

CITY COUNCIL MINUTES

City Council Chambers
September 11, 1979

The meeting was called to order at 5:00 p.m.

Present on roll call: 8 - Bichsel, Evans, Hudson, Kirby, Nielsen, Schroeder, Strege and Mayor Parker. Absent: 1 - Warnick. Deputy Mayor Warnick arrived at 5:01 p.m.

The Flag Salute was led by Mayor Parker.

C O N S E N T A G E N D A

Approval of the minutes of the regular meeting of September 4, 1979.

RESOLUTIONS:

Resolution No. 25925

Setting Tuesday, October 16, 1979 at 10:30 a.m. as the date for hearing by the Hearings Examiner the request for the vacation of the alley between 60th and 61st Avenues N.E. from 31st Street N.E. to the County line and the north 20 feet of 31st Street N.E. between 60th and 61st Avenue N.E. (Louis T. Pappas)

Resolution No. 25926

Setting Tuesday, September 25, 1979 at 5:00 p.m. as the date for public hearing on proposed use of Revenue Sharing funds for the ensuing fiscal year of the City of Tacoma and for allocating a portion of Entitlement funds of the Revenue Sharing for the purchase of certain social services from the various groups and organizations within the City of Tacoma and instructing the City Clerk to provide appropriate notices of the setting of such hearing.

ASSESSMENT ROLLS:

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

L.I.D. 3805, constructing sanitary sewers in the alley between East "E" and East "F" Streets from East 88th Street to East 91st Street and in South 95th Street from Alaska Street east approximately 300 feet.

L.I.D. 8193-A, permanent paving on the following streets:
East 49th Street from McKinley Avenue to East "I" Street;
East 60th Street from Portland Avenue to East "Q" Street;
East 69th Street from East "L" Street to East "M" Street.

Fixing Monday, October 8, 1979 at 5:00 p.m. as the date for hearing.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner aganeda for Tuesday, September 11, 1979.
- b. Minutes of the meeting of the Civil Service Board, August 20, 1979.
- c. Report of purchases and sales of investments by the Tacoma Employes' Retirement System, August 1979.

Mayor Parker moved to amend the Consent Agenda by adding the appeal of Pacific Northwest Bell and setting Tuesday, September 18, 1979 at 5:00 p.m. as the date for hearing the appeal. Seconded by Councilman Nielsen. Voice vote was taken and carried.

Mayor Parker moved to adopt the Consent Agenda as amended, including Resolutions Nos. 25925 and 25926. Seconded by Councilman Nielsen. Voice vote was taken and carried. The Consent Agenda was declared adopted.

PROCLAMATION:

Mayor Parker proclaimed the week of September 10, 1979 as National Hispanic Heritage Week in the City of Tacoma.

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

COMMUNICATIONS:

- a. Hearings Examiner recommending denial of the request of the Daniel Martin Corporation for the reclassification of the east side of Portland Avenue, approximately 390 feet north of East 72nd Street from an "R-2" to an "R-3" District.

Councilman Strege moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Deputy Mayor Warnick. Voice vote was taken and carried.

- b. Hearings Examiner recommending denial of the request of Charles Weick for the reclassification of the easterly side of Brown's Point Boulevard, approximately 250 feet north of 55th Street Northeast extended easterly from an "R-1" to an "R-3" District.

Deputy Mayor Warnick moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Councilman Schroeder. Voice vote was taken and carried.

- c. Hearings Examiner recommending denial of the request of Pacific Housing Corporation for the reclassification of the area approximately 75 feet east of the southeast corner of South 94th and "D" Streets from an "R-2" to an "R-4-L" District.

Bob Backstein, Hearings Examiner, advised he has received a request for rehearing, he has reviewed it and his decision is to have another hearing. He asked that the item be removed from the agenda.

Mayor Parker moved that the item be removed from the agenda. Seconded by Councilman Schroeder. Voice vote was taken and carried.

- d. Hearings Examiner submitting request for extension of Shoreline Management Substantial Development Permit No. 141.137 of Western Maritime, Inc., for placement of five 9-pile dolphins and attached by dock, located at 1720 Marine View Drive.

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

FINAL READING OF ORDINANCES:

Ordinance No. 21808

Amending Chapter 13.06 of the Official Code to reclassify an area east of South Ferry Street between South 48th and South 50th Streets from an "R-2" to an "R-2-T" and "C-2" District. (Northwest Plaza Associates)

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. 21821 (Continued from the meeting of September 4, 1979)

Amending Sections 13.06.020, 13.06.350, 13.06.375 and 13.06.408 and repealing and reenacting Chapter 13.10 all relating to Zoning and Shoreline Management of land within 200 feet of the shorelines of the City.

Mayor Parker moved to substitute corrected pages 118 and 119. The corrected pages make a correction in the enforcement section of the ordinance. Seconded by Councilman Hudson. Voice vote was taken and carried.

