

CITY COUNCIL MINUTES

City Council Chambers
October 14, 1980

The meeting was called to order at 5:00 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 October 7, 1980.

ASSESSMENT ROLLS:

The Director of Public Works presents Assessment Rolls for the following:

L.I.D. 3817, constructing sanitary sewers in the alley between North Ruby and North 48th from North Shirley to North Baltimore; Brown's Point Boulevard from 51st Street NE to 49th Street NE; and other nearby streets.

L.I.D. 3820, constructing sanitary sewers in North Shirley Street from alley between North Ruby Street and North 48th Street to alley between North 48th Street and Seaview Street and alley between North 48th Street and Seaview Street from North Shirley Street to 190 feet east.

Fixing Monday, November 10, 1980 at 5:00 p.m. as the date for hearing by the Hearings Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner's agendas for Tuesday, October 14, and Thursday, October 16, 1980.
- b. Minutes of the Landmarks Preservation Commission, September 24, 1980.
- c. Minutes of the Public Utility Board, September 24, 1980.
- d. Minutes of the Urban Policy Committee, September 25, 1980.
- e. Minutes of the Human Relations Commission, September 23, 1980.
- f. Tacoma-Pierce County Humane Society and S.P.C.A. Total Work Reports, June and July, 1980.
- g. Department of Public Utilities Financial Reports of the Self-Insurance Claim Fund, Data Processing Division, Belt Line Railway Division, Light Division and Water Division, August, 1980.

Councilwoman Bichsel moved that the Consent Agenda be approved. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The Consent Agenda was declared approved.

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

Mayor Parker moved to suspend the Rules to consider Hearings on Appeals after Final Reading of Ordinances. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

FINAL READING OF ORDINANCES:

Ordinance No. 22174 (Continued from the meeting of September 16, 1980)

Approving and confirming the assessment roll for L.I.D. 3813 for constructing sanitary sewers in George Street and the alley between George Street and East 38th Street, lying between East "T" Street and Roosevelt Avenue.

Mayor Parker moved to continue the Ordinance one week. Seconded by Councilman Strege. Voice vote was taken and carried. The Ordinance was continued one week.

Ordinance No. 22214 (Continued from the meeting of October 7, 1980)

Authorizing execution of a grant award agreement with the National Institute of Mental Health for \$10,732.00; transferring \$10,247.00 to the South End Youth Services Bureau Fund; appropriating \$20,979.00, or so much thereof as may be necessary, from said fund; authorizing execution of an Affiliation Agreement with the Comprehensive Mental Health Center, all for the purpose of continuing operation of the South End Youth Services Bureau 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: 6 - Bichsel, Hyde, Nielsen, Rasmussen, Sutherland and Mayor Parker.

Nays: 3 - Hawkins, Kirby and Strege.

The Ordinance was declared passed.

Ordinance No. 22221

Authorizing execution of a grant award contract with the U.S. Department of Labor for \$42,675.00; transferring \$2,000.00 from the CETA Administrative Pooling Fund to the Comprehensive Employment Services Grant Fund; appropriating \$44,675.00, or so much thereof as may be necessary, from the Comprehensive Employment Services Grant Fund to provide employment and training services to eligible City residents; 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. 22224

Amending Section 6.42.020 of the Official Code relative to the sale of distressed merchandise.

Mayor Parker moved to suspend the Rules to allow citizens to speak on the Ordinance. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

Bill Holt, attorney for Stebner's, spoke in opposition to the way the Ordinance was worded.

Rohn Burgess, Downtown Tacoma Association, and Walter West, Better Business Bureau, spoke in opposition to the Ordinance because they felt it would allow businesses to move from one location to another within the city as often as they liked and have moving sales before each move.

Don Huber, owner-operator of James Center, felt businesses should not be penalized for moving from one location to another.

Mayor Parker moved to continue the Ordinance one week and have an amendment drafted with a limit on the number of moving sales a business can have. Seconded by Councilman Hyde. Voice vote was taken and carried. The Ordinance was continued one week.

Ordinance No. 22225

Authorizing the issuance and sale of Consolidated Local Improvement District Bond Issue No. 18 and its taking effect immediately upon publication.

Mayor Parker moved to correct the Ordinance by inserting 9.25% on page 3, line 9, 9% on page 3, line 11, and 9.75% on page 3, line 12 and to correct the year from 1992 to 2002 on page 3, line 16, page 6, line 12 and page 7, line 17. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

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

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

Nays: 0.

HEARINGS ON APPEALS:

This is the date set for hearing the appeal of Robert W. Butler and a group of neighbors on the the Hearings Examiner's decision to allow a proposed grocery store of Go 'N' Joy Food Corp. to have a gasoline dispensing facility at 6th Avenue and McArthur Street.

Mrs. Hilda Mason, 638 South MacArthur, spoke in opposition to the request for a gasoline dispensing facility. A representative of Go 'N' Joy Food Corp. spoke on the request for the facility.

Councilman Strege moved to overrule the Hearings Examiner and grant the appeal. Seconded by Councilwoman Bichsel.

After a discussion by the Council on the traffic problems involved, Councilman Hyde moved to continue the hearing one week to allow time to have questions answered regarding the traffic problems. Seconded by Deputy Mayor Nielsen.

Roll call vote was taken, resulting as follows:

Ayes: 4 - Hyde, Nielsen, Rasmussen and Mayor Parker.

Nays: 5 - Bichsel, Hawkins, Kirby, Strege and Sutherland.

The motion was declared failed.

Roll call vote was taken on the motion to overrule the Hearings Examiner, resulting as follows:

Ayes: 6 - Bichsel, Hyde, Kirby, Nielsen, Rasmussen and Strege.

Nays: 3 - Hawkins, Sutherland and Mayor Parker.

The motion was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 22222 (Continued from the meeting of October 7, 1980)

Authorizing acceptance of grant award agreements in the amounts of \$9,535 each with the Ben Cheney Foundation and the Weyerhaeuser Company Foundation to purchase certain equipment for the operation of the Lighthouse Senior Center; depositing said funds in the Miscellaneous Grant Summary Fund; and appropriating \$19,070.00, or so much thereof as may be necessary, from said fund.

The Ordinance was set over for final reading next week.

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Ordinance No. 22226

Authorizing execution of a grant award contract with the U. S. Department of Labor; appropriating \$168,678, or so much thereof as may be necessary, from the Comprehensive Employment Services Grant Fund to provide employment and training services to eligible City residents; 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. 22227

Authorizing execution of a grant award contract with Pierce County; appropriating \$23,047, or so much thereof as may be necessary, from the Comprehensive Employment Services Grant Fund to provide private sector employment and training opportunities for the economically disadvantaged; 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. 22228

Amending Chapter 13.10 of the Official Code relative to Shoreline Management.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 26604 (Continued from the meeting of September 24, 1980)

Expressing the City Council's interest in establishing a sister city relationship with a city in the Peoples Republic of China.

Mayor Parker moved to remove the Resolution from the Agenda. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The Resolution was removed from the Agenda.

Councilman Hawkins moved to suspend the Rules to consider Substitute Resolution No. 26604. Seconded by Councilman Sutherland.

After Councilman Hawkins read the Substitute Resolution, roll call vote was taken on the motion, resulting as follows:

Ayes: 3 - Bichsel, Hawkins and Rasmussen.

Nays: 6 - Hyde, Kirby, Nielsen, Strege, Sutherland and Mayor Parker.

The motion was declared failed.

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Resolution No. 26661 (Continued from the meeting of October 7, 1980)

Creating a Councilmanic Redistricting Committee.

Mayor Parker moved to remove the Resolution from the Agenda and requested a study session be held to discuss this. Seconded by Councilwoman Bichsel. Voice vote was taken and carried. The Resolution was removed from the Agenda.

Purchase Resolution No. 26653

Awarding contracts to:

1. Tonnesen Construction Company on its bid of \$20,700.72 for Sanitary Sewers-Spec. No. G-131-80;
2. International Harvester Co. on its bid of \$5,797.48 for Emergency Repairs on Sewer Tanker;
3. General Electric Company on its bid of \$3,724.46 for General Electric Radios; and
4. Beckman Instruments, Inc., on its bid of \$5,896.80 for High Sensitivity Fluorescence Detector and A Fraction Collector.

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. 26663

Authorizing granting of a deed by the Water Division to the City of Enumclaw.

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

Resolution No. 26664

Approving the preliminary plat for GARBONZO'S SEASIDE HEIGHTS located between East 48th and East 49th at East "E" Street. (Metroplex)

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. 26665

Authorizing execution of amendment to the agreement with the Tacoma-Pierce County Chamber of Commerce relative to completing the planning for an international exposition.

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

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Resolution No. 26666

Directing the City Manager to compile certain information relative to the feasibility of acquiring certain properties along Ruston Way for public purposes.

Councilman Rasmussen moved to adopt Substitute Resolution 26666. Seconded by Councilman Hyde.

Mayor Parker moved to amend the Resolution by deleting the words "an ordinance for the issuance and sale of the necessary bonds" and inserting the words "financial plan" in its place. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

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

Resolution No. 26667

Authorizing development of a definite process and criteria for review of bond issues.

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

Resolution No. 26668

Authorizing execution of agreements with three design/build teams to prepare final proposals for construction of a multi-purpose sports/convention center.

Deputy Mayor Nielsen moved to adopt the Resolution. Seconded by Councilman Sutherland.

Fred Pritchard, Chairman of the Jury, reported the Jury's recommendation for the three teams to prepare final proposals.

Mayor Parker moved to insert the three teams recommended by the Jury: Baugh Construction, Huber, Hunt & Nichols, Inc. and Tacoma Dome Associates. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

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

PUBLIC HEARINGS AND APPEALS:

This is the date set for hearing the appeal of Darrell L. Bowman, Keith B. Lile and Malcolm L. Soine on the Hearings Examiner's decision to deny Darrell L. Bowman's request for reclassification of the area located on the north side of East 38th Street, approximately 300 feet west of Portland Avenue, from an "R-2" to an "R-4-L" District. (Continued from the meeting of September 16, 1980.)

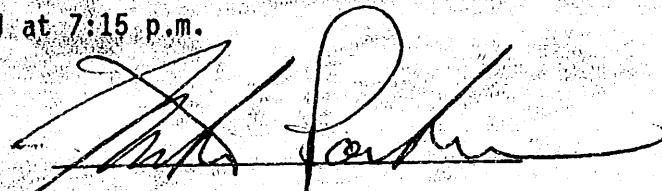
Mayor Parker advised that the appeal has been withdrawn and moved to remove the appeal from the Agenda. Seconded by Councilman Sutherland. Voice vote was taken and carried.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Councilman Strege distributed to the Council a notice pertaining to qualifications for local attorneys to be bond counsel for the City.

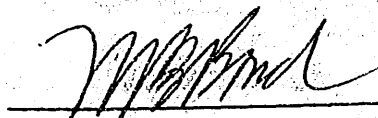
Mayor Parker moved to recess into Executive Session to discuss legal matters. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The Council recessed at 7:05 p.m. Council reconvened at 7:15 p.m.

On proper motion, the meeting adjourned at 7:15 p.m.



MIKE PARKER - MAYOR

ATTEST:



H. B. BOND - CITY CLERK