

CITY COUNCIL MINUTES

City Council Chambers
November 5, 1975

The meeting was called to order at 5:04 p.m.

Present on roll call: 8 - Egan, Herrmann, Hudson, Nalley, Nelson, Sonntag, Warnick, and Mayor Johnston. Absent: 0. (One Council Vacancy).

The Flag Salute was led by Mr. Nelson.

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CONSENT AGENDA

Approval of the minutes of the meeting of October 28, 1975.

PETITIONS:

PUGET SOUND HOSPITAL requesting the rezoning of the property located on the east side of Pacific Avenue between Division Lane extended and South 36th Street extended from an "R-3" and "C-1" to an "R-5-IM" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 23601 Fixing Tuesday, December 9, 1975 at 9:00 a.m. as the date for hearing by the Hearings Examiner the vacation of South 52nd Street from 150 feet west of Alaska Street to Freeway I-5 and South Wilkeson from South 52nd to 128 feet south. (Rainier Mortgage Company)

Resolution No. 23602 Fixing Monday, November 24, 1975 at 4:00 p.m. as the date for hearing LID 8097 for permanent paving on North 36th from North Stevens to North Cheyenne Street; North Villard from North 35th to 37th; North Mullen from North 36th to 37th; also storm drains only in North Mullen from North 35th to 36th and North 37th from North Villard to Orchard.

Resolution No. 23603 Fixing Tuesday, November 25, 1975 at 5:00 p.m. as the date for hearing on the site approval for developments in "PRD" Planning Residential Development Districts, "C-F" Freeway Commercial Services Districts, "C-P" Planning Shopping Center Districts and "R-P" Research Park Districts.

ASSESSMENT ROLLS:

The Director of Public Works presents the Assessment Rolls for the following:

LID 3758 - sanitary sewers in South 83rd Street from Sheridan Avenue east to cul-de-sac (approximately 350').

LID 8063 - oil mat and concrete curbs and gutters on South Adams Street from South 66th to 240 feet south of South 67th and South 67th from South Adams Street west 150 feet to the alley.

Fixing Monday, December 8, 1975 at 4:00 p.m. as the date for hearing.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Citizens Transportation Advisory Committee meeting of October 20, 1975.
- b. Minutes of the Board of Pierce County Commissioners meetings of October 21, 23 and 27, 1975.
- c. Public Works Department filing Update Cost Estimates for UAB 8-1-128(21), 8-1-128(28) and 8-1-128(35).
- d. 1976 Preliminary Budget Estimates, Dept. of Public Utilities.
- e. 1976 Preliminary Annual Program Budget.
- f. Minutes of City Planning Commission meeting of October 20, 1975.

Mrs. Egan moved that all of the items listed on the Consent Agenda, including Resolution Nos. 23601, 23602 and 23603, be approved. Seconded by Mr. Nelson. Voice vote was taken and carried. The items were declared approved.

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PROCLAMATIONS:

Mayor Johnston proclaimed the week of November 10 through 16, 1975 as "Youth Appreciation Week" in the City of Tacoma.

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

COMMUNICATIONS:

- a. Hearings Examiner recommending modification and/or removal of conditions on File No. 120.500A, on certain property located at East 72nd and Portland Avenue.

Mayor Johnston moved to concur in the recommendation of the Hearings Examiner. Seconded by Mr. Nelson. Voice vote was taken and carried.

- b. Hearings Examiner submitting report and recommendation on Shoreline Management Permit Application No. 141.111 BRS Enterprises to allow the redevelopment of the McCormick Steamship Company Warehouse.

Mr. Nelson moved to concur in the recommendation of the Hearings Examiner. Seconded by Mr. Hudson. Roll call was taken on the motion resulting in Ayes: 8 - Egan, Hermann, Hudson, Nalley, Nelson, Sonntag, Warnick, Mayor Johnston. Nays: 0 (One Council Vacancy). The motion carried.

