

229

CITY COUNCIL MINUTES

City Council Chambers
July 7, 1981

The meeting was called to order at 5:10 p.m.

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

The Flag Salute was led by Mayor Parker.

CONSENT AGENDA

Approval of the minutes of the regular meeting of June 30, 1981.

PETITIONS:

- a. John D. Dobler requesting the rezoning of the property located on the southeast and southwest corners of South 43rd and Cedar Streets from an "R-3" to an "R-4-L" District.

For referral to the Hearings Examiner.

- b. Residents in the neighborhood of Engine House No. 9 (611 North Pine) filing a petition relative to excessive noise from Engine House No. 9's live music.

For referral to the Police Department.

RESOLUTIONS:

Resolution No. 27026

Setting Tuesday, September 1, 1981 at 10:30 a.m., as the date for hearing by the Hearings Examiner the request for vacation of a portion of the alley between North 28th and North 29th Streets, west from Mason Avenue 115 feet. (Mr. & Mrs. Gino Federici)

Resolution No. 27027

Setting Tuesday, September 1, 1981, at 9:30 a.m., as the date for hearing by the Hearings Examiner the request for vacation of a portion of East 26th Street between East "F" and East "G" Streets. (Don E. Engle Distributing Company)

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Resolution No. 27028

Setting Tuesday, September 1, 1981 at 9:30 a.m., as the date for hearing by the Hearings Examiner the request to vacate a portion of the alley between Villard and Orchard Streets, north of North 33rd Street. (Randall L. Hodges)

APPEALS:

Tom Echert appealing the recommendation of the Hearings Examiner to approve the final plat of PARKSIDE, located west of Mildred Street between North 49th Street and the south property line of Point Defiance Park as requested by Washington Services, Inc.

Setting Tuesday, August 18, 1981 at 6:00 p.m. as the date for hearing.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner agenda for Tuesday, July 7, 1981.
- b. Minutes of the Tacoma Planning Commission meeting, June 1, 1981.
- c. Minutes of the Public Utility Board meeting, June 10, 1981.
- d. Minutes of the Civil Service Board meeting, June 15, 1981.
- e. Tacoma Employees' Retirement System Report of purchases and sales of investments during May 19, 1981 through June 10, 1981.
- f. Department of Public Utilities Annual Budget Estimates, Fiscal Year of 1981.
- g. Department of Public Works Filing Aging Schedules for Urban Arterial Projects.

Councilwoman Bichsel moved that the Consent Agends, including Resolutions Nos. 27026, 27027 and 27028, be approved. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The Consent Agenda was declared approved.

PROCLAMATION:

Mayor Parker presented a proclamation to the 4th of July Extravaganza Military Pageant Commission for the outstanding work they did for the 4th of July celebration in Old Town. Accepting the proclamation were the following members of the commission: Dave Grassi, Chuck Burns and Jack Richardson.

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

COMMUNICATIONS:

- a. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.260 of Richard Oline to allow the retention of existing access ramps, floating dock and boathouse, located on the southwesterly side of Marine View Drive, approximately 1-3/4 mile northwesterly of the intersection of East 11th Street and Marine View Drive abutting the northwesterly portions of Tyee Marina (5618 Marine View Drive).

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

- b. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.259 of the Port of Tacoma to allow the construction of a 24,000 square foot storage warehouse, located on the southwesterly side of the Hylebos Waterway, approximately 1/8th mile westerly of East 11th Street (401 Alexander Avenue).

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

- c. Hearings Examiner recommending denial of the request of Edward Greer to reclassify the northeast corner of East 96th and "A" Streets from an "R-2" to an "R-4-L" District.

Mayor Parker advised that an appeal has been filed and moved that this item be removed from the agenda and that a hearing date be set for July 28, 1981 at 6:00 p.m. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

- d. Hearings Examiner recommending that LID 8318 and 3829 not be formed.

Deputy Mayor Nielsen moved to concur in the recommendation of the Hearings Examiner. Seconded by Councilman Sutherland. Voice vote was taken and carried.

FINAL READING OF ORDINANCES:

Mayor Parker moved to suspend the rules to consider Ordinance No. 22462. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

Ordinance No. 22462

Authorizing the issuance and sale of Consolidated Local Improvement District Bond Issue No. 21 and providing for its taking effect immediately upon publication.

Mayor Parker moved that the appropriate interest rates, as outlined by the City Finance Director, be inserted at the proper places within the ordinance. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

Ordinance No. 22452 (Continued from the meeting of June 30, 1981)

Providing for the improvement of L.I.D. 8320 for permanent paving on Green Hills Avenue NE from 51st Street NE to 150 feet north of 53rd Street NE and 53rd Street NE from Browns Point Blvd. to a point 100 feet west of Green Hills Avenue NE.

Mayor Parker moved to continue this ordinance for one week. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The Ordinance was set over for final reading on July 14, 1981.

Ordinance No. 22453

Authorizing execution of a Grand and Funding Agreement for the Community Development Block Grant Seventh Year Program with the U.S. Department of Housing and Urban Development; depositing \$3,313,000 in the Community Development Grants Summary Fund; appropriating said sum, or so much thereof as may be necessary, from said Fund to implement certain programs as set forth in the Seventh Year Block Grant Agreement; 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: 9 - Bichsel, Hawkins, Hyde, Kirby, Nielsen, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 22454

Authorizing execution of a grant award contract with the Washington State Employment Security Department in the amount of \$4,471; appropriating said sum, or so much thereof as may be necessary, from the Comprehensive Employment Services Grant Fund to continue the operation of the CETA Coordinator Project; 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, Hawkins, Kirby, Nielsen, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0

Abstaining: 1 - Hyde.

The Ordinance was declared passed.

Ordinance No. 22455

Authorizing execution of a grant award agreement with the National Council of Senior Citizens in the amount of \$313,129; appropriating said sum, or so much thereof as may be necessary, from the Comprehensive Employment Services Summary Fund to continue the operation of the Senior Community Services 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, Hawkins, Kirby, Nielsen, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0

Abstaining: 1 - Hyde.

The Ordinance was declared passed.

Ordinance No. 22460

Amending Chapter 12.06 of the Official Code to revise the electrical rates and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Councilman Rasmussen moved to approve the flat rate for residential customers based on cost of service criteria as outlined in Ordinance No. 22460, Section 12.06.160, which reads as follows: "For single residences, individually metered apartments and per apartment for collectively metered apartments: (a) Customer charge shall be \$3.25 per month or any fraction thereof; and (b) Energy Charge: All energy measured in kilowatt-hours 0.0172 per kwh." Seconded by Councilman Hyde. Voice vote was taken and carried.

Councilman Rasmussen moved to delete on Page 2 of the Ordinance Sections 1.B and 1.C and Section 12 which refer to the surcharge. Seconded by Councilman Hyde. Voice vote was taken and carried.

Councilman Strege moved that we send back the proposed electric rate adjustments to the Public Utility Board and ask that they consider: (1) Reducing their proposed budget expenditures and/or using surplus revenue to pay for budgeted improvements, and (2) Proposing a method or methods of providing a greater equity in the rate structure and adjusting all rates as necessary. Seconded by Councilman Hawkins. Roll call vote was taken, resulting as follows: Ayes: 4 - Hawkins, Hyde, Kirby and Strege. Nays: 5 - Bichsel, Nielsen, Rasmussen, Sutherland and Mayor Parker. The motion was declared failed.

Councilman Strege moved to amend his amendment by moving that the Utility Board respond to the City Council before July 21, 1981 and providing further that the Final Reading of Ordinance No. 22460 will be held on July 21, 1981. Seconded by Councilwoman Bichsel. Roll call vote was taken, resulting as follows: Ayes: 4 - Hawkins, Hyde, Kirby and Strege. Nays: 5 - Bichsel, Nielsen, Rasmussen, Sutherland and Mayor Parker. The motion was declared failed.

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

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

Nays: 3 - Hawkins, Kirby and Strege.

The Ordinances, as amended, was declared passed.

Councilman Sutherland moved that we recommend to the Utility Board that they look at the surplus funds to be able to cover the difference between the rates suggested by the ordinance we just passed and, the rates that would be required in order to pay the rates charges to us by the Bonneville Power Administration. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

Ordinance No. 22461

Repealing and re-enacting Sections 12.10.010 through 12.10.640 of the Official Code to revise the water regulations and rates and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Mayor Parker moved to consider the revised Ordinance. Seconded by Councilman Nielsen. Voice vote was taken and carried.

Roll call vote was taken, resulting as follows:

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

Nays: 3 - Hawkins, Kirby and Strege.

The Ordinance was declared passed.

Ordinance No. 22462

Authorizing the issuance and sale of Consolidated Local Improvement District Bond Issue No. 21 and providing for its taking effect immediately upon publication.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

Ordinance No. 22463

Providing for the improvement of LID 2539 for two-inch asphalt surface treatment on various streets in the City.

Ken Jorgenson, Public Works Department, advised the Council that since the Public Hearing two additional protests had been filed and that those two separate segments have now also exceeded the 50%: Item 4 - North 18th from Villard to Orchard Street, protest is now 66%; Item 26 - North 10th Street from North Adams to North Washington Street, protest is now 54%. He recommended that both of these items be deleted.

Mayor Parker moved that both items be deleted. Seconded by Councilman Sutherland. Voice vote was taken and carried.

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

Ayes: 6 - Bichsel, Kirby, Nielsen, Strege, Sutherland and Mayor Parker.

Nays: 0.

