

CITY COUNCIL MINUTES

City Council Chambers
May 13, 1980

The meeting was called to order at 5:05 p.m.

Present on roll call: 7 - Bichsel, Kirby, Nielsen, Rasmussen, Strege, Sutherland and Mayor Parker. Absent: 1 - Hawkins.

The Flag Salute was led by Mayor Parker.

CONSENT AGENDA

Approval of the minutes of the regular meeting of May 6, 1980.

PETITION:

Several property owners on Pacific Avenue between 13th and 15th Streets requesting that the problem of taxicabs parking in front of their businesses be investigated.

For referral to Public Works Department.

RESOLUTIONS:

Resolution No. 26420

Setting Monday, June 2, 1980 at 5:00 p.m., as the date for hearing by the Hearings Examiner L.I.D. 8295 for permanent paving on South 64th from South Wapato to South Sprague Avenue.

Resolution No. 26421

Setting Monday, June 2, 1980 at 5:00 p.m., as the date for hearing by the Hearings Examiner L.I.D. 2508 for placing a 2-inch asphalt surface treatment on North Oakes from North 29th to North 32nd; North White from North 29th to North 31st; and North Pine from North 30th to North 31st.

Resolution No. 26422

Setting Monday, June 2, 1980 at 5:00 p.m., as the date for hearing by the Hearings Examiner L.I.D. 2507 for placing a 2-inch asphalt surface treatment on "A" Street from 72nd to 74th; East "F" from 84th to 86th Streets; East 59th from "I" to "K" Streets; and other nearby streets.

Resolution No. 26423

Setting Monday, June 2, 1980 at 5:00 p.m., as the date for hearing by the Hearings Examiner L.I.D. 3827 for constructing sanitary sewers in East "B" from approx. 350 feet north of East 91st to East 88th Street.

Resolution No. 26424

Setting Tuesday, June 17, 1980 at 9:30 a.m., as the date for hearing by the Hearings Examiner the request for vacation of the east 6 inches of Court "C", the west 6 inches of Broadway Plaza and the north 6 inches of South 11th Street abutting the former Rhodes Building. (University of Puget Sound)

ASSESSMENT ROLLS:

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

L.I.D. 3807 for sanitary sewer construction in Sprague Avenue from South 64th Street to approximately South 62nd Street.

Setting Monday, June 9, 1980 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 agendas for Tuesday, May 13, 1980 and Thursday, May 15, 1980.
- b. Minutes of the meeting of the Civil Service Board, April 21, 1980.
- c. Minutes of the meeting of the Tacoma Landmarks Preservation Commission, April 23, 1980.
- d. Minutes of the meeting of the Human Relations Commission, April 24, 1980.

Councilwoman Bichsel moved that the Consent Agenda, including Resolutions Nos. 26420, 26421, 26422, 26423 and 26424, be approved. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The Consent Agenda was declared approved.

PROCLAMATIONS:

Mayor Parker proclaimed Thursday, May 15, 1980 to be "Leo Randolph Day" in the City of Tacoma. Mayor Parker presented the proclamation to Leo Randolph, a Tacoma resident, who recently became the WBA Bantam Weight Champion.

Mayor Parker proclaimed the week of May 11 - 17, 1980 as "Hospital Week" in the City of Tacoma.

REGULAR AGENDA

COMMUNITY SERVICE AWARDS:

In conjunction with National Police Week, Mayor Parker, together with Assistant Chief R. W. Johnson of the Tacoma Police Department, presented Community Service Awards to the following citizens who had assisted the Police Department in apprehending criminals or the prevention of criminal acts: Richard Craggs, Robert W. Meidell, Gerald R. Pelland, Mr. & Mrs. Paul R. Vinson, Theodore W. Newell, Tom Poole, Ronald K. Van Wagenen, Gary B. McNally, Dan G. Dillon, Jack L. Kiefert, Mrs. Nancy E. Postawa, Timothy P. Eason and Larry L. Bunch.

COMMUNICATIONS:

Hearings Examiner submitting a summary of minutes on the hearing regarding review of site and landscape plans for Pacific Northwest Rax, Inc., File No. 120.950.

Gary Sullivan, Hearings Examiner, advised that his communication was informational only and no action was required by Council.

FINAL READING OF ORDINANCES:

Ordinance No. 21673

Amending Chapter 13.06 of the Official Code to reclassify the area 75 feet south of the southeast corner of So. 12th and Monroe Streets from an "R-2" to an "R-3" District. (Ted P. Fix)

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Kirby, Nielsen, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0

Absent: 1 - Hawkins

The Ordinance was declared passed.

Ordinance No. 22077

Authorizing execution of a grant award agreement for \$1,950 with the Washington State Arts Commission; accepting a donation of \$3,000 from the Olympia Brewing Company; transferring \$22,000 from the General Fund to the Miscellaneous Summary Grants Fund; appropriating \$26,950, or so much thereof as may be necessary from said Fund for supporting the 1980 Summer Pops! Concerts in the Park series.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Kirby, Nielsen, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0

Absent: 1 - Hawkins.

The Ordinance was declared passed.

Ordinance No. 22078

Authorizing execution of a grant award contract with the U.S. Department of Labor in the amount of \$661,862 and appropriating said sum, or so much thereof as may be necessary, from the Comprehensive Employment Services Grant Fund to operate a Summer Employment Program for economically disadvantaged youth.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Kirby, Nielsen, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0

Absent: 1 - Hawkins.

