

CITY COUNCIL MINUTES

City Council Chambers  
September 2, 1975

The meeting was called to order at 5:07 p.m.

Present on roll call: 7 - Egan, Herrmann, Nalley, Nelson, Sonntag, Warnick and Mayor Johnston. Absent: Hudson (One Council Vacancy)

The Flag Salute was led by Mr. Nelson.

Mayor Johnston said that he would be leaving the meeting in a few minutes and asked that he be excused from this meeting and also next week's meeting. Mr. Sonntag moved that Mayor Johnston be excused. Seconded by Mr. Warnick. Voice vote was taken and carried.

Mayor Johnston announced that Mr. Hudson had called and asked to be excused from this week's meeting. Mayor Johnston moved that Mr. Hudson be excused. Seconded by Mrs. Egan. Voice vote was taken and carried.

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PROCLAMATION:

Mayor Johnston proclaimed the week of September 7 through 14, 1975 as "Voter Awareness Week".

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Mayor Johnston said that he had asked Mr. Harold Moss, who had resigned from his position as Councilman the week before, to be present at this meeting. Mayor Johnston enumerated some of the many ways in which Mr. Moss had served the City and thanked him for his dedicated service as a councilman. He presented him with a plaque of appreciation which contained the names of council members who had served with him.

Mayor Johnston appointed Mr. Hudson, Mr. Warnick and himself to serve on the L.I.D. Committee for the months of September, October and November.

Mayor Johnston left the meeting at 5:20 p.m.

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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 26, 1975.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Public Utility Board meeting of August 13, 1975.
- b. Minutes of City Planning Commission meeting of August 18, 1975.

- c. Monthly reports, June and July, 1975, Director of Finance.
- d. Emergency Services Dept. filing June Supplemental Personnel and Administrative Claim and Personnel and Administrative Claim for July, 1975.
- e. Monthly report, June, 1975, Police Department.
- f. Monthly report, Tacoma-Pierce County Humane Society & SPCA, June, 1975.
- g. Monthly report, July, 1975, Fire Department.
- h. Monthly report, July, 1975, Personnel Department.
- i. Monthly report, July, 1975, Traffic Division, Police Department.
- j. Dept. of Public Works filing Update Cost Estimate for three projects.

Mr. Nalley moved to approve all of the items listed on the Consent Agenda. Seconded by Mr. Nelson. Voice vote was taken and carried. The items were declared approved.

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REGULAR AGENDA

COMMUNICATIONS: William J. Barker, Assistant City Attorney, requesting Rezone Request #120.662 of Joseph Verone be closed. (Continued from the meeting of August 19th)

Rod Kerlake, City Planning Department, advised that the petitioner had asked for a six month extension.

Mr. Sonntag moved that the six month extension be granted. Seconded by Mrs. Egan. Voice vote was taken and carried. The motion carried.

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FINAL READING OF ORDINANCES:

Ordinance No. 20540 Amending Section 5.02.010 of the Official Code to amend the agreement providing for the creation and operation of a combined County-City Health Department and declaring an emergency providing that this ordinance shall take effect immediately upon publication.

Roll call was taken, resulting as follows:

Ayes: 6 - Egan, Herrmann, Nalley, Nelson, Sonntag, Warnick

Nays: 0

Absent: 2 - Hudson and Mayor Johnston (One Council Vacancy)

The Ordinance was declared passed.

Ordinance No. 20543 Providing for the improvement for L.I.D. 8082 for permanent paving on South 21st from South Ash to South Hosmer; South Ainsworth from South 23rd to 25th; alley between South "K" and "L" from South 13th to 14th; and alley between South "J" and "K" from South 23rd to 25th.

Roll call was taken, resulting as follows:

Ayes: 6 - Egan, Herrmann, Nalley, Nelson, Sonntag, Warnick

Nays: 0

Absent: 2 - Hudson and Mayor Johnston (One Council Vacancy)

The Ordinance was declared passed.

