

CITY COUNCIL MINUTES

City Council Chambers  
September 18, 1979

The meeting was called to order at 5:03 p.m.

Present on roll call: 9 - Bichsel, Evans, Hudson, Kirby, Nielsen, Schroeder, Strege, Warnick and Mayor Parker.

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CONSENT AGENDA

Approval of the minutes of the regular meeting of September 11, 1979.

PETITIONS:

Crippen Construction Co. requesting the rezoning of the property located east of Orchard Street between South 37th and South 40th Streets extended from an "R-2" to an "R-3-PRD" District.

For referral to the Hearings Examiner.

ASSESSMENT ROLLS:

The Director of Public Works presents the assessment roll for the following:

L.I.D. 3800, constructing sanitary sewers in the following streets:  
53rd Avenue NE from 27th Street NE to 29th Street NE;  
54th Avenue NE from 25th Street NE to 29th Street NE;  
27th Street NE from 53rd Avenue NE to 56th Avenue NE.

Fixing Monday, October 22, 1979 at 5:00 p.m. as the date for hearing.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner agenda for Tuesday, September 18, 1979.
- b. Minutes of the meeting of the Tacoma Planning Commissions, August 20, 1979.
- c. Minutes of the meeting of the Public Utilities Board, August 22, 1979.
- d. Minutes of the meeting of the Citizens Transportation Advisory Committee, September 4, 1979.
- e. Minutes of the meeting of the Pierce County Board of County Commissioners, September 4, and 10 and 11, 1979.

- f. Minutes of the meeting of the Board of Park Commissioners, August 27, 1979.
- g. Summary minutes of the meeting of the State of Washington Advisory Council on Historic Preservation, August 24, 1979.
- h. Minutes of the Public Hearing of the Urban Policy Advisory Committee, September 6, 1979.
- i. Monthly Financial Reports for July 1979 of the Data Processing Division, Tacoma City Light, Belt Line Railway, and Tacoma City Water.

Mayor Parker then suggested that the Council set Tuesday, September 25, 1979 at 5:00 p.m. as the date for hearing an appeal of J. W. Slipp, whose is appealing the decision of the Hearings Examiner. Mr. Slipp is appealing the decision of the engineer regarding the approval of access way on South 17th Street. Motion to amend was seconded by Councilman Schroeder. Voice vote was taken and carried.

Mayor Parker then made a motion to approve the Consent Agenda as amended. Seconded by Councilman Schroeder. Voice vote was taken and carried. The Consent Agenda, as amended, was declared approved.

Mayor Parker then made an announcement to the Council that he intends to initiate a special order of business in order to take up the two appeals before the Council, under Item 12, beginning at 6:00 p.m.

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REGULAR AGENDA

FINAL READING OF ORDINANCES:

Ordinance No. 21243

Amending Chapter 13.06 of the Official Code to reclassify the northwest corner of South 31st and Tyler Streets from an "R-3" to an "R-4-L" District. (Jacobson and Wall)

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Evans, Hudson, Kirby, Nielsen, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 21545

Vacating the alley between Yakima and "I" Street from the Yakima Avenue transition to within 50 feet of 6th Avenue. (Robert Hess)

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Evans, Hudson, Kirby, Nielsen, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 21837

Approving a request to vacate reversionary rights to Commercial Avenue south of East 11th Street. (Port of Tacoma)

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Evans, Hudson, Kirby, Nielsen, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 21838

Amending Chapter 6.89 of the Official Code by amending Section 6.89.020 to include nonprofit hospitals.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Evans, Kirby, Nielsen, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 1 - Hudson

The Ordinance was declared passed.

Ordinance No. 21840

Authorizing execution of an amended grant award contract with the U. S. Department of Labor under Title VII of CETA in the amount of \$40,934; appropriating the sum of \$27,748, or so much thereof as may be necessary, from the Private Sector Opportunities Fund and the sum of \$13,186 from the CETA Administrative Pooling Fund; all for the purpose of conducting private sector training opportunities for the economically disadvantaged 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, Evans, Hudson, Kirby, Nielsen, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 21841

Authorizing submission of a proposition to the electorate for the authority to levy an additional tax on property for emergency medical care or services.

Following a lengthy discussion on the merits of the proposed proposition, roll call vote was taken, resulting as follows:

Ayes: 1 - Mayor Parker.

