

CITY COUNCIL MINUTES

City Council Chambers
November 25, 1980

The meeting was called to order at 5:04 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.

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

Approval of the minutes of the regular meeting of November 18, 1980, and the minutes of the Budget Hearings of November 17, 18 and 19, 1980.

PETITION:

C & I Company requesting the rezoning of the property located on the east side of Sprague Avenue at South 64th Street extended from an "R-2" to a "C-2" and "R-2-T" District.

Pacific Housing Corporation requesting the rezoning of the property located on the southeast corner of South "D" and South 94th Streets from an "R-2" to an "R-3-PRD" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 26721

Authorizing a grant application to the National Endowment for the Arts for a Neighborhood Arts Services Program grant.

ASSESSMENT ROLLS:

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

L.I.D. 8255, permanent paving on East "T" Street from East 34th to Fairbanks Street.

L.I.D. 5579, constructing water mains in East Division Lane from Roosevelt Avenue to Grandview Avenue, thence north in Grandview Avenue to Sherman Street.

Fixing Monday, January 12, 1981 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 Tuesday, November 25, 1980.
- b. Minutes of the Natural Systems Citizens Committee, October 28, 1980.
- c. Minutes of the meeting of the Citizens' Transportation Advisory Committee, November 17, 1980.
- d. Minutes of the meeting of the Tacoma Public Library Board of Trustees, October 21, 1980.

Councilwoman Bichsel moved that the Consent Agenda, including Resolution No. 26721, be approved. Seconded by Deputy Mayor Nielsen. 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

COMMUNICATIONS:

- a. Hearings Examiner submitting Shoreline Management Permit No. 141.239 of General Metals of Tacoma, Inc., to allow construction of a 40' x 120' x 22' wood frame, sheet metal covered building, located east of Portland Avenue between East 18th and East 21st Streets. (1919 Portland Avenue)

Deputy Mayor Nielsen moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Councilman Sutherland. Roll call vote was taken, resulting as follows: Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Nielsen, Rasmussen, Strege, Sutherland and Mayor Parker. Nays: 0.

- b. Hearings Examiner recommending that the requested modification to Shoreline Management Substantial Development Permit No. 141.212A by the Port of Tacoma be granted.

After questions by the Council regarding whether the dredging would be of materials non-hazardous to the environment, Mayor Parker moved to continue the matter for one week in order to allow the Hearings Examiner time to obtain further details on the quality of the dredging. Seconded by Councilman Strege. Roll call vote was taken, resulting as follows: Ayes: 4 - Hyde, Kirby, Strege and Mayor Parker. Nays: 5 - Bichsel, Hawkins, Nielsen, Rasmussen and Sutherland. The motion was declared failed.

Deputy Mayor Nielsen moved to continue the matter for two weeks. Seconded by Mayor Parker. Roll call vote was taken, resulting as follows: Ayes: 4 - Kirby, Nielsen, Strege and Mayor Parker. Nays: 5 - Bichsel, Hawkins, Hyde, Rasmussen and Sutherland. The motion was declared failed.

After further discussion Councilman Hawkins moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Councilman Rasmussen. Roll call vote was taken, resulting as follows: Ayes: 7 - Bichsel, Hawkins, Hyde, Nielsen, Rasmussen, Sutherland and Mayor Parker. Nays: 2 - Kirby and Strege.

- c. Hearings Examiner recommending that the request of Ted P. Fix to remove and/or modify certain conditions relative to the reclassification of the northeast corner of East 72nd and "I" Streets, File No. 120,879A, be granted.

Councilman Rasmussen moved to concur in the recommendations of the Hearings Examiner. Seconded by Councilman Sutherland. Voice vote was taken and carried.

- d. Hearings Examiner advising that he has approved the revised plans of C & I Company for a 10,700 square foot, three-story building.

Mayor Parker advised that this is informational only and no action is required.

- e. Hearings Examiner advising that he has approved the request of Holly Homes Company for a one-year extension on the preliminary plat for Commencement Bay Vista Division No. 3.

Mayor Parker advised that this is informational only and no action is required.

FINAL READING OF ORDINANCES:

Ordinance No. 21382

Amending Chapter 13.06 of the Official Code to reclassify the east side of Orchard Street approximately 350 feet south of South 40th Street extended east, from an "R-2" to an "M-1" District. (BSM Corp.)

Mayor Parker moved to continue the Ordinance for one week. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The Ordinance was continued to December 2, 1980.

Ordinance No. 21885

Vacating the alley between East 56th and East 57th Streets from East "Q" to East "S" Streets. (Gary W. Davis)

Mayor Parker moved to consider Corrected Ordinance No. 21885. Seconded by Councilman Rasmussen. 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.

The Corrected Ordinance was declared passed.

Ordinance No. 22188

Vacating the alley south of South 31st Street between Tyler and Monroe Streets. (Emil P. Smith)

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 22248

Authorizing the transfer of \$124,339 from the Cumulative Reserve for Replacement of Fire Equipment Fund to the General Fund and appropriating said sum from General Fund to pay for the purchase of one 1500 GPM Pumper from Pacific-Mack, Inc.

Mayor Parker moved to consider Substitute Ordinance No. 22248. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

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

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

Nays: 0.

The Substitute Ordinance was declared passed.

Ordinance No. 22249

Authorizing execution of a grant award contract with the U.S. Department of Labor for \$516,164; appropriating said sum, or so much thereof as may be necessary, from the Comprehensive Employment Services Grant Fund for the purpose of providing employment and training services to eligible City of Tacoma 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: 7 - Bichsel, Kirby, Nielsen, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 1 - Hawkins.

Abstaining: 1 - Hyde.

The Ordinance was declared passed.

Ordinance No. 22250

Amending Chapter 10.04.160 of the Official Code relative to LID collection charges.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 22251

Amending Chapter 6 of the Official Code relative to license fees, penalty rates and interest percentages.

Mayor Parker moved to amend the Ordinance where necessary to change the tax on natural gas from 7% to 8%. Seconded by Councilman Hyde. Voice vote was taken and carried.

Councilman Strege moved to delete paragraph "a" on page 21 which refers to an increase in the telephone tax. Seconded by Councilman Kirby.

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

Ayes: 4 - Bichsel, Hawkins, Kirby and Strege.

Nays: 5 - Hyde, Nielsen, Rasmussen, Sutherland and Mayor Parker.

The motion was declared failed.

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

Ayes: 6 - Bichsel, Hyde, Nielsen, Rasmussen, Sutherland and Mayor Parker.

Nays: 3 - Hawkins, Kirby and Strege.

The Amended Ordinance was declared passed.

Ordinance No. 22252

Amending Ordinance No. 22018 to include an appropriation of \$29,756 from the Stadium and Convention Center Fund.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 22253

Amending Ordinance No. 22090 to include the appropriation of \$6,600 from the Civic Arts Commission Fund.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hawkins, Hyde, Kirby, Nielsen, Rasmussen, Strege and Mayor Parker.

Nays: 0.

Absent: 1 - Sutherland.

The Ordinance was declared passed.

Ordinance No. 22254

Approving and confirming the assessment roll for L.I.D. 3817 for constructing sanitary sewers in 49th Street NE from 160 feet east of Brown's Point Blvd. to 900 feet west of said street; North Shirley from the alley between North 49th and Ruby Streets south to the alley between North 49th and Ruby Streets; and other nearby streets.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hawkins, Hyde, Kirby, Nielsen, Rasmussen, Strege and Mayor Parker.

Nays: 0.

Absent: 1 - Sutherland.

The Ordinance was declared passed.

Ordinance No. 22255

Approving and confirming the assessment roll for L.I.D. 3820 for constructing sanitary sewers in North Shirley from the alley between North 48th and Ruby Streets to the alley between North 48th and Seaview Streets and east in said alley to a point 205 feet east of North Shirley Street.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 22256

Vacating the easterly 10 feet of the alley west of Yakima Avenue and south from South 21st Street. (George Hoover, Inc.)

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

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

Ordinance No. 22257

Authorizing the transfer of \$7,815.00 from the General Fund to the Miscellaneous Grants Summary Fund; appropriating said sum to continue the Neighborhood Arts Assistance Program; 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. 22258

Authorizing execution of a grant award contract with the Pacific Northwest Regional Commission for \$100,000.00; creating a new fund to be known as the HSST System Fund; and appropriating \$100,000.00, or so much thereof as may be necessary, from said fund to retain consultant services to undertake a feasibility study for a high speed surface transit system for the Tacoma-Seattle corridor.

Mayor Parker moved to consider Substitute Ordinance No. 22258. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

Councilman Strege moved to amend the Substitute Ordinance by adding a Section 3 to read: "Provided that this grant award be coordinated to the maximum extent possible with the Puget Sound Council of Governments." Seconded by Mayor Parker. Voice vote was taken and carried.

The Amended Substitute Ordinance was set over for final reading next week.

Ordinance No. 22259

Amending Title 6 of the Official Code by enacting a new chapter to be known as Chapter 6.65 relative to Business and Occupation taxes on Cable Television Distribution Systems.

Ross Hammock, General Manager of TelePrompTer of Tacoma, requested that since this takes effect January 1, 1981, the 120 days' waiting period to implement rate increases be waived as they want to pass this cost on to their customers.

Mayor Parker requested that staff take whatever action is necessary to amend the Franchise Ordinance to waive the 120 days' waiting period.

Ed Lane, attorney representing Cable TV Puget Sound, stated they have 18 subscribers that are served in the city. He felt the Ordinance does not state City of Tacoma customers only, and therefore, the tax would apply to all of their subscribers in Pierce County.

Mayor Parker requested the Legal Department bring in the Ordinance next week with the necessary language to show this tax applies to City of Tacoma subscribers only.

