

CITY COUNCIL MINUTES

City Council Chambers  
August 12, 1975

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

Present on roll call: 8 - Herrmann, Hudson, Moss, Nalley, Nelson, Sonntag, Warnick and Mayor Johnston. Absent: 1 - Egan.

The Flag Salute was led by Mr. Sonntag.

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C O N S E N T   A G E N D A

Approval of the minutes of the meeting of August 5, 1975.

RESOLUTIONS:

Resolution No. 23486 Fixing Tuesday, September 2, 1975 at 9:00 a.m. as the date for hearing by the Hearings Examiner the vacation of South Mason from South 40th to 42nd, the alley lying between South 40th and 41st from Manitou Way to South Mason and the alley lying between South 41st and 42nd from Manitou Way to South Mason. (Fred R. Roberson)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the Board of Administration of the Tacoma Employees' Retirement System meeting of June 26, 1975.
- b. Minutes of Tacoma Model Cities Program Land Use Review Board meeting of July 21, 1975.
- c. Minutes of Human Relations Commission meeting of July 24, 1975.
- d. Minutes of City Planning Commission special meeting of July 28, 1975.
- e. Minutes of Board of Park Commissioners meeting of July 28, 1975
- f. Monthly report, Purchases and Sales of Investments, July, 1975, Tacoma Employees' Retirement System.
- g. Monthly Towing Report, July, 1975.
- h. Quarterly Report, July, 1975, Model Cities Division, Community Development Department.
- i. Quarterly Report, June 30, 1975, Program Management System.

Mr. Hudson moved that all of the items listed on the Consent Agenda, including Resolution No. 23486, be approved. Seconded by Mr. Nelson. Voice vote was taken and carried.

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REGULAR AGENDA

SUGGESTION AWARD:

Public Works employee, Nicholas Fittante, was presented with a \$25.00 check and framed certificate for his suggestion concerning the hinges on the new grit structure at the Central Treatment Plant.

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FINAL READING OF ORDINANCES:

Ordinance No. 20511 (Continued from the meeting of August 5th)  
Amending the pay and compensation plan to add the position of Pavilion Manager.

Mr. Warnick moved to amend the ordinance by lowering the salary. The salary to start at \$1,200 per month instead of the \$1,500. Seconded by Dr. Herrmann. Roll call vote resulted in Ayes: 3 Nays: 5 Absent: 1 The motion was declared failed.

Roll call was taken resulting as follows:

Ayes: 7 - Herrmann, Hudson, Moss, Nalley, Nelson, Warnick and Mayor Johnston

Nays: 1 - Sonntag

Absent: 1 - Egan

The Ordinance was declared passed.

Ordinance No. 20519 Appropriating the sum of \$11,000.00, or so much thereof as may be necessary, from the Stadium and/or Convention Fund #640 for the purpose of paying salary and fringe benefits for a Bicentennial Pavilion Manager and declaring an emergency making necessary the passage of this ordinance.

Roll call was taken, resulting as follows:

Ayes: 7 - Herrmann, Hudson, Moss, Nalley, Nelson, Warnick and Mayor Johnston

Nays: 1 - Sonntag

Absent: 1 - Egan

The Ordinance was declared passed.

Ordinance No. 20520 Authorizing acceptance of the fourth year grant award from the federal Department of Housing and Urban Development in the amount of \$98,000 for the purpose of continuing the City's Program Management System.

Roll call was taken, resulting as follows:

Ayes: 8 - Herrmann, Hudson, Moss, Nalley, Nelson, Sonntag, Warnick, Mayor Johnston

Nays: 0

Absent: 1 - Egan

The Ordinance was declared passed.

Ordinance No. 20521 Amending the pay and compensation plan to establish a new class of Case Manager.

Roll call was taken, resulting as follows:

Ayes: 8 - Herrmann, Hudson, Moss, Nalley, Nelson, Sonntag, Warnick, Mayor Johnston

Nays: 0

Absent: 1 - Egan

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 20522 Amending chapter 8.46 of the Official Code by repealing and reenacting subsection (b) of Section 8.45.010 relative to prostitution.

Major McDonough advised the present ordinance is too vague. This will clarify the conditions under which an arrest can be made.

The Ordinance was set over for final reading next week.

Ordinance No. 20523 Appropriating the sum of \$2,500.00, or so much thereof as may be necessary for the purpose of paying for the services of an executive management consultant for the selection of a Library Director, and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Resolution No. 23483 (Continued from the meeting of August 5th)  
Authorizing execution of a contractual agreement with Crest Builders, Inc. relating to the development of an "R-4-L PRD" District located on the northwest corner of So. 23rd St. and Union Avenue.

Dr. Herrmann moved that the Resolution be adopted. Seconded by Mr. Hudson.

Mr. Warnick excused himself due to possible conflict of interest and left the Council Chambers.

Voice vote was taken and carried. The Resolution was declared adopted.

Mayor Johnston moved to suspend the rules and consider Resolution No. 23487 at this time. Seconded by Mr. Hudson. Voice vote was taken and carried.

Resolution No. 23487 Appointing Richard J. Dolack to a 5-year term on the Public Utility Board expiring on June 30, 1980.

Mayor Johnston moved that the Resolution be adopted. Seconded by Mr. Hudson. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 23485 (Continued from the meeting of August 5th)  
Initiating rezone of property at the southeast corner of North 3rd and "J" Streets from an "R-5-T" to an "R-5" District. (City Council)

Mr. Nalley moved that the Resolution be adopted. Seconded by Mayor Johnston.

Del Hobbs, representing the owners of the property, reviewed the efforts made in planning the rehabilitation of the building for use as a medical facility. He advised the costs became prohibitive and financing for the venture was not obtainable; therefore, they now plan to building a new building on the property.