Nays: 7 - Bichsel, Evans, Hudson, Kirby, Nielsen, Strege and Deputy Mayor Warnick.

Abstaining: 1 - Schroeder.

Councilman Schroeder then requested the City Manager to prepare a resolution of intent for presentation to the Council with respect to initiating the 911 Program for the City.

Ordinance No. 21842

Providing for the improvement of L.I.D. 5600 for constructing water mains in 53rd Avenue N.E. and 54th Avenue N.E. from 25th Street N.E. to 29th Street N.E. and in 25th Street N.E. from 53rd Avenue N.E. to 54th Avenue N.W.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Evans, Hudson, Kirby, Nielsen, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 21843

Approving and confirming the assessment roll for L.I.D. 8184 for asphalt paving in the alley between Lexington and Mildred Streets from No. 49th to No. 50th Street.

Public Works Director, Ron Button, requested the Council to exclude the Shaner property from the L.I.D., as his department has found that the property would not be sufficiently benefitted by the improvement.

Mayor Parker made a motion to exclude the Shaner property. Seconded by Councilman Schroeder. Voice vote was taken and carried. The property was deleted.

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

Ayes: 7 - Bichsel, Hudson, Kirby, Nielsen, Schroeder, Strege and Mayor Parker.

Nays: 0

Absent: 2 - Evans and Deputy Mayor Warnick.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 21844

Amending Section 1.05.357 of the Official Code relating to sale of properties by Council resolution and declaring an emergency making necessary the immediate passage of this ordinance and its taking effect immediately after publication.

Ron Williamson, Purchasing Agent, said that present ordinances do not deal with auctions and require that we set a minimum acceptable price which runs counter to the intent of auctions. An auction is planned to take place soon and he asked that this ordinance be adopted.

Following additional discussion, the Council agreed to place Ordinance No. 21844 into final reading.

Roll call vote was taken, resulting as follows:

Ayes: 6 - Hudson, Kirby, Nielsen, Schroeder, Strege and Mayor Parker.

Nays: 0

Absent: 3 - Bichsel, Evans and Deputy Mayor Warnick.

The Ordinance was declared passed.

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Mayor Parker then exercised his previous announcement with respect to Agenda sequence and placed in the next order of business the two appeals appearing under Item 12 of the Agenda.

APPEALS:

This is the date set for hearing the appeal of Pacific Northwest Bell Telephone Company on the Audit-Assessment Notice of the Tax and License Department.

Mayor Parker then suggested the following format for the telephone company utility tax appeal:

1. Appellant opens setting forth grounds upon which appeal is based.
2. If they wish to present evidentiary testimony, witness should be sworn in, documentary evidence should be identified as exhibits and so marked by the Clerk.
3. City administrators will respond through the Director of Tax and License, Richard Newman.
4. At conclusions of oral statements, both sides will have 20 calendar days to respond in writing as to legal issues or questions proposed by the Council.

5. Copy of these answers be served on both sides and they be given fifteen (15) days to respond (calendar days).

6. Upon submission of all written documents, the Council deliberate and reach its conclusion.

Mayor Parker then called upon the telephone company representative, Mr. Scott McClellan. Mr. McClellan presented seven (7) exhibits to members of the City Council and reviewed in detail the substance of the telephone companies appeal of the Tax & License Director's audit assessment. Following a lengthy presentaion, Mayor Parker adjourned the hearing at 7:10 p.m.; and called the meeting back to order again at 7:20 p.m. after which Tax and License Director, Richard Newman, made a brief presentation outlining his contention that the Pacific Northwest Bell Company does indeed owe back assessments amounting to \$1,726,887.27.

Following additional series of questions and answers, Mayor Parker concluded the hearing at 8:03 p.m. requesting at the same time a verbatim transcript of the copy of the hearing as it was being prepared by a court reporter at the meeting.

This is the date set for hearing the appeal of a group of property owners on the decision of the Hearings Examiner to allow the vacation of two dead end alleys near the U.P.S. Fieldhouse. (University of Puget Sound)

Hearings Examiner, Gary Sullivan, briefly reviewed the substance of the appeal, suggesting to the Council that they refer the issue back to the Hearings Examiner and that he at the same time consider whether or not a Special Use Permit would be advisable for the area in question.

Speaking in opposition of the delay was Mr. James Henriot, an attorney representing the University of Puget Sound and Mr. Clark Erickson representing the appellants. Following additional discusion, however, Councilman Kirby, made a motion to refer this issue back to the Hearings Examiner to be held in abeyance while the Hearings Examiner at the same time resolves the question of Special Use, so that both items can come before the City Council at the same time with a recommendation from the Hearings Examiner. Seconded by Councilman Evans. Voice vote was taken and carried. The matter was referred back to the Hearings Examiner.

Councilman Strege then made a motion to suspend the rules to consider Item 16 on the Agenda at this time with respect to a request to be heard by Southend citizens regarding the adequacy of the fire engine and Fire Station #10. Seconded by Councilman Hudson. Voice vote was taken and carried. Item 16 was placed in order for consideration.

Mayor Parker then recognized Mr. Darrell Erickson, representing a group of Southend citizens, who together with another citizen Ms. Anna Munzo, made a flip chart presentation to the City Council expressing their concern about the fire protection of the southend and specifically about the condition of one fire engine at Station No. 10.

Following the citizen presentation Mayor Parker indicated that he had requested the City Manager for a brief report on the situation as presented by the citizens which will be given to members of the City Council at a future date.

Ordinance No. 21845

Authorizing the transfer of the sum of \$3,453.35 from the Contingency Fund to the Airport Fund; appropriating said sum, or so much thereof as may be necessary, from the Airport Fund for the purpose of paying the cost of replacing the well pump motor at Tacoma Industrial Airport 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. 21846

Authorizing execution of a grant award agreement with the U.S. Department of Health Education and Welfare in the sum of \$50,000; creating a new fund to be known as the Service Network for Youth Fund; appropriating the sum of \$50,000, or so much thereof as may be necessary from said fund; authorizing execution of an agreement with The Shelter, Inc. in the sum of \$48,735 for the purpose of operating a 24-hour emergency shelter facility 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. 21847

Authorizing execution of a grant award agreement with the U.S. Dept. of Labor under CETA in the amount of \$6,130,575; authorizing the transfer of existing CETA funds in the amount of \$975,000 to the Comprehensive Employment Services Grant Fund; appropriating the sum of \$7,105,575, or so much thereof as may be necessary from the Comprehensive Employment Services Grant Fund for the purpose of operating the CETA programs for fiscal year commencing October 1, 1979; 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. 21848

Appropriating the sum of \$101,264, or so much thereof as may be necessary from the General Fund for the purpose of paying damage claims relating to Flett Creek flooding and incidental costs, 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.

RESOLUTIONS:

Resolution No. 25927 (Continued from the meeting of Sept. 11, 1979)

Revising the terms of appointment of David N. Grassi as a member of the Tacoma Housing Authority to provide that he fill the unexpired term of Lewis Hatfield expiring on August 16, 1980 and approving his appointment for a new term commencing August 17, 1989 and expiring on August 16, 1985.

Councilman Nielsen then made a motion to strike those areas in the resolution where Mr. Grassi is also appointed for an additional term commencing in 1980 and expiring on August 16, 1985. Mr. Nielsen stated that the Council next year could consider Mr. Grassi's possible reappointment after he's completed filling the unexpired term of Mr. Lewis Hatfield on August 16, 1980. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

Councilman Nielsen then made a motion to adopt the Resolution as amended. Seconded by Councilwoman Bichsel. Voice vote was taken and carried. The Resolution, as amended, was declared adopted.

Purchase Resolution No. 25938

Awarding contract to:

1. Tucci & Sons, Inc. on its bid of \$493,703.20 for L.I.D. 8230, 8244, 8246, 8262 and W.O. CA2220.

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

Resolution No. 25939

Authorizing submission of a proposition to the electorate to amend Article II, Section 2.8, of the Charter of the City of Tacoma, relating to meetings of the Tacoma City Council to provide for regular periodic meetings not oftener than once a week, at least forty-six times each calendar year.

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

Resolution No. 25940

Authorizing submission of a proposition to the electorate to amend Article III, Section 3.8 of the Charter of the City of Tacoma, relating to the Planning Commission and providing for two additional voting members.

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



Resolution No. 25941

Authorizing submission of a proposition to the electorate to amend Article VII, Section 7.11 of the Charter of the City of Tacoma relating to sealed bid procedures for construction of public works and improvements and the purchase of materials and supplies.

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

Resolution No. 25942

Submitting certain propositions to the voters of the City of Tacoma to amend Sections 2.8, 7.11 and 3.8 of the Tacoma City Charter.

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

Resolution No. 25943

Authorizing release of a portion of a Light Division easement in Northeast Tacoma.

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

Resolution No. 25944

Authorizing release of a portion of a sewer easement located at South 60th and Adams Streets.

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

Resolution No. 25945

Authorizing release of a sewer easement located east of Sheridan Avenue between South 92nd and South 94th Streets.

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

Resolution No. 25946

Authorizing execution of an agreement with Mary Bridge Community Maternal/Child Service in order to carry out a maternal child service study in the City of Tacoma in accordance with the Community Development Plan 1979-1980.

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

Resolution No. 25947

Authorizing execution of amendment No. 2 to agreement with Washington State Employment Security Department to add \$32,367 for a total of \$637,142 for the processing and payment of allowances to Classroom Training participants.

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

Resolution No. 25948

Authorizing execution of an agreement with Clover Park School District No. 400 to provide training to unemployed and economically disadvantaged City residents to qualify them for jobs as Farriers.

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

Resolution No. 25949

Authorizing execution of a memorandum agreement with Tacoma School District No. 10 to provide for participation in a storm sewer relocation project at Mason Junior High School in the amount of \$21,875, which sum represents 50% of the cost of the project.

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

Resolution No. 25950

Authorizing execution of a project prospectus to the Washington State Department of Transportation for funds under the Federal Aid Bridge Replacement Program to replace the East 15th Street Bridge across City Waterway.

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

Resolution No. 25951

Authorizing execution of a Quit Claim Deed to Walter S. Erspamer and Joy T. Erspamer for a tract of land relinquished by the Metropolitan Park District on the east side of Park Drive.

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

Mayor Parker then made a motion to suspend the rules to consider Resolution No. 25952. Seconded by Councilman Nielsen. Voice vote was taken and carried. The Resolution was placed in order.

Resolution No. 25952

Authorizing the sale of surplus vehicles and equipment, waiving the requirement for formal bidding and authorizing execution of a contract with Etherton Auctioneers for auctioneering services.

Following a brief discussion, Mayor Parker made a motion to adopt the Resolution. Seconded by Councilman Nielsen. Voice vote was taken and carried. The Resolution was declared adopted.

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REPORTS BY CITY MANAGER:

City Manager, Erling Mork received a consensus from the City Council members present to seek possible October 29th joint meeting with the Public Utility Board to be confirmed at a later date.

At the request of the City Manager, Councilman Hudson made a motion to authorize the expenditure of \$758 for the Victim Assistance Program. Seconded by Councilman Strege. Voice vote was taken and carried.

Following a presentation by Personnel Director, Rick Sokolowski, Councilman Hudson made a motion to waive the residence requirement for Mr. Dennis Dean to fill the position of Belt Line Superintendent. Seconded by Deputy Mayor Warnick. Voice vote was taken and carried.

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COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Mayor Parker moved to postpone the Council committee appointments for one week beyond the date already set. Seconded by Deputy Mayor Warnick. Voice vote was taken and carried.

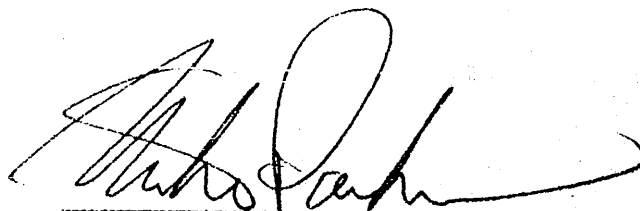
Mayor Parker then made a motion to adjourn the Council meeting into Executive Session for the purpose of considering personnel and real estate matters. Seconded by Councilman Hudson. Voice vote was taken and carried. The Council adjourned into Executive Session at 9:17 p.m.

Mayor Parker reconvened the Council meeting at 9:25 p.m.


Mayor Parker announced that he has resigned as a member of the Board of Directors of the Association of Washington Cities and stated his intent to appoint Councilman Evans to replace him on the board.

A suitable motion was made and seconded to confirm Mr. Evans as Tacoma's representative to the Association of Washington Cities. Voice vote was taken and carried.

There being no further business, the meeting was adjourned at approximately 9:30 p.m.



MIKE PARKER - MAYOR

ATTEST:   
H. B. BOND - CITY CLERK