RESOLUTIONS:

Purchase Resolution No. 26722

Awarding contracts to:

1. Puget Sound Instrument Co. on its bid of \$76,550.40 for Communications Service Agreement - Spec. No. G-141-80;
2. Business Printing & Supply on its bid of \$3,382.24 for Parking Citation Books - Spec. No. G-138-80;
3. Ameron-Pole Products Div. on its bid of \$16,795.35 for Strain Poles - Spec. No. G-143-80;
4. Construction Salvage Sales, Inc. and Bay Cities Construction Co. a Joint Venture, on its bid of \$18,427.50 for Demolition of Illington Hotel - Spec. No. G-146-80;
5. Standard Paper Co. on its bid of \$33,804.00 for Annual Paper Supply; and
6. Lubking Petroleum, Inc., on its bid for Gasoline Supply.

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. 26724

Authorizing execution of agreements with the Tacoma Urban League, Tacoma School District No. 10, Washington State Employment Security Department and Cecil Beam for various programs relative to employment and training services for eligible City residents.

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 Sutherland moved to consider the Public Hearing at this time. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

PUBLIC HEARING: (Will start at approximately 6:00 p.m.)

This is the date set for public hearing on the proposed amendment to the Community Development Block Grant Application and Community Development Plan.

Keith Palmquist, Director of Community Development, explained the proposed amendment.

Mayor Parker called for audience comments. No one from the audience appeared to speak at the hearing.

There being no comments, Mayor Parker declared the public hearing closed.

Resolution No. 26725

Authorizing execution of an agreement with Parkwood Estates Partnership relating to an "R-3-PRD" District located on the east side of Orchard Street between South 48th and South 52nd Streets.

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

Resolution No. 26726

Authorizing the purchase of a permanent easement from Burlington Northern Railroad, located between Schuster Parkway and the Burlington Northern Railroad tracks near the Old Town Dock.

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. 26727

Stating the City's areas of concern on pending or proposed legislation before the State and Federal legislatures.

Councilwoman Bichsel moved that the Resolution be adopted. Seconded by Councilman Rasmussen.

Councilwoman Bichsel moved to amend the Resolution by deleting Public Health Administrator from the exhibits. Seconded by Councilman Hawkins. Roll call vote was taken, resulting as follows: Ayes: 5 - Bichsel, Hawkins, Hyde, Rasmussen and Sutherland. Nays: 3 - Nielsen, Strege and Mayor Parker. Absent: 1 - Kirby.

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

Resolution No. 26728

Authorizing the expenditure of Medical Arts Building Construction Bond funds for the moving of furniture and equipment to the Medical Arts Building.

Councilwoman Bichsel moved that the Resolution be adopted. Seconded by Councilman Rasmussen. Voice vote was taken and carried with Councilman Strege voting no. The Resolution was declared adopted.

Resolution No. 26729

Authorizing execution of Contract Supplement No. 2 to Consultant Service Agreement with The Burr Associates, Architects, for additional architectural and engineering services on the Medical Arts Building.

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. 26730

Approving the proposed amendments to the Sixth Year Community Development Plan and Application for Sixth Year Block Grant funding relative to the Section 108 Loan Guarantee Program.

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

PUBLIC HEARING:

This was considered earlier in the meeting.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Mayor Parker moved to excuse Councilmembers Bichsel, Nielsen, Strege and Sutherland from the December 2, 1980 City Council meeting as they will be out of town.

After further discussion, Mayor Parker then moved to cancel the December 2nd City Council meeting. Seconded by Councilman Sutherland. Voice vote was taken and carried.

CITIZENS' REQUEST TO BE HEARD:

Joe Eberling, Jr., requesting to speak regarding the lack of facilities for the use of skaters.

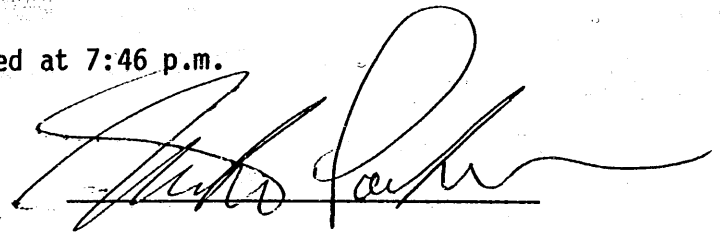
Mark Holt spoke regarding the need for an area for skateboarding and gave a slide presentation. He requested the City supply a building or covered area where they could build a wooden facility.

Councilman Hyde requested the City Manager to look into the cost of this.

Mayor Parker moved to recess into Executive Session to consider litigation, real estate and personnel matters. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The Council recessed at 6:28 p.m. The Council reconvened at 7:45 p.m.

Mayor Parker moved to settle the claim of Michael J. Neighbors and Sandy Neighbors as recommended by the City Attorney. Seconded by Councilman Sutherland. Voice vote was taken and carried.

On proper motion, the meeting adjourned at 7:46 p.m.



MIKE PARKER - MAYOR

ATTEST:



H. B. BOND - CITY CLERK