Roll call was taken on the resolution resulting in Ayes: 1 - Nalley. Nays: 6 - Herrmann, Moss, Nelson, Sonntag, Warnick and Mayor Johnston. Absent: 2 - Egan & Hudson. The Resolution was declared failed.

Purchase Resolution No. 23488 Awarding contracts to: Lige Dickson Company on its bid of \$16,870.05 for L.I.D. 8070; to Tucci & Sons, Inc. on its bid of \$71,899.76 for Improvement 8074; and to Woodworth & Company, Inc. on its bid of \$183,337.90 for Improvement 8072.

Mr. Moss moved that the Resolution be adopted. Seconded by Dr. Herrmann. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 23489 Authorizing execution of an agreement with Amalgamated Transit Union Local #758 pursuant to Section 13(c) of the Urban Mass Transportation Act of 1964, as amended.

Mr. Moss moved that the Resolution be adopted. Seconded by Dr. Herrmann. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 23490 Authorizing construction and placement of an artificial reef at the Old Town Dock.

Dr. Herrmann moved that the Resolution be adopted. Seconded by Mr. Hudson. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 23491 Authorizing an amendment to the Model Cities Fourth Action Year Plan.

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

Resolution No. 23492 Establishing the classes of Clerical Assistant, Clerk, Secretary, and Senior Chainman in the classified positions and Geo Base Technician in the Project positions of CETA.

Dr. Herrmann moved that the Resolution be adopted with corrected pages two and three. Seconded by Mr. Hudson.

Speaking regarding clerical position title changes which occurred under Ordinance 20510 passed August 5th, and the protest period for employees were: Lily Piva, staff representative of the Washington State Council of County and City Employees and Ruth McElliott, Public Works Department employee.

Odd A. Lund, Personnel Director, advised that all employee protests would be considered.

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

Resolution No. 23493 Establishing the class of P012 Crime Information Analyst as a project position in the Police Department.

Mr. Hudson moved that the Resolution be adopted. Seconded by Mr. Moss.

Mr. Sonntag moved to continue the Resolution for one week. Seconded by Mr. Warnick. Voice vote was taken and carried. The Resolution was continued to August 19, 1975.

Resolution No. 23494 Authorizing the Director of Public Works to close North "E" Street between North 1st and North 2nd Streets to vehicular traffic between the hours of 7:30 a.m. and 3:00 p.m. on school days.

Mr. Sonntag moved that the Resolution be adopted. Seconded by Mr. Warnick.

John Milroy, representing Tacoma School District No. 10, urged adoption.

Voice vote was taken and carried. The Resolution was declared adopted.

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PUBLIC HEARINGS & APPEALS:

This is the date set for hearing the appeal of American Plywood Association on the audit assessment of the Tax and License Department. (Continued from the meeting of August 5th)

Richard Newman, Tax & License Department Director, reviewed the basis for the department's decision for the tax of \$78,947 plus interest, for a total of \$124,468.76. This represents the tax and interest due from 1951 to December 31, 1974. He advised that the firm is now registered and paying B & O Tax.

Arthur S. Langlie, attorney representing American Plywood Association, gave their reasons why they felt the B & O Tax laws did not apply to their association. He advised that they are not in the usual business of selling products. They represent companies and promote the use of plywood and it is a non-profit organization. He asked that his appeal be upheld.

Speaking on the subject were: Thomas Eckert, 88 Salmon Beach; Ruth McElliott, 906 East 34th Street.

After discussion, Mr. Hudson moved that the appeal be disallowed but at the same time give the Tax and License Department the authority, if they feel it is in the best interest of the City, to negotiate a settlement that they believe is warranted under the particular circumstances subject to Council approval of any settlement that might be proposed. Seconded by Mr. Moss.

Mayor Johnston moved to amend Mr. Hudson's motion to retain jurisdiction and direct the Tax and License Director to meet with representatives of American Plywood Association and negotiate a solution for consideration by the Council within two weeks. Seconded by Mr. Moss.

Roll call was taken on the amendment resulting in Ayes: 5 - Herrmann, Hudson, Moss, Nelson and Mayor Johnston. Nays: 2 - Sonntag and Warnick. Absent: 2 - Egan and Nalley. Motion carried.

Roll call was taken on the amended motion, resulting in Ayes: 5 - Herrmann, Hudson, Moss, Nelson and Mayor Johnston. Nays: 2 - Sonntag and Warnick. Absent: 2 - Egan and Nalley. Motion carried. The appeal was continued for two weeks.

REPORTS BY CITY MANAGER:

Erling Mork reminded Council members of their joint meeting with the Fircrest City Council on Thursday evening.

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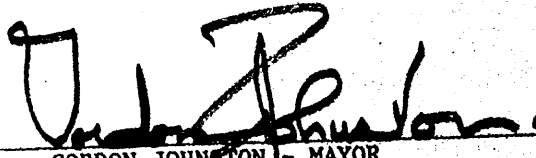
COMMENTS BY MEMBERS OF THE CITY COUNCIL:

Mayor Johnston said he felt the Bicentennial Pavilion needs a policy making Board comprised of citizens, which would give direction to the Pavilion Manager. He asked that a study session be scheduled to discuss the subject.

Mr. Hudson suggested there be a study session each Monday and that they not be confined to only agenda matters but also include other subjects of City interest, particularly on the Mondays on which agenda items are not scheduled.

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On proper motion, the meeting adjourned at 9:23 p.m.

  
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GORDON JOHNSTON - MAYOR

ATTEST:   
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H. B. BOND - CITY CLERK