

CITY COUNCIL MINUTES

City Council Chambers  
July 30, 1974

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

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

The Flag Salute was led by Mr. Hudson.

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CONSENT AGENDA

Approval of the minutes of July 23, 1974.

APPEALS:

H. Glenn Roberts appealing the Board of Adjustment's denial of his request for a variance on the westerly side of North 8th Street and approximately 87' south of North "M" Street. (1309 North 8th St.)

Suggested date for hearing is August 20, 1974.

ASSESSMENT ROLLS:

The Director of Public Work presents the Assessment Roll for the following:

LID 3744 - sanitary sewers in East 72nd Street from East "Q" Street (extended) to East "T" Street.

Fixing Monday, August 26, 1974 at 4:00 p.m. as the date for hearing.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Public Utility Board meeting of July 9, 1974.
- b. Minutes of special meeting of Board of Park Commissioners of July 19, 1974.
- c. Monthly reports, Workload for Planning Commission and Board of Adjustment for May and June, 1974.
- d. Monthly report, June, 1974, Fire Department.
- e. Monthly report, June, 1974, I & R Division, Police Department.
- f. Affirmative Action Semi-Annual Report - July 1974.

Mr. Nalley moved that all items listed on the Consent Agenda be approved. Seconded by Mr. Nelson. Voice vote was taken and carried.

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PROCLAMATION:

Mayor Johnston congratulated a group of 16 young people from the American Jewish Society for Service Work Project in New York and their leaders, Mr. and Mrs. Jules Hirsh, who are in Tacoma carrying on civic improvement activities.

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REGULAR AGENDA

PRESENTATION:

Mayor Johnston presented a suggestion award to David A. Goldberg.

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FINAL READING OF ORDINANCES:

Ordinance No. 20159 Amending Traffic Ordinance relating to parking restrictions and arterial designations.

Roll call was taken, resulting as follows:

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

Nays: 0 Absent: 1 - Moss.

The Ordinance was declared passed.

Ordinance No. 20170 Granting a franchise to Jones Chemicals for a spur track across Marine View Drive.  
(Continued from the meeting of July 23)

Roll call was taken, resulting as follows:

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

Nays: 0 Absent: 1 - Moss.

The Ordinance was declared passed.

Ordinance No. 20173 Amending Chapter 13.06 of the Official Code relative to definition of church and definition and regulation of setbacks for group buildings.

Roll call was taken, resulting as follows:

Ayes: 6 - Egan, Herrmann, Hudson, Nelson, Warnick and Mayor Johnston.

Nays: 2 - Nalley and Sonntag Absent: 1 - Moss.

The Ordinance was declared passed.

Ordinance No. 20174 Amending Chapter 13.06 of the Official Code to add the area between Pacific Ave. and South "D" Street from Division Lane to South 36th and the south side of South 36th Street from Pacific Avenue to South "D" Street from an "R-3" and "C-1" to an "R-3TM" and "R-5TM" District. (Puget Sound General Hospital)

Roll call was taken, resulting as follows:

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

Nays: 0      Absent: 1 - Moss

The Ordinance was declared passed.

Ordinance No. 20175      Repealing and reenacting Chapter 6.20 of the Official Code relative to rules and regulations governing licensing of boiler and pressure vessel operators.

Dr. Herrmann moved to adopt a corrected page number 13. Seconded by Mr. Warnick. Voice vote was taken and carried.

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

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

Nays: 0      Absent: 1 - Moss

The Ordinance, as amended, was declared passed.

Ordinance No. 20176      Repealing and reenacting Section 2.14.010 of the Official Code to adopt the 1971 Edition of the American Standard Code for Elevators, Dumbwaiter, Escalators and Moving Walks.

Roll call was taken, resulting as follows:

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

Nays: 0      Absent: 1 - Moss

The Ordinance was declared passed.

Ordinance No. 20177      Establishing Councilmanic Districts for the election of City Councilmen in accordance with the Charter amendment adopted by vote of the people on September 18, 1973.

Roll call was taken, resulting as follows:

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

Nays: 0      Absent: 1 - Moss

The Ordinance was declared passed.

