

CITY COUNCIL MINUTES

City Council Chambers
July 2, 1974

The meeting was called to order at 5:09 p.m.

Present on roll call: 9 - Egan, Herrmann, Hudson, Moss, Nalley, Nelson, Sonntag, Warnick and Mayor Johnston. Absent: 0.

The Flag Salute was led by Mr. Sonntag.

CONSENT AGENDA

Approval of the minutes of the meeting of June 25, 1974.

PETITIONS: Tacoma Realty, Inc. requesting the rezoