

CITY COUNCIL MINUTES

City Council Chambers
May 28, 1985

The meeting was called to order at 5:09 p.m.

Present on roll call: 8 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strege, and Mayor Sutherland. Absent: 1 - Harnick. Council Member Harnick arrived at 5:17 p.m.

The Flag Salute was led by Council Member Ladenburg.

CONSENT AGENDA

Approval of the minutes of the regular meeting of May 21, 1985.

PETITIONS:

University Federal Savings Bank requesting reclassification of the property located near the corner of the intersection of 6th Avenue and Rochester Street from an "R-2" District to a "C-1" District.

For referral to the Hearings Examiner.

APPEALS:

Mobil Oil Corporation appealing the decision of the Hearings Examiner relative to the reclassification, vacation and special use permit for a convenience store and service station to be located on the property on the southeast corner of Orchard Street West and South 56th Street.

Setting Tuesday, June 11, 1985, at 6:00 p.m. as the date for hearing by the City Council.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda, Tuesday, May 28, 1985.
- b. Public Utility Board Agenda, Wednesday, May 29, 1985.
- c. Minutes of the meeting of the Appointments Committee, May 20, 1985.
- d. Minutes of the meeting of the Human Rights Commission Study Session, April 4, 1985.
- e. Minutes of the meeting of the Human Rights Commission, April 18, 1985.
- f. Minutes of the meeting of the Landmarks Preservation Commission, May 8, 1985.
- g. Minutes of the meeting of the Public Art Task Force, April 4, 1985.

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- h. Minutes of the meeting of the Public Utility Board, April 24, 1985.
- i. Minutes of the meeting of the Tacoma Arts Commission, April 26, 1985.
- j. Minutes of the meeting of the Tacoma Beautification Committee, April 17, 1985.
- k. Minutes of the meeting of the Urban Policy Committee, May 8, 1985.
 - 1. Volunteer Services - First Quarter Report, 1985.
- m. Department of Public Utilities Budget Analysis - First Quarter, 1985.
- n. Draft Capital Improvement Program, 1985-1990.

Council Member Bichsel moved that the Consent Agenda be approved. Seconded by Council Member Rasmussen. Voice vote was taken and carried. The Consent Agenda was declared approved.

REGULAR AGENDA

FINAL READING OF ORDINANCES:

Ordinance No. 23363 (Continued from the Meeting of April 23, 1985.)

Amending Chapter 13.06 of the Official Code to reclassify the property located in the vicinity of the northerly side of 6th Avenue between Karl Johan Avenue and Sunset Drive, extended from an "R-3-PRD" Planned Residential Development District to an "R-1" One-Family Dwelling District. (First City Investments, Inc.; File No. 120.1105)

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Warnick

The Ordinance was declared passed.

Ordinance No. 23341

Amending Chapter 13.06 of the Official Code to reclassify the northwest corner of South 17th Street and Union Avenue from an "R-2" One-Family Dwelling District to an "R-2-T" Residential Commercial Transitional District to construct a 21,600 square foot office building. (Pacific General Construction; File No. 120.1101)

Roll call vote was taken, resulting as follows:

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

Nays: 0.

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Absent: 1 - Warnick.

The Ordinance was declared passed.

Ordinance No. 23401

Amending Chapter 13.06 of the Official Code to establish a commercial sign code for certain of the City's commercial and industrial districts.

Mayor Sutherland said this ordinance impacts Tacoma Tent and Awning and stated it would be appropriate for him to absent himself from discussion on this ordinance. Mayor Sutherland left the chambers.

Council Member Hyde moved to amend page 16, line 17, Section 13.06.285.C.42.c, following the word "bands," delete the phrase "intended only to integrate and harmonize a wall sign with the architecture of the building to which it is attached." Seconded by Council Member Ladenburg. Voice vote was taken and carried.

Deputy Mayor Strege moved to delete on page 6, lines 7 and 8, the phrase, "and shall not be allowed in any instance where the use already has a freestanding or projected sign." Seconded by Council Member Kirby. Roll call vote was taken, resulting as follows: Ayes: 2 - Kirby and Deputy Mayor Strege. Nays: 5 - Bichsel, Hyde, Ladenburg, Rasmussen and Stenger. Absent: 2 - Warnick and Mayor Sutherland. The amendment was declared defeated.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Warnick.

The Ordinance, as amended, was declared passed.

Ordinance No. 23402

Amending Chapter 11.28 of the Official Code relative to traffic and parking on Court "E" north of South 11th Street to extend the one-hour parking area.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Warnick.

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The Ordinance was declared passed.

Council Member Warnick arrived at 5:17 p.m.