Ordinance No. 20178      Approving and confirming the assessment roll for L.I.D. 5527 for constructing water mains in South 38th Street from Tyler to Gunnison Street and in Gunnison Street from South 38th to 37th Street.

Roll call was taken, resulting as follows:

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

Nays: 0 Absent: 1 - Moss

The Ordinance was declared passed.

Ordinance No. 20179 Providing for the improvement of L.I.D. 5543 for water mains and fire hydrants along East 52nd and East 53rd Streets from McKinley Avenue to East "P" and other nearby streets.

Roll call was taken resulting as follows:

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

Nays: 0 Absent: 1 - Moss

The Ordinance was declared passed.

Ordinance No. 20180 Providing for the improvement of L.I.D. 7700 for underground residential electrical power in a portion of Miller's Skyline Terrace Seventh Addition.

Roll call was taken resulting as follows:

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

Nays: 0 Absent: 1 - Moss

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 20171 Amending Sections 1.08.020, 1.08.030 and 1.08.040 of the Official Code relative to faithful performance bonds.  
(Continued from the meeting of July 16th)

Mrs. Egan moved to adopt substitute Ordinance number 20171. Seconded by Dr. Herrmann. Voice vote was taken and carried.

The Ordinance was set over for final reading next week.

Ordinance No. 20181 Appropriating the sum of \$10,000.00, or so much thereof as may be necessary, from the General Fund for the purpose of replacing the diesel engine in Fire Department Engine #11.

Tony Mitchell, Deputy Fire Chief, explained that there was not sufficient funds in the Fire Department budget for purchase of a new fire truck; however, there are sufficient funds in the Reserve for the Replacement of Fire Equipment Fund to purchase and install the replacement engine.

The Ordinance was set over for final reading next week.

Ordinance No. 20182 Amending Sections 1.12.540 and 1.12.550 of the Official Code to provide compensation for communications shift supervisors and to equate the salary for commissioned and civilian Identification and Records Officers.

Mr. Sonntag commented he felt there should not be a difference in the pay rate of the Radio Operator and the Radio Operator Police Pension Employee, or a difference between the Radio Technician and the Radio Technician Police Pension Employee as the employees work side by side doing the same work and should receive equal pay for equal work.

Mr. Sonntag moved to amend the ordinance by deleting line 10, the Radio Operator and the pay range, and by deleting under line 11 the words Police Pension Employee. Also to delete line 13, the Radio Technician and the pay scale, and under line 14 the words Police Pension Employee. Seconded by Mr. Nelson.

Lewis C. Hatfield, representing the non-commissioned employees, spoke in favor of the amendment.

Also speaking in favor of the amendment were Fred Keller, Police Radio Technician, and Jerry Hathaway, Radio Operator.

Severo Esquivel, Acting Director of the Law Enforcement Support Agency, pointed out that equating these positions would have an effect on the Radio Operator position in the Law Enforcement Support Agency. The present budget is based on the salaries as negotiated in this ordinance. However, there are plans to eventually equate the positions of the County and City employees in that agency.

Odd A. Lund, Personnel Director, clarified a question of the Council by advising that the police pension employees will be working shift work while the non-commissioned employees will not. He asked that the City Council endorse the ordinance as presented.

Roll call was taken on the amendment, resulting as follows:

Ayes: 5 - Nalley, Nelson, Sonntag, Warnick and Mayor Johnston.

Nays: 3 - Egan, Herrmann and Hudson      Absent: 1 - Moss.      The motion carried.

Mrs. Egan moved to strike Section 2.

The motion failed for lack of a second.

The Ordinance, as amended, was set over for final reading next week.

Ordinance No. 20183      Approving the Tacoma Pierce County Board of Health Resolution No. 53 and the positions and salary schedules for the Public Service Employment Program.

Mayor Johnston advised that a Resolution was inadvertently given an Ordinance number and this should have been listed under the resolutions. He moved that the Ordinance be deleted from the Agenda. Seconded by Mr. Warnick. Voice vote was taken and carried.

The Ordinance was deleted from the Agenda.