Mayor Parker moved to substitute certain language in the S6 Shoreline Ruston Way District to allow multiple family residential use and to permit structures over the water at high water mark, not to exceed 43 feet, and 35 feet above the top of the pier. Seconded by Deputy Mayor Warnick.

Councilman Hudson indicated that the majority of the Council may wish to table the suggested amendments for further study and review and input. Mayor Parker moved that any motion to table the amendments would table the entire ordinance.

Councilman Kirby challenged the ruling of the chair. Mayor Parker asked for roll call vote to sustain the ruling of the chair. Roll call was taken, resulting in Ayes: 5 - Evans, Nielsen, Schroeder, Warnick and Mayor Parker. Nays: 4 - Bichsel, Hudson, Kirby and Strege. The motion carried.

Councilman Evans moved that Ordinance No. 21821 be tabled. Seconded by Councilman Hudson. Roll call vote was taken resulting in Ayes: 5 - Bichsel, Evans, Hudson, Kirby and Strege. Nays: 4 - Nielsen, Schroeder, Warnick and Mayor Parker. The Ordinance was tabled.

Ordinance No. 21823

Vacating a portion of Court "C" between 9th and 11th Streets.
(UPS Law School)

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. 21828 (Continued from the meeting of September 4, 1979)

Amending Chapter 13.06 of the Official Code to reclassify certain property along the shoreline and adding Section 13.06.180 setting out boundaries of Shoreline Districts.

On advise of staff, Mayor Parker was advised that this ordinance should also be tabled since Ordinance No. 21821 has been tabled.

Mayor Parker moved that the Ordinance be tabled. Seconded by Councilman Hudson. Voice vote was taken and carried.

Mayor Parker declared a five minute recess. Council recessed at 6:00 p.m. Council reconvened at 6:10 p.m.

Councilman Hudson moved that Ordinance No. 21821 be removed from the table. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

Mayor Parker moved that Ordinance No. 21821 be continued for two weeks. Seconded by Councilman Nielsen. Roll call vote was taken resulting in Ayes: 5 - Evans, Nielsen, Schroeder, Warnick and Mayor Parker. Nays: 4 - Bichsel, Hudson, Kirby and Strege. The Ordinance was continued for two weeks.

Mayor Parker moved that Ordinance No. 21828 be removed from the table. Seconded by Councilman Hudson. Voice vote was taken and carried.

Mayor Parker moved that Ordinance No. 21828 be continued for two weeks. Seconded by Deputy Mayor Warnick. Voice vote was taken and carried. The Ordinance was continued for two weeks.

Ordinance No. 21835

Creating a new fund to be designated as the "Performing Arts Center Revolving Fund," authorizing the transfer of \$31,533, or so much thereof as may be necessary from the Public Works Revolving Fund to said new fund; appropriating the sum of \$31,533, from said new fund for expenses for the balance of 1979 and declaring an emergency making necessary the passage of this ordinance.

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. 21836

Transferring the sum of \$311,740 from the Cumulative Reserve for Replacement of Fire Equipment Fund to the General Fund and appropriating the sum of \$386,266, or so much thereof as may be necessary, from the General Fund, for the purpose of purchasing an aerial lift platform and telesqurt from Mack Trucks, Inc. and declaring an emergency making necessary the passage of this ordinance.

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.

FIRST READING OF ORDINANCES:

Ordinance No. 21837

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

Councilman Hudson moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Deputy Mayor Warnick. Voice vote was taken and carried.

The Ordinance was set over for final reading to a date to be determined.

Ordinance No. 21838

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

Speaking in favor of the Ordinance was Jane Shanaman, Administrative Assistant at Mary Bridge Childrens Hospital.

The Ordinance was set over for final reading next week.

Ordinance No. 21839

Amending Chapter 13.06 of the Official Code to reclassify the south side of South 35th Street, approximately 650 feet east of Sprague Avenue from an "R-4" to an "M-1" District. (Lawrence Bldg. Co.)

Councilman Nielsen moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Councilman Schroeder. Voice vote was taken and carried.

The Ordinance was set over for final reading to a date to be determined.

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 disadvantage 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. 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.

Mayor Parker advised that the levy would provide funds for the installation of the equipment for the 911 Emergency Services for the City. He introduced Les Lemieux, Account Executive with Pacific Northwest Bell and Patrick Keltch, Specialist for the 911 service, who gave a slide presentation on the service and answered questions of Council members.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 25914 (Continued from the meeting of September 4, 1979)

Approving the final plat for JOSEPH MAYER'S FIRST ADDITION, located between Pearl Street and Shirley Street along North 39th Street. (Mayerbuilt Homes, Inc.) (An appeal has been filed.)