Ordinance No. 23403

Approving and confirming the Assessment Roll for L.I.D. No. 5646 for water mains in South 93rd Street from Alaska Street to approximately 625 feet west.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strege, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23404

Providing for the formation of L.I.D. No. 5664 for the construction of a water main in South 85th Street from a point 135 feet west to approximately 230 feet east of South "J" Street.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strege, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23405

Providing for the formation of L.I.D. No. 2595 for placement of a 2-inch asphalt surface treatment on various streets in the City.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hyde, Kirby, Ladenburg, Rasmussen, Stenger, Strege, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 23406

Vacating the east 12 feet 4 inches of Tyler Street south 120 feet from North 35th Street. (Kenneth S. Kessler; File No. 124.788)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

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

Ordinance No. 23407

Accepting a gift of planter boxes from the Tacoma Garden Club and authorizing the execution of an agreement with the Tacoma Garden Club and New Tacoma Parking Corporation relative to the installation and maintenance of planter boxes.

Speaking to the Council were members of the Tacoma Garden Club:

Marjorie Shanaman
Pat O'Rork
Ingrid Owen

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 28780

Awarding contracts to:

1. H. L. Moore, Ballard, and Zee Medical on their respective bids of \$25,673.80, \$1,189.00 and \$346.00 for medical supplies - Specification No. G-057-85;
2. United Fire Service on their bid of \$18,939.12 for fire engine side compartments - Specification No. 6766; and
3. Paulson's Inc. on their bid of \$81,173.40 for twelve 1985 Kawasaki police motorcycles - Washington State Purchase Order No. 084750.

Council Member Rasmussen moved that the Purchase Resolution be adopted. Seconded by Council Member Hyde.

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

Resolution No. 28781

Authorizing the sub-lease of surplus space in the County-City Building.

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

Resolution No. 28782

Authorizing the submittal and execution of project prospectuses to the Washington State Department of Transportation for certain Federal Aid Safety Program (FASP) projects.

Council Member Bichsel moved that the Resolution be adopted. Seconded by Council Member Ladenburg. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 28783

Authorizing the execution of an amended Interlocal Governmental Cooperation Agreement with Tacoma Community College for the leasing of an additional parcel of land for a wheelchair fitness course.

Council Member Bichsel moved that the Resolution be adopted. Seconded by Council Member Ladenburg. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 28784

Authorizing the execution of a Lease Termination Agreement with City Marine Development Company relative to the Municipal Dock Building.

Council Member Bichsel moved that the Resolution be adopted. Seconded by Council Member Ladenburg. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 28785

Authorizing the execution of an amendment to the grant award agreement with the Economic Development Administration for economic development planning by extending the grant expiration date to August 31, 1985.

Deputy Mayor Strege moved that the Resolution be adopted. Seconded by Council Member Harnick. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 28786

Authorizing the execution of Amendment No. 28 to the Neighborhood Preservation Program agreement for implementation of the continuing Rental Rehabilitation Program.

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Council Member Bichsel moved that the Resolution be adopted. Seconded by Council Member Warnick. Voice vote was taken and carried. The Resolution was declared adopted.

Mayor Sutherland moved to recess to Executive Session to discuss personnel matters. Seconded by Council Member Bichsel. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 5:45 p.m. and reconvened at 6:01 p.m.

PUBLIC HEARINGS AND APPEALS: (Began at 6:02 p.m.)

This is the date for hearing the appeal of A. J. Films d/b/a Rex Theatre appealing the decision of the Hearings Examiner to sustain the action of the Department of Tax and License in Audit-Assessment Notice No. A-17171 (T-30888). (Continued from the Meeting of May 7, 1985.)

Gary Sullivan, Hearings Examiner, made a presentation to the Council on this matter.

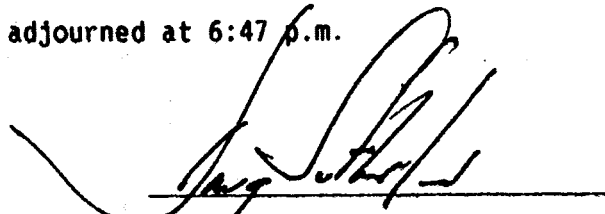
Jack Burns, attorney representing A. J. Films, spoke to the Council on the reasons for the appeal.

Harding Roe, Assistant City Attorney, spoke in support of the Hearings Examiner's decision.

Mayor Sutherland moved to concur with the Findings, Conclusions and Recommendation of the Hearings Examiner and deny the appeal. Seconded by Council Member Bichsel.

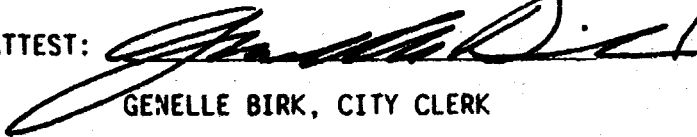
The appeal was denied.

On proper motion, the meeting adjourned at 6:47 p.m.



DOUG SUTHERLAND, MAYOR

ATTEST:



GENELLE BIRK, CITY CLERK

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