Ordinance No. 20184      Creating a new fund to be known as "1976 Bicentennial Pavilion Construction Fund"; appropriating from said fund the sum of \$75,000.00 or so much thereof as may be necessary, for the purpose of paying necessary costs of reports, surveys, plans and preliminary designs for construction of the Bicentennial Pavilion and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Gary Sullivan, Director of Urban Renewal, advised that the ordinance would be creating a special fund for the deposit of certain moneys to be derived from the Hotel and Motel Tax, Urban Renewal Funds and General Obligation Bonds.

The Ordinance was set over for final reading next week.

Ordinance No. 20185      Appropriating \$75,000.00, or so much thereof as may be necessary, from the Stadium Trust Fund No. 640; authorizing the transfer of said funds to the 1976 Bicentennial Pavilion Construction Fund and declaring an emergency making necessary the adoption of this ordinance and its taking affect immediately upon publication.

Gary Sullivan advised that this appropriation would transfer funds to the Bicentennial Pavilion Construction Fund for preliminary engineering and consultant's and architect's fees.

The Ordinance was set over for final reading next week.

Ordinance No. 20186      Amending Section 11.42.020 of the Official Code to add a new subsection relative to motorcycle regulations.

Captain Luebke, of the Police Department, advised that the ordinance would bring the City Code in conformance with the state law, regulating lights on motorcycles.

The Ordinance was set over for final reading next week.

Ordinance No. 20187      Accepting a grant from the National Science Foundation in the sum of \$30,000.00 and creating a new fund to be known as the "Fire Service Demand Charge Fund."

Harvey Singleton advised that the ordinance would set up a fund for the grant received for a Fire Service Demand Charge Study, as authorized by the National Science Foundation.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Purchase Resolution No. 22935      Award contract to: R. W. Rhine, Inc. on its bid of \$7,546.35 for Work Order No. 58349 - demolition of 1218-1220 Tacoma Avenue South.

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

Resolution No. 22936      Authorizing the sale of surplus motorcycles to highest bidders.

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

Resolution No. 22937      Accepting a parcel of land adjacent to Water Division's 5-A Well from Mr. & Mrs. George L. Fong.

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

Resolution No. 22938 Authorizing execution of a collective bargaining agreement between the City Belt Line Railway Division and the United Transportation Union (Trainmen).

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

Resolution No. 22939 Accepting an offer by Gertrude Sennes Elliott to sell certain real property situated within the New Tacoma Urban Renewal Area Project Wash. R-14.

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

Resolution No. 22940 Authorizing the execution of an agreement with John Graham and Company to prepare and provide a draft environmental impact statement for the New Tacoma Urban Renewal Project Wash. R-14 Bicentennial Pavilion and People Circulation System and the Hilton Hotel.

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

Gary Sullivan, Urban Renewal Department Director, asked that the resolution be continued for two weeks. Mayor Johnston moved that the resolution be continued for two weeks. Seconded by Dr. Herrmann. Voice vote was taken and carried. The resolution was continued to Tuesday, August 13, 1974.

Mr. Sonntag asked that Mr. Sullivan submit information on the subject in the form of a memo prior to the meeting of August 13th.

Resolution No. 22941 Authorizing the execution of an agreement between the City and the State of Washington for construction of a bikeway-pedestrian path along SR-16 from Cedar Street to Bantz Boulevard.

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. 22942 Authorizing the purchase of a Powers Series EL-16 Aerial Ladder from McCabe Powers Sales & Service for the sum of \$8,663.00 and waiving the requirement for competitive bidding.

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

Resolution No. 22943 Approving the Tacoma-Pierce County Board of Health Resolution No. 55 increasing the salaries of the Vector Control Supervisor and Chief, Environmental Health.

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

Mrs. Egan moved that a correction be made on the top line to add the words "Board of Health" after the words Pierce-County. Seconded by Mr. Sonntag. Voice vote was taken and carried. Voice vote was taken on the amended resolution and carried. The Resolution, as amended, was declared adopted.

Resolution No. 22944 Referring the open space taxation agreement of the Tacoma Lodge No. 174, B.P.O.E. to the City Planning Commission for hearing and recommendation on proposal to disallow open space classification on certain portions of the land.

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

Mayor Johnston moved to suspend the rules to consider Resolutions No. 22945 and 22946. Seconded by Dr. Herrmann. Voice vote was taken and carried.

Resolution No. 22945 Approving the Tacoma Pierce County Board of Health Resolution No. 53 and the positions and salary schedules for the Public Service Employment Program.

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. 22946 Authorizing execution of an agreement with Pacific Northwest Bell relative to a Change Order to W. O. #58380, in Urban Renewal Project Wash. R-14.

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

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PUBLIC HEARINGS: a. This is the date set for hearing the request for vacation of the alley lying between and abutting Blocks 8126 and 8225 Tacoma Land Company's First Addition to Tacoma, W.T. (6-17-74 Planning Commission recommended approval 6-0, 1 absent) (Old Colony Investment)

Russell Buehler, Planning Department Director, reviewed the area of the requested alley vacation.

Dick Corey, representing the Old Colony Investment, urged approval.

Leonard Dahl, of 606 East 32nd Street, spoke against the vacation, requesting that a 30 foot height limitation be set on any building that would be placed on the alley, in order to protect the view.

Paul Becker, speaking on behalf of his mother, Mrs. Dorothy Becker of 614 East 42nd Street, also requested that a 30 foot height limitation be placed on any building on the vacated area in order to avoid any obstruction of the view his mother has.

Mr. Sonntag moved to amend the recommendations of the Planning Commission to include a 30 foot height limit above the proposed vacation. Seconded by Mayor Johnston. Voice vote was taken and carried.

Dr. Herrmann moved to concur in the recommendation of the Planning Commission, including the 30 foot height restriction. Seconded by Mrs. Egan. Voice vote was taken and carried.

b. This is the date set for hearing Teleprompter Corporation's request for an increase in their monthly service charges.

Mr. Nelson excused himself from sitting in on the hearing due to a possible conflict of interest. Mr. Nelson left the meeting.

Perry Nash, General Manager of TelePrompter, outlined for Council the financial status of the Cable TV facility in Tacoma and the need for the increase in rates.

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Mr. Sonntag felt the increase should be delayed until the time the converter becomes available and is in use.

In answer to questions of council members, Mr. Nash said they did not know if and when FCC would grant them the right to bring in an additional station from Sacramento, requiring a converter.

Nile Aubrey, attorney representing TelePrompTer, presented additional information.

Mr. David Rivera spoke against the increase in rates.

After further discussion, Mayor Johnston expressed the opinion that a stronger commitment by TelePrompTer should be made to improve the areas of public access and local origination of programs as well as additional channels, he therefore moved to continue the hearing for one month to give the Council and citizens an opportunity to ask questions and that TelePrompTer respond in writing before the next hearing. Seconded by Mrs. Egan.

Roll call vote was taken resulting as follows:

Ayes: 4 - Egan, Hudson, Sonntag and Mayor Johnston.

Nays: 3 - Herrmann, Nalley and Warnick      Absent: 2 - Moss and Nelson.

The motion was carried.

The hearing was continued for 1 month, to Tuesday, August 27, 1974.

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COMMENTS BY MEMBERS OF THE CITY COUNCIL:

Mayor Johnston advised the City Manager that he has received many complaints regarding political signs of candidates for public office which are posted in violation of the City ordinance. Mr. Donaldson reported that the candidates have been notified to have their signs removed until the proper date, which would be August 17, 1974.

Mr. Hudson commented on the abandoned service stations and requested information as to what can be done about them.

Mr. Hudson also asked that a policy on selection of engineers and architects be brought to Council for approval and asked the staff to obtain a copy of New York City's ordinance on competitive bidding, which would cover professionals.

Mr. Donaldson advised that a draft policy has been provided and also has been circulated among the professionals. As soon as comments have been received, these will be reported to Council members.

Mr. Sonntag requested that the report on the subject of lack of cooperation in consolidating the jail facilities be distributed to Council members as soon as it is ready.

Dr. Herrmann asked that he be excused from next week's meeting.

Mayor Johnston moved that Dr. Herrmann be excused from next week's meeting. Seconded by Mr. Sonntag. Voice vote was taken and carried.

On proper motion, the meeting adjourned at 9:10 p.m.



GORDON W. JOHNSTON - MAYOR

ATTEST: Catherine Ursich  
CATHERINE URSICH - DEPUTY CITY CLERK