Ordinance No. 20544 Providing for the improvement of L.I.D. 8083 for permanent paving on South 40th from South Fawcett to South "D"; South 44th from South Wilkeson to Hosmer; and South 54th from South Yakima to South "I" St.

Roll call was taken, resulting as follows:

Ayes: 6 - Egan, Herrmann, Nalley, Nelson, Sonntag, Warnick

Nays: 0

Absent: 2 - Hudson and Mayor Johnston (One Council Vacancy)

The Ordinance was declared passed.

Ordinance No. 20545 Approving and confirming the assessment roll for L.I.D. 8037 for permanent paving on Ferdinand Street from North 25th to 26th; North 25th from Cheyenne to Verde; and Ferdinand from North 31st to 33rd Street.

Roll call was taken, resulting as follows:

Ayes: 6 - Egan, Herrmann, Nalley, Nelson, Sonntag, Warnick

Nays: 0

Absent: 2 - Hudson and Mayor Johnston (One Council Vacancy)

The Ordinance was declared passed.

Ordinance No. 20546 Approving and confirming the assessment roll for L.I.D. 8053 for permanent paving in the alley between South Alder and Lawrence from South 45th to 47th Street.

Roll call was taken, resulting as follows:

Ayes: 6 - Egan, Herrmann, Nalley, Nelson, Sonntag, Warnick

Nays: 0

Absent: 2 - Hudson and Mayor Johnston (One Council Vacancy)

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 20547 Vacating South 14th Street from Yakima Avenue easterly 150 feet and the alley from South 14th and 15th Streets between South "G" and Yakima Avenue. (St. Leo's Church)

Rod Kerslake, Planning Department, advised that Council held a hearing on this two years ago and approved the request. All is in order now for passage of the ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 20548 Vacating the alley between Alaska and Asotin Streets from South 74th to South 76th Streets. (Tobe & Motoko Owens, et al)

Rod Kerslake advised that Council recently held a hearing on this and approved the request. All is in order now for passage of the ordinance.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Resolution No. 23517 (Continued from the meeting of August 26th)  
Authorizing amendment of the site plan and contractual agreement for the Tacoma Mall to allow access between the Tacoma Mall and an adjacent office building, with access to be located at Fife Street and vacating South 43rd Street. (And appeal of the recommendation of the Hearings Examiner)

Mrs. Egan moved that the Resolution be adopted. Seconded by Mr. Warnick.

H. B. Bond, City Clerk and Deputy Hearings Examiner, reviewed the request and answered questions of Council members. He mentioned that an appeal has been made and was sent to the Council members for their review and consideration.

Deputy Mayor Herrmann asked for comments from the audience. No one rose to speak.

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

Resolution No. 23518 (Continued from the meeting of August 26th)  
Accepting an offer to purchase Parcel 12 in the Fawcett Project, Wash R-3, submitted by James R. McGranahan and Chalker Engineers, Inc.

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

Resolution No. 23519 (Continued from the meeting of August 26th)  
Authorizing execution of amendment and change order No. 2 to a contract between the City as the LPA and Chalker Engineers Inc. for certain professional engineering services connected with the New Tacoma Project Wash. R-14.

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

Resolution No. 23520 Authorizing cancellation of the contract with Custom Video Systems, Inc. for the purchase of color television equipment for the MCATV Program and waiving the requirement of competitive bidding to obtain the necessary equipment on the open market.

Mrs. Egan moved that the Resolution be adopted. Seconded by Mr. Warnick.

After discussion, voice vote was taken and failed on a vote of Ayes: 4 - Egan, Nalley, Warnick and Deputy Mayor Herrmann. Nays: 1 - Nelson Absent: 3 - Hudson, Sonntag, and Mayor Johnston. (One Council Vacancy)

Deputy Mayor Herrmann changed his vote from aye to nay in order to be on the prevailing side. Mr. Sonntag returned to the council chambers and moved to suspend Rule 6 of the Council Rules of Procedure in order to reconsider the vote at this meeting. Seconded by Mrs. Egan. Roll call vote was taken resulting in Ayes: 6 - Egan, Nalley, Nelson, Sonntag, Warnick and Deputy Mayor Herrmann. Nays: 0 Absent: 2 - Hudson and Mayor Johnston. (One Council Vacancy) The motion carried.

Deputy Mayor Herrmann moved to reconsider the vote. Seconded by Mrs. Egan. Voice vote was taken and carried.

Mrs. Egan moved to adopt the Resolution. Seconded by Mr. Warnick. Voice vote was taken and carried with Mr. Nelson dissenting. The Resolution was declared adopted.

Resolution No. 23521 Authorizing dedication of a certain strip of Cushman transmission line right-of-way to Pierce County for road purposes.

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

Resolution No. 23522 Approving supplemental Easement Agreement with Weyerhaeuser Company for log haul road in the Green River Watershed.

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

Resolution No. 23523 Authorizing the filing of Notices of Intention with the Boundary Review Board to serve water outside the City limits.

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

Resolution No. 23524 Authorizing execution of a collective bargaining agreement between the City of Tacoma, Dept. of Public Utilities, Belt Line Division and United Transportation Union on behalf of Enginemen to be effective January 1, 1975 through December 31, 1977.

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

Resolution No. 23525 Authorizing execution of a collective bargaining agreement between the City of Tacoma, Dept. of Public Utilities, Belt Line Division and United Transportation Union on behalf of Trainmen to be effective January 1, 1975 through December 31, 1977.

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

Resolution No. 23526 Authorizing execution of an amendment to the agreement between the City and the Washington State Employment Security Department to provide for classroom training for unemployed/underemployed and economically disadvantaged Tacoma residents.

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

Resolution No. 23527 Authorizing execution of an amendment to the agreement between the City and the Municipal Authority to add \$50,000.00 to the loan and grant fund.

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

Resolution No. 23528 Determining the amount of Business and Occupation Tax to be levied against the American Plywood Association, including interest and penalty, for the years 1965 through 1974.

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

Mr. Nalley then made a motion to amend the Resolution to effect the following: On line 16 strike out of the words "and penalties". On line 20 strike the words "penalty in the amount of \$8,288.96". On line 21, adjust the total figure to \$51,200.67. On line 22, strike the word "penalty". Seconded by Mr. Sonntag.

Following considerable discussion on the amendment, roll call vote was taken, resulting in Ayes: Nalley, Sonntag and Deputy Mayor Herrmann. Nays: 3 - Egan, Nelson and Warnick. Absent: 2 - Hudson and Mayor Johnston. (One Council Vacancy)

Deputy Mayor Herrmann declared the amendment failed.

Mr. Nelson moved to postpone further consideration of the Resolution for two weeks. Deputy Mayor Herrmann ruled the motion failed for lack of a second.

Following additional discussion, roll call vote was demanded on the Resolution as proposed resulting in Ayes: 3 - Egan, Sonntag and Warnick Nays: Nalley, Nelson and Deputy Mayor Herrmann Absent: 2 - Hudson and Mayor Johnston (One Council Vacancy)

Having voted on the prevailing side, Mr. Nelson announced that he was going to change his vote and bring the Resolution up for reconsideration next week. Deputy Mayor Herrmann declared the Resolution failed.

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HEARINGS & APPEALS: This is the date set for hearing on the proposed text amendments to Title 13 of the Official Code relating to procedures of the Hearings Examiner, zoning and shoreline permits.

Mrs. Egan made a motion to postpone action on the hearing for one week. Seconded by Mr. Sonntag. Voice vote was taken and carried.

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Upon proper motion, the meeting was adjourned at 6:55 p.m.

  
DR. ARNOLD J. HERRMANN - DEPUTY MAYOR

ATTEST:   
H. B. BOND - CITY CLERK