Absent: 3 - Hawkins, Hyde and Rasmussen.

The Ordinance was declared passed.

Ordinance No. 22464

Approving and confirming the assessment roll for LID 5609 for constructing water mains in South 34th from South "K" to South "M" and South "M" from South 34th to South 35th Street.

Roll call vote was taken, resulting as follows:

Ayes: 6 - Hyde, Kirby, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0

Absent: 3 - Bichsel, Hawkins and Nielsen.

The Ordinance was declared passed.

Ordinance No. 22465

Approving and confirming the assessment roll for LID 5581 for constructing water mains in 128th Street East from 86th Avenue East to 84th Avenue Court East and 84th Avenue Court East from 128th Street East, south to cul-de-sac.

Roll call vote was taken, resulting as follows:

Ayes: 6 - Hyde, Kirby, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0

Absent: 3 - Bichsel, Hawkins and Nielsen.

The Ordinance was declared passed.

Ordinance No. 22466

Approving and confirming the assessment roll for LID 8283 for permanent paving on East 45th from McKinley Avenue to East "I", 54th Avenue NE from 25th Street NE to 27th Street NE; and other nearby streets.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hawkins, Hyde, Kirby, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0

Absent: 2 - Bichsel and Nielsen.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 22467

Creating a South Tacoma Business District Design Review Board.

Councilman Rasmussen moved that the Ordinance be amended in the appropriate location to state that the time frame involved in the review, by the Design Review Board, would not exceed beyond the normal time for acquiring a building permit. Seconded by Councilman Sutherland. Councilman Rasmussen withdrew his motion at this time and asked that the City Manager bring a substitute ordinance next week containing the foregoing language. Deputy Mayor Nielsen further asked that the City Manager change the language on Page 3, Line 22, with respect to city staff staffing the Design Review Board.

Speaking on the ordinance was Ken Kershner, President of South Tacoma Business Club.

The Ordinance was set over for final reading next week.

Councilman Hyde moved to suspend the rules to consider Ordinance No. 22473. Seconded by Councilman Kirby.

Ordinance No. 22473

Establishing interim zoning on certain properties in Northeast Tacoma pending the Planning Commission's Northeast Tacoma Plan review and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Bob Hamilton, City Attorney, informed the Council that the City was served this afternoon with a temporary restraining order which ordered, in part, provides as follows: "It is further ordered that pending a hearing on this ordinance to show cause that the defendants herein, that each and everyone of them, are hereby restrained and enjoined, from introducing, considering, discussing or in any way attempting to adopt Ordinance No. 22473." He suggested that there should be no discussion of this ordinance.

Mayor Parker moved that this ordinance be removed from the agenda. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

The Ordinance was removed from the agenda.

Ordinance No. 22468

Authorizing execution of a grant award contract with the Washington State Arts Commission in the amount of \$4,500; transferring \$4,001 from the General Fund to the Miscellaneous Grants Summary Fund; and appropriating \$8,501, or so much thereof as may be necessary, from said Fund to pay costs of temporary art installations at the Art Bowl.

The Ordinance was set over for final reading next week.

Ordinance No. 22469

Amending Section 1.20.020 of the Official Code authorizing the Director of Finance to pay an additional amount on contracts not to exceed ten percent.

The Ordinance was set over for final reading next week.

Ordinance No. 22470

Authorizing execution of a grant award contract with the U.S. Department of Labor in the amount of \$29,993; authorizing a temporary loan not to exceed \$10,000 from the General Fund to the CES Grant Fund to develop a technical assistance guide for the coordination of youth employment and training services; and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Mayor Parker moved to consider Substitute Ordinance No. 22470. Seconded by Councilman Strege. Voice vote was taken and carried.

The Ordinance was set over for final reading next week.

Ordinance No. 22471

Amending Chapter 13.06 of the Official Code to reclassify the area generally bounded by South 40th Street on the north, South Tyler and Madison Streets and the alley between Proctor and Durango Streets on the east, the alley between South 69th and 70th Streets, extended on the south, and the alley between Mason and Stevens Streets on the west from an "R-3" and "C-2" to an "R-2" and "R-3" District. (City of Tacoma).

The Ordinance was set over for final reading next week.

Ordinance No. 22472

Amending Chapter 13.06 of the Official Code to reclassify the northerly side of Marine View Drive between East 11th Street and the Tacoma City limits from an "R-3" and "R-4" to an "R-1" and "R-2" District. (City of Tacoma)

Mayor Parker stated that an appeal has been filed on this Ordinance and moved that this Ordinance be removed from the agenda and that a date for the hearing be set for August 25, 1981 at 6:00 p.m. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried with Councilman Sutherland abstaining.

The Ordinance was removed from the agenda.

Ordinance No. 22473

Establishing interim zoning on certain properties in Northeast Tacoma pending the Planning Commission's Northeast Tacoma Plan review and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

This was considered earlier in the meeting.

RESOLUTIONS:

Resolution No. 26960 (Continued from the meeting of June 30, 1981)

Authorizing execution of an agreement with the Tacoma-Pierce County Economic Development Board to provide certain services to assist the City and community to pursue their economic goals.

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

Resolution No. 27029

Appointing members to various committees, boards and commissions.

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

Mayor Paker advised that appointments to the Library Board can only be made by the Mayor, to be concurred in by the City Council. He then moved that since he had made no recommendation to the Library Board that this recommendation be removed from the agenda. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

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

Councilwoman Bichsel left at 7:00 p.m.

Purchase Resolution No. 27030

Awarding contracts to:

1. George Madsen Company on its bid of \$43,673.30 for Sidewalk Construction - Spec. G-77-81;
2. George Scofield Company, Inc., on its bid of \$7,755.35 for Re-Roof Fire Station No. 13 - Spec. G-80-81;
3. Golf Landscaping on its bid of \$183,823.31 for Commencement Park - Spec. G-81-81;
4. Woodworth & Company on its bid of \$96,917.85 for 2-Inch Asphalt Surface Treatment - Spec. G-90-81;
5. C & C Paint, Parker Paint Co., PPG Industries, Inc. and Pacific Paint Manufacturing Co. on their bids for Emergency Home Repair Eastside Revitalization Paint Program

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

Mayor Parker moved to amend the Resolution to include Item 6 - Venture Construction, Inc. on its bid of \$10,000 for the purchase of one 40' x 80' used steel building. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

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

Resolution No. 27031

Approving the final plat for PARK PLACE NORTH, DIVISIONS 1 and 2, located at North 51st Street, east of Mildred Street. (Trademark Corporation)

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. 27032

Authorizing execution of an Amendment to Agreement with The One Reel Vaudeville Show for additional services for the 1980 Summer Pops! concert series.

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

Resolution No. 27033

Authorizing execution of an agreement with the Tacoma Housing Authority to provide technical assistance to said Authority and eligible property owners relative to the Section 8 Moderate Rehabilitation program.

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

Speaking to the Resolution was Steve Hansen of Tacoma Housing Authority.

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

Resolution No. 27034

Authorizing execution of Amendment No. 10 to the NPP Agreement with the Municipal Authority to compensate its accountant employee for accounting services.

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

Resolution No. 27035

Expressing the Council's approval of implementation of Seventh Year Community Development projects known as the Curb Ramp Project, the Open Space Sidewalk Project and the New and Safer Bike Route Project.

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. 27036

Authorizing execution of Amendment No. 1 to the agreement with L. H. Bates Vocational Technical Institute to extend the CETA Coordinator Project through September 30, 1981.

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

Resolution No. 27037

Directing the Planning Commission to review Section 13.06.370 of the Official Code relating to nonconforming uses to determine if amendments should be made to report their recommendations to the City Council.

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

REPORTS BY CITY MANAGER

Erling Mork, City Manager, reminded the Council that on Monday, July 13, 1981 at 4:00 p.m. the Council has a budget workshop. Deputy Mayor Nielsen moved that the meeting be at 5:00 p.m. rather than 4:00 p.m. Seconded by Councilman Hyde. Voice vote was taken and carried. The Council's budget workshop is scheduled for Monday July 13, 1981 at 5:00 p.m.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Deputy Mayor Nielsen moved to excuse Councilmembers Bichsel and Rasmussen from the meeting of July 14, 1981. Seconded by Councilman Strege. Voice vote was taken and carried.

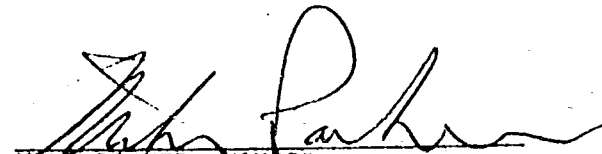
Mayor Parker stated that he received a communication today from Mr. Robert Backstein with regard to the letters that were forwarded to him through the City Clerk; wherein Mr. Backstein made three recommendations. He proceeded to hand out copies of the letter to each of the Councilmembers for review and discussion at a later date.


CITIZEN'S REQUEST TO BE HEARD:

Ruth McElliott requesting to speak regarding a Civil Service Board decision made on June 1, 1981.

Ruth McElliott spoke with regard to the Civil Service Board allowing the classification of Housing Improvement Representative to be consolidated into the classification of Building Inspector. She stated that the initiative for the consolidation came from the Personnel Department and as far as the records show the initiative did not come from the Public Works Building Division. She went on to outline the specifications for both of the above classes.

On proper motion the meeting adjourned at 7:30 p.m.


MIKE PARKER - MAYOR

ATTEST: 
H. B. BOND - CITY CLERK