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FINAL READING OF ORDINANCES:

Ordinance No. 20579 Amending Chapter 1.06 of the Official Code relative to assignment of evidentiary hearings on appeals to the Hearings Examiner and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Roll call was taken, resulting as follows:

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

Nays: 0 (One Council Vacancy)

The Ordinance was declared passed.

Ordinance No. 20580 Providing for the improvement of L.I.D. 2428 for oil mat surfacing on the alley between North Villard and North Baltimore from North 37th to North 38th Street.

Ron Button, City Engineer, advised Council that the L.I.D. now has a 56 percent remonstrance, although it had none to begin with.

Roll call was taken, resulting as follows:

Ayes: 0

Nays: 8 - Egan, Herrmann, Hudson, Nalley, Nelson, Sonntag, Warnick, Mayor Johnston
(One Council Vacancy)

The Ordinance was declared failed.

Ordinance No. 20581 Providing for the improvement of L.I.D. 8093 for permanent paving on North Verde Street from North 31st to North 33rd and North 27th from North Verde to North Stevens Street.

Ron Button, City Engineer, reported there is sufficient support for the L.I.D. The remonstrance stands at 42 percent.

Howard Roberts, 4418 North 32nd Street, spoke against the ordinance, claiming there were sufficient remonstrances to defeat the L.I.D.

Blanche Kennedy, 3110 North Verde and Cheryl Whitson, 3116 North Verde, questioned the percentage of remonstrance and reported there were some protests which had been withdrawn that morning and now there are 57.7 percent in favor. Mr. Button confirmed the figures.

Roll call was taken, resulting as follows:

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

Nays: 0 (One Council Vacancy)

The Ordinance was declared passed.

Ordinance No. 20582 Providing for the improvement of L.I.D. 8095 for permanent paving on North 10th Street from North Mason Avenue to North Stevens; alley between North 26th and North 27th from North Mullen to North Ferdinand; and other nearby streets.

Roll call was taken, resulting as follows:

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

Nays: 0 (One Council Vacancy)

The Ordinance was declared passed.

Ordinance No. 20583 Approving and confirming the assessment roll for L.I.D. 3738 for constructing sanitary sewers in Canal Street from St. Paul Avenue to a point 1500 feet north of East 11th Street.

Roll call was taken, resulting as follows:

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

Nays: 0 (One Council Vacancy)

The Ordinance was declared passed.

Ordinance No. 20584 Approving and confirming the Assessment Roll for L.I.D. 5540 for constructing water mains in McKinley Avenue from East 86th to East 93rd; East 93rd from East "G" to McKinley Avenue; and other nearby streets.

Roll call was taken, resulting as follows:

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

Nays: 0 (One Council Vacancy)

The Ordinance was declared passed.

Ordinance No. 20585 Approving and confirming the Assessment Roll for L.I.D. 8035 for permanent paving on North 29th from North Starr to North McCarver; North Mullen from North 12th to North 13th; and other nearby streets; also, storm sewer only in North 21st from Baltimore east approximately 200 feet.

Roll call was taken, resulting as follows:

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

Nays: 0 (One Council Vacancy)

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 20586 Accepting a grant in the amount of \$73,878 from the U.S. Dept. of Health, Education & Welfare; authorizing the extension of the agreement with the Employee Assistance Service, a division of Common Sense Associates, Inc. for the operation of an early identification and referral model and appropriating \$75,753 for the purpose of carrying out the program; and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Dwight Faust, Training Director, answered questions of Council and advised he felt the program was showing success.

Peggy Duane spoke against the program.

Mrs. Egan left the Council Chambers when Ms. Duane began to speak as Peggy Duane is a defendant in a lawsuit of Mrs. Egan's.

The Ordinance was set over for final reading next week.

Ordinance No. 20587 Repealing and reenacting Section 11.34.130 of the Official Code relative to arterial streets designations.

The Ordinance was set over for final reading next week.