Motion to adopt the Resolution had been made at the September 4, 1979 meeting.

Councilman Strege said he would abstain from considering the Resolution or appeal since the Congressional Office which he works for assisted the petitioner in his quest for subsidized rental of houses through HUD. Councilman Strege left the Council Chambers.

Speaking on behalf of the property owners appealing the Hearings Examiner recommendation was Attorney Nicholas Harvey, Jr. Speaking on behalf of the petitioner, Mayerbuilt Homes, was Attorney Harold Hartinger. Mr. Harvey presented the Mayor with a petition of 122 signatures of residents in the area.

After Council discussion, Deputy Mayor Warnick moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner and deny the appeal. Seconded by Councilman Hudson. Voice vote was taken and carried, with Councilman Nielsen dissenting.

Resolution No. 25927

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, 1989 and approving his appointment for a new term commencing August 17, 1980 and expiring on August 16, 1985.

Councilman Nielsen said he felt the Resolution should cover only the unexpired term of Lewis Hatfield. He therefore moved to amend the Resolution by striking the paragraph between Lines 19 and 25 on Page 1 and the final paragraph on Lines 9 through 13, Page 2. Seconded by Councilman Schroeder.

Mayor Parker advised that the initial appointment of Mr. Grassi had been made for a five year term however, that State law provides that an unexpired term should be filled prior to an additional term. He advised that this resolution was prepared by the Legal Department to rectify the previous error.

Mayor Parker then moved that the Resolution be continued for one week. Seconded by Councilman Evans. Councilmembers Nielsen and Schroeder withdrew their previous motion. Voice vote was taken on the motion to continue one week and carried. The Resolution was continued to September 18, 1979.

Resolution No. 25928

Awarding a contract to R. W. Rhine Co. for the demolition of the building at 1207 South 13th Street in the sum of \$3,847.10 and waiving the requirement for formal bidding.

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

Resolution No. 25929

Approving the sale of a house located at 4801 South Orchard Street to Ken Miller on his bid of \$3,651.00.

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

Resolution No. 25930

Approving the preliminary plat of CRESCENT MEADOWS in the vicinity of Brown's Point Boulevard and 40th Avenue N.E. (Crescent Meadows)

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

Resolution No. 25931

Approving the preliminary plat of TRIANGEL NORTHWEST located south of East 56th Street and west of Swan Creek Drive. (Steve Bowman)

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

Resolution No. 25932

Approving the preliminary plat of WAPATO TERRACE ESTATES located in the vicinity of South Cushman and 61st Streets. (Vanderbilt and Kessler)

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

Resolution No. 25933

Approving the implementation of the Spanish Staircase Project and the utilization of available Community Development Fifth Year Block Grant funds for such purpose.

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

Resolution No. 25934

Releasing a portion of an easement in the vacated alley between Park Avenue and South G Street from South 55th to South 56th Streets.

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. 25935

Authorizing execution of an amendment to lease with William M. Riley for office space at 747 St. Helens Avenue to house the Private Industry Council staff.

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. 25936

Authorizing the transfer of the sum of \$12,962 from the 56310 account of the Transit System Fund to the 56210 and 56420 accounts of the Transit System Fund for completion of roof repairs and the purchase of a coin counting machine.

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

Resolution No. 25937

Authorizing the proper officers of the City to submit two grant applications to the Federal Equal Employment Opportunity Commission in the amount of \$51,000 to provide funding for new and pending case processing, reporting and audio-visual equipment.

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

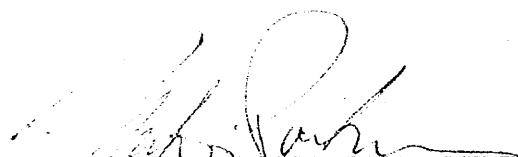
Mayor Parker moved to recess into Executive Session in order to discuss personnel matters and a real estate matter. Seconded by Councilman Hudson. Voice vote was taken and carried. Council recessed at 8:40 p.m. Council reconvened at 9:35 p.m.

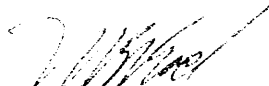
REPORTS BY CITY MANAGER:

City Manager Erling Mork said he was trying to set up a Budget Workshop. He suggested an evening session, possibly October 10th or 11th. After discussion the Council members agreed on having the workshop on the evening of October 8th. The budget workshop was scheduled for 5:30 p.m.

City Manager advised that the joint meeting with the Public Utility Board originally scheduled for the 24th has been cancelled and will be rescheduled. He also advised that there has been some discussion with the County Commissioners who wish to have a joint study session with the City Council members regarding budget matters. There is a possibility that it may be scheduled for September 24th.

On proper motion the meeting adjourned at 9:45 p.m.


MIKE PARKER - MAYOR

ATTEST: 
H. B. BOND - CITY CLERK