The Ordinance was declared passed.

Ordinance No. 22081

Amending Ordinance No. 21550 to provide for a 20 year assessment roll for L.I.D. 6953.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Kirby, Nielsen, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0

Absent: 1 - Hawkins.

The Ordinance was declared passed.

Ordinance No. 22082

Providing for the improvement of L.I.D. 2505 for constructing sidewalks on East "B" from East 58th to East 62nd; South Cedar from South 72nd to South 74th; and other nearby streets.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Kirby, Nielsen, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0

Absent: 1 - Hawkins.

The Ordinance was declared passed.

Ordinance No. 22083

Providing for the improvement of L.I.D. 5616 for constructing water mains in an area bounded by 128th Street Court East, 214th Avenue, 131st Street Court East and 210th Avenue Court East.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Kirby, Nielsen, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0

Absent: 1 - Hawkins.

The Ordinance was declared passed.

Ordinance No. 22084

Approving and confirming the assessment roll for L.I.D. 2447 for oil mat surface on East 55th Street from East "F" to East "G".

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Kirby, Nielsen, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0

Absent: 1 - Hawkins.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 22085

Vacating the southerly 20 feet of Upper Park Street easterly from East "F" Street. (Donald K. Carden)

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

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

Ordinance No. 22086

Amending Section 11.28.180 and adding a new section, 11.28.240, to the Official Code to extend parking restrictions on several streets in the City and creating a two-hour parking restriction in the Old City Hall Parking Lot.

The Ordinance was set over for final reading next week.

Ordinance No. 22087

Amending Ordinance No. 21709 to correct a legal description.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 26425

Appointing Lew Hatfield, Ella Mae Crawford and Gary Sullivan to the Human Relations Hearings Tribunal for the case of Connie Corpuz vs. Item House, Inc.

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

Purchase Resolution No. 26426

Awarding contracts to:

1. T. W. Communication, Corp., on its bid of \$3,800 for cables and
2. BLW Construction on its bid of \$8,621.70 for sanitary sewer repair and replacement.

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

Resolution No. 26427

Authorizing a non-interest bearing loan not to exceed \$25,000 from the General Fund to the Crisis Child Care Fund to provide a working fund advance.

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

Resolution No. 26428

Authorizing execution of an agreement with The One Reel Vaudeville Show to plan, coordinate and produce the 1980 Summer Pops! Concerts in the Park series.

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

Resolution No. 26429

Authorizing application to the Department of Energy to include the City's three wastewater treatment plants in the Petroleum Substitutes Entitlements Program.

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

Resolution No. 26430

Authorizing execution of an agreement with Pierce County relative to a joint survey of historic properties and authorizing a temporary loan from the General Fund to the County-City Historic Property Survey Grant Fund not to exceed \$30,000.

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. 26431

Directing the Hearings Examiner to hold hearings regarding establishing interim zoning regulations in the North Slope area.

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

Councilman Strege moved that the resolution be amended on Page 2, Lines 10 - 11, by deleting the words "which would prohibit further multiple family development of a density in height of R-4 or greater." Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

Voice vote was taken on the resolution as amended and carried. The Resolution was declared adopted.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Councilwoman Bichsel moved that "WHEREAS the opening of the Rex Theater as an adult movie theater has created considerable controversy and consternation among the citizens of the City of Tacoma generally and the residents of that area specifically, and

WHEREAS the Council understands that since the Supreme Court decided the case of City of Spokane v. John Paul Portch on June 28, 1979, the authority of city governments to regulate obscenity has been severely limited and curtailed, and
WHEREAS, notwithstanding that decision, there may be avenues of approach in order to regulate the conduct of said theater through the zoning ordinances of the City of Tacoma; Now, Therefore,
I MOVE that the City Manager be and he is hereby directed to fully explore and investigate the possibilities of comencing some sort of action against said theater on the basis that the same may violate the ordinances of the City of Tacoma relating to zoning matters, and advise the Council as quickly and expeditiously as possible what steps, if any, should be taken with reference to the existence of the problem created by the opening of said establishment. Seconded by Mayor Parker.

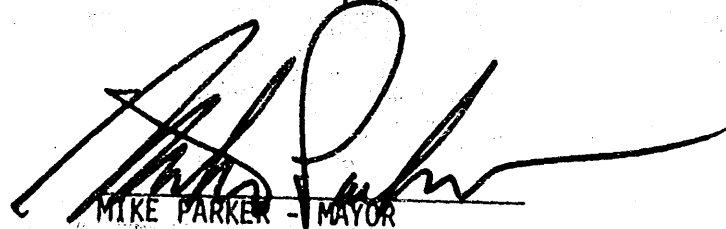
William Tofrey, 3908 So. Wilkeson Street spoke against the motion.

Voice vote was taken on the motion and carried.

Deputy Mayor Nielsen moved that Councilman Hawkins be excused from this evenings meeting. Seconded by Mayor Parker. Voice vote was taken and carried.

Mayor Parker moved to recess into Executive Session for the purpose of discussing a real estate matter. Seconded by Councilman Sutherland. Voice vote was taken and carried. The Council recessed at 6:05 p.m. Council reconvened at 6:25 p.m.

On proper motion, the meeting adjourned at 6:26 p.m.



MIKE PARKER - MAYOR

ATTEST: Catherine Ursich
CATHERINE URSICH
DEPUTY CITY CLERK