Ordinance No. 20588 Establishing the Bicentennial Pavilion Revolving Fund; authorizing the appropriation of the sum of \$26,200 from the Stadium and/or Convention Fund No. 640 for operation of the Bicentennial Pavilion, repealing Ordinance 20519 and declaring an emergency making necessary the passage of this ordinance.

Earl Mittelstaedt, Finance Director, reviewed the various items the monies will be used for.

Emily Sinclair, Accountant for the Department of Community Development, supplied additional information and answered questions of Council.

The Ordinance was set over for final reading next week.

Ordinance No. 20589 Amending Chapter 13.06 of the Official Code to reclassify the westerly side of Sprague Avenue approximately 450 feet south of South 66th Street and 130 feet west of Sprague Avenue from an "R-2", "C-F-P", "C-P-N", "R-4-LT" and "R-5-PRD" to an "R-4-L-PRD" District. (Hillcrest Properties, Inc.)

Mr. Warnick excused himself from sitting in on the discussion and left the Council Chambers.

Robert Backstein, Hearings Examiner, reviewed the rezone and recommended it be approved with the restrictions he had suggested placing on the property.

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

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RESOLUTIONS:

Resolution No. 23605 Authorizing the proper officers of the City to execute a lease amending the lease agreement with Continental Ventures relative to option to renew clause.

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. 23606 Authorizing execution of an agreement with Pierce County for sewer service in the vicinity of South 64th and Orchard Streets and South 68th and Orchard Streets.

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

Resolution No. 23607 Authorizing execution of an agreement with Pierce County for sewer service in the vicinity of South 19th and Mildred Streets.

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

Resolution No. 23608 Authorizing execution of an agreement with Pierce County for sewer service in the Port of Tacoma area.

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. 23609 Authorizing settlement of claim of Tacoma School District #10 in the sum of \$1,000.00.

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

Resolution No. 23610 Authorizing execution of an agreement with Progress House Association for the operation of the Dorcas House Project.

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

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HEARINGS AND APPEALS: a. This is the date set for hearing the appeal of Connie Schick, Inc. and Conrad P. Schick, formerly d/b/a Custom Floor Covering on the Business and Occupation Tax assessment by the Tax and License Department. (Continued from the meeting of October 21st)

The matter had been continued for two weeks at the request of Connie Schick, Inc. There was no representative of Connie Schick, Inc. present in the Council Chambers. Dr. Herrmann moved that the Council affirm the findings of the Department of Tax and License and approve the assessment which the Department has made and the administrative staff take such steps as are necessary to enforce its collection. Seconded by Mr. Warnick. Voice vote was taken and carried.

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UNFINISHED BUSINESS: H. B. Bond, City Clerk, advising that the L.I.D. Committee, at their meeting on October 27, 1975, approved the motion that the assessment roll for L.I.D. 5512 be heard by the City Council at their meeting of November 5, 1975.

Mr. Warnick said Mr. Roller has advised him that he would forward a communication to Council this week in regards to the Water Division's position on the L.I.D. Mr. Warnick moved that the L.I.D. hearing be continued for one week. Seconded by Mr. Hudson. Voice vote was taken and carried.

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CITIZENS REQUEST TO BE HEARD:

David Kilber, U. S. Labor Party, wishing to speak regarding the Tacoma Pierce County Methadone Maintenance Clinic.

Mrs. Egan announced she was leaving the meeting as the citizen to speak is a defendant in a lawsuit in which she is the appellant. Mrs. Egan left the Council Chambers.

Dr. Herrmann announced he was also leaving the meeting. Dr. Herrmann and Mrs. Egan left at 6:20 p.m.

Mr. David Kilber, United States Labor Party, spoke to Council regarding the Tacoma-Pierce County Methadone Clinic and gave his views on the history of methadone.

On proper motion, the meeting adjourned at 6:30 p.m.



GORDON JOHNSTON - MAYOR

ATTEST: 
H. B. BOND - CITY CLERK