

Ordinance No. 22789

Amending Section 11.28.151 of the Official Code to prohibit parking between the hours of 7:00 a.m. and 9:00 a.m. on the west side of Pacific Avenue from South 7th Street north.

Councilman Strege moved to continue final reading of Ordinance No. 22789 for one week. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

The Ordinance will be considered under "Final Reading of Ordinances" at the Council meeting on October 19, 1982.

Ordinance No. 22790

Accepting the donation of a dog from Robert C. Young and a gift of \$500.00 from the Wild West Ladies Auxiliary to Post 91 of the V.F.W. for the purchase of a dog for the Police Department K-9 unit.

Mayor Sutherland introduced Helen Peterson of the Wild West Ladies Auxiliary Post 91 of the VFW.

Councilman Hyde moved to suspend the rules to allow Helen Peterson to speak on the Ordinance. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

Helen Peterson spoke regarding the donation from the Wild West Ladies Auxiliary.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

Abstaining: 1 - Hawkins.

The Ordinance was declared passed.

Ordinance No. 22791

Approving and confirming the assessment roll for L.I.D. 8309 for permanent paving on South Cushman Avenue from South 81st to South 83rd Streets and on South 83rd Street from South Sheridan Avenue east to the dead end.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 22792

Amending Chapter 13.06 of the Official Code to reclassify the property located on the northeasterly corner of Narrows Drive and North 26th Street from an "R-1" to a "R-2-PRD" District. (Phillip C. Wooding)

Councilman Hyde moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

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

Ordinance No. 22793

Vacating portions of Narrows Drive northerly of North 26th Street. (Phillip C. Wooding)

Councilman Rasmussen 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. 22794

Amending Title 6 of the Official Code to add a new chapter, designated as Chapter 6.87 relating to the sales tax.

Councilman Rasmussen made the following comments:

"As I recall the discussion last night at the workshop centered around, in terms of the half cent sales tax increase, centered around the fact that that is not part of the draft budget to date. And I would suggest that we look at it in just that way. Discussion also centered around many other methods of distributing that money back to citizens of Tacoma. One of the things that was brought up was, and I'd like that to be in the record, in the minutes, was the fact that we could draw down on either the excess levy on the Dome or the inside levy on the Dome, thus giving us the ability for capital programs in the future and that being just one of the alternatives. I would like to make sure that we, as a Council, at least leave the avenues open to how we can distribute those funds back. I don't think it's the intent, at least I didn't hear that last night, it was the intent of the Council to include that half cent sales tax in the budget."

Mayer Sutherland moved to continue first reading of Ordinance No. 22794 for one week. Seconded by Councilman Kirby. Voice vote was taken and carried.

First reading of the Ordinance was continued to the meeting of October 19, 1982.

Ordinance No. 22795

Authorizing the issuance and sale of General Obligation Bonds in the amount of \$8,130,000.00 to provide part of the funds necessary to pay and redeem the outstanding General Obligation Stadium Warrant of 1981.

The Ordinance was set over for final reading next week.

Ordinance No. 22796

Authorizing the issuance and sale of tax anticipation notes in the amount of \$570,000.00 to provide part of the funds necessary to pay and redeem the outstanding General Obligation Stadium Warrant of 1981.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 27604

Awarding contracts to:

1. Manpower Temporary Services on their bid of \$16,302.40 for temporary services - Specification No. G-142-82;
2. Hamilton Engine Sales, Inc. on their bid of \$24,385.64 for a diesel driven pumping unit - Specification No. G-140-82;
3. George Scofield Company on their bid of \$9,463.48 for re-roofing of Vehicle Maintenance Shop No. 3 - Specification No. G-126-82; and
4. Strand Century, Inc. on their bid of \$54,927.00 for a theatrical lighting control system - Specification No. G-135-82.

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

Councilman Hyde moved to waive the bid bond defect of Strand Century, Inc. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

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

Resolution No. 27605

Authorizing the acquisition of property located on the west side of Swan Creek at the intersection of East 61st Street.

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

Resolution No. 27606

Authorizing the execution of a local Improvement Assessment Deed for the purchase of property located at North 48th and Baltimore Streets, and East 31st and "R" Streets, for use as open space.

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. 27607

Authorizing the execution of Lease Supplement No. 2 with Tacoma Bank to extend the rental agreement for the bank's portion of the Tacoma Municipal Building parking lot.

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

Mayor Sutherland proclaimed the month of October as Head Start Month in the City of Tacoma and presented the proclamation to Kathy Atkins of Headstart.

UNFINISHED BUSINESS:

Councilman Hyde moved to reconsider Resolution No. 27600 from the Council meeting of October 5, 1982. Seconded by Deputy Mayor Nielsen.

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

Ayes: 5 - Bichsel, Hyde, Nielsen, Rasmussen and Mayor Sutherland.

Nays: 4 - Hawkins, Kirby, Ladenburg and Strege.

Resolution No. 27600

Creating a Citizen's Task Force to study and analyze the feasibility of adopting certain disclosure provisions for City employees.

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

Ayes: 2 - Kirby and Strege.

Nays: 6 - Bichsel, Hawkins, Hyde, Nielsen, Rasmussen and Mayor Sutherland.

Abstaining: 1 - Ladenburg.

Councilman Ladenburg then changed his vote to nay to be on the prevailing side.

The Resolution was declared failed.

Councilman Hawkins gave notice that, as he had voted on the prevailing side, he intended to bring this Resolution back for reconsideration.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Councilman Rasmussen requested the City Attorney to prepare a draft ordinance of an Ethics Code for the Council, taking into consideration the employee rules of the City of Tacoma, Charter of the City of Tacoma, current State law dealing with disclosure of elected officials and Substitute No. 3, Ordinance No. 22774.

Councilman Hawkins asked the City Attorney to provide the Council with the original draft of the Ethics Code that was proposed in March 1981. He also asked that the City Attorney prepare a charter amendment that provides for a popular initiative and referendum.


Mayor Sutherland moved to excuse Councilwoman Bichsel and Mayor Sutherland from next week's meeting. Seconded by Councilman Hyde. Voice vote was taken and carried.

Councilman Ladenburg requested that the City Attorney review a number of points in the memo prepared by the City Attorney's office regarding the Ethics Code.

Mayor Sutherland announced that on October 23, 1982, at approximately 12:00 noon, the U.S.S. Copeland will arrive in the City of Tacoma. The Mayor has appointed an ad hoc committee to coordinate the welcoming activities for this event. The coordinator of the committee will be Ken Russell. Other members of the committee include Robert Copeland, Jr., Bruce McKenzie, Mark Anderson, Captain Paul Smith, Ed Hudson, Joe Fortier, and Ellida Kirk-Lathrop. The Mayor introduced Mr. Russell, who spoke to the Council regarding the welcoming ceremonies and invited the citizens of Tacoma to participate.

Councilman Hawkins moved to recess into Executive Session for purposes of discussing personnel. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. Council recessed at 6:45 p.m. and reconvened at 7:53 p.m.

On proper motion, the meeting adjourned at 7:54 p.m.


DOUG SUTHERLAND - MAYOR

ATTEST:


GENELLE BIRK, CITY CLERK