

CITY COUNCIL MINUTES

City Council Chambers
March 30, 1982

The meeting was called to order at 5:06 p.m.

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

The Flag Salute was led by Mayor Sutherland.

CONSENT AGENDA

Approval of the minutes of the regular meeting of March 23, 1982.

PETITIONS:

WESTRADE, INC. requesting the reclassification of the property located on the east side of South "I" Street, between South 16th and South 17th Streets from an "R-4" to a "C-3" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 27361

Authorizing the execution of a concomitant agreement with Shurgard Income Properties II relating to a Planned Business Development District located at the southeast corner of North 9th and Mildred Streets.

APPEALS:

Thomas Heerema appealing the recommendations of the Hearings Examiner to approve the request of William T. Ostruske for a Shoreline Management Substantial Development Permit to allow an addition to an over-water single-family residence located on the westerly side of Wilton Road approximately 250 feet southerly of 6th Avenue and to amend a pending Shoreline Management Substantial Development Permit to include an existing 2nd story addition constructed in 1978.

Setting Tuesday, April 13, 1982 at 6:00 p.m. as the date for hearing.

ASSESSMENT ROLLS:

The Directors of Public Works and Public Utilities present Assessment Rolls for the following:

L.I.D. 5621, for constructing water mains and fire hydrants in 210th Avenue East, 130th Street Court East, 207th Avenue East, and 128th Street East (Prairie Ridge area).

L.I.D. 8310, for providing permanent paving on South 8th Street from Adams to Proctor Streets; 59th Avenue NE from 26th to 27th Streets NE; 26th Street NE from 59th Avenue NE east to dead end; and 27th Street NE from 59th Avenue NE east to dead end.

Setting Monday, April 26, 1982 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 agenda for March 30, 1982.
- b. Minutes of the meeting of the Appointments Committee, March 22, 1982.
- c. Minutes of the meeting of the City Beautification Committee, February 17, 1982.
- d. Minutes of the meeting of the Public Utility Board, March 10, 1982.
- e. Minutes of the meeting of the Tacoma Employees' Retirement Board, February 25, 1982.

Councilwoman Bichsel moved that the Consent Agenda, including Resolution No. 27361, be approved. Seconded by Councilman Rasmussen. Voice vote was taken and carried. The Consent Agenda was declared approved.

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

FINAL READING OF ORDINANCES:

Ordinance No. 22551

Amending Chapter 13.06 of the Official Code to reclassify the northeast corner of East 96th and "A" Streets from an "R-2" to and "R-3" District. (Edward O. Greer)

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.

Ordinance No. 22660

Authorizing the transfer of \$5,500.00, or so much thereof as may be necessary, from the Community Development Grant Summary Fund to the Miscellaneous Grants Summary Fund; appropriating said amount from the Miscellaneous Grant Summary Fund to complete improvements to Commencement Park; 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, Ladenburg, Nielsen, Rasmussen, Strege and Mayor Sutherland.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 22661

Amending Ordinance No. 22644 relating to working fund advances.

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. 22662 (Continued from the meeting of March 23, 1982)

Repealing and reenacting Chapter 5.24 of the Official Code relating to apiaries.

Speaking on the Ordinance were Raymond Roland, 624 East Wright Avenue and Wayne Robinson, President of Pierce County Bee Keepers Association.

Staff was directed to amend the Ordinance and it was set over for final reading next week.

Ordinance No. 22663

Authorizing the appropriation of \$420.00, or so much thereof as may be necessary, for the installation of the Torii Gate and Shrine, donated by Kitakyushu, Japan, in Point Defiance Park; and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Speaking on the Ordinance was Joe Kosai, member of the Sister City Committee for Kitakyushu, Japan.

The Ordinance was set over for final reading next week.

Ordinance No. 22664

Authorizing the execution of a grant agreement with the Washington State Department of Social and Health Services for \$6,432.00; depositing into and appropriating said amount from the Miscellaneous Grants Summary Fund; and further authorizing the execution of an agreement with Qualitex to provide for the purchase of equipment to be used for a vocational training program for the handicapped.

Speaking on the Ordinance was Michael Sein-Ryan of Qualitex.

The Ordinance was set over for final reading next week.

Ordinance No. 22665

Amending Section 11.34.130 of the Official Code to designate a portion of Ferry Street as a collector arterial with a speed limit of 30 miles per hour, and remove a portion of Railroad Street from the arterial street system.

The Ordinance was set over for final reading next week.

Ordinance No. 22666

Amending Section 11.20.010 of the Official Code to change the portion of South 5th Street from "I" Street to "M" Streets from a one-way to a two-way street.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 27362

Awarding contracts to:

1. Motorola, Inc. on their bid of \$5,634.08 for radio replacement;
2. Tucci & Sons, Inc. on their bid of \$22,227.70 for asphalt concrete pavement, L.I.D. No. LD8338 - Specification No. G-02-82;
3. Fire-X Corporation on their bid of \$66,343.89 for a crash/fire/rescue vehicle - Specification No. G-01-82; and
4. Rejecting all bids for replacing Type A catch basins - Specification No. G-27-82.

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. 27363

Authorizing the exchange of property with the Tacoma Housing Authority.

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

Resolution No. 27364

Authorizing the execution of agreements with the firm of Henningson, Durham & Richardson for the provision of consultant services relative to the design and construction of the 23rd Street Bridge.

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

Resolution No. 27365

Authorizing the execution of a permit tendered by Burlington Northern, Inc. for the construction of a storm sewer line to serve the Parkside Development.

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

Councilman Hawkins moved for a seven minute recess until 6:00 p.m. when the Public Hearings and Appeals would be held. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. Council recessed at 5:54 p.m. and reconvened at 6:03 p.m.

PUBLIC HEARINGS AND APPEALS:

- a. This is the date set for a public meeting with the initiating parties for the annexation of property located south of Dash Point State Park. (Block Brothers Industrial, (USA), Inc.)

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George Hoivik, Planning Department, presented the proposed annexation to the City Council and explained that this annexation is being processed in accordance with State Law under the petition method. He stated that the Council needs to answer the following three questions this evening as they relate to this particular annexation: 1) Will the City of Tacoma accept a properly signed annexation petition representing at least 75% of the assessed valuation of the proposed annexation area? 2) Upon annexation, will the annexed area be required to assume the existing bonded indebtedness of the City of Tacoma? 3) Will a Comprehensive Plan for the proposed annexation area be required prior to final annexation actions?

Thomas Fishburne, Attorney, representing the petitioner stated that Block Brothers, Inc., has no objection to being included in the full assessment for capital improvements bonded indebtedness of the City of Tacoma or being included in a Comprehensive Plan.

Deputy Mayor Nielsen moved that the City Manager be instructed to bring before the Council at its next meeting, a resolution indicating the following answers to the three questions presented by Mr. Hoivik: Yes answer to Question No. 1; Yes answer to Question No. 2 including the inclusion of the City's current bonded indebtedness and a No answer to Question No. 3. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

b. This is the date set for hearing the appeals of Nancy R. Hansen and Burton H., Ardys R. and Bruce E. Severeid on the recommendation of the Hearings Examiner to uphold the appeal of the Tacoma Mall Corporation regarding the Building Inspector's decision to prohibit the establishment of a game machine business in a "C-P-R" Planned Regional Shopping Center District.

Bob Backstein, Hearings Examiner, gave a presentation to the Council regarding the legal issues involved in having a video game installation in a Planned Shopping Center District.

Speaking in opposition to having a video game installation in a Planned Shopping Center District were: Burt Severeid, 4042 South Pine and Nancy Hansen.

Speaking on behalf of the Tacoma Mall Corporation was John J. O'Connell.

Councilman Hyde moved to set this item over for two weeks and direct staff to make a report on the issues of regulations and the impact this would have in general. Seconded by Councilman Hawkins. Roll call vote was taken, resulting as follows: Ayes: 4 - Hawkins, Hyde, Kirby and Strege. Nays: 5 - Bichsel, Ladenburg, Nielsen, Rasmussen and Mayor Sutherland. The motion was declared failed.

Deputy Mayor Nielsen moved to deny the appeal and concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Councilwoman Bichsel. Roll call vote was taken, resulting as follows: Ayes: 7 - Bichsel, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege and Mayor Sutherland. Nays: 2 - Hawkins and Strege.

Councilman Hyde asked that the staff prepare a report and report back to the Council on this issue from a licensing and zoning view point.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Councilwoman Bichsel reported on a meeting she attended in Olympia with members of the Community Development Department and Metropolitan Park District and stated that the City got funding of \$297,130.00 for the Eastside Swimming Pool.

Councilman Hyde commented on a memo the Council had received in their Friday newsletter concerning a report that the Council had requested regarding final action of rezones, sub-divisions and shoreline permits from the Hearings Examiner. He asked that this be scheduled for a Study Session.

Councilman Hawkins stated that he and Councilman Strege would be appearing before a sub-committee of the Chamber of Commerce on Thursday morning to discuss matters relating to energy and reform of the City Charter as it relates to utilities.

On proper motion, the meeting adjourned at 7:55 p.m.



DOUG SUTHERLAND - MAYOR

Attest: 

H. B. BOND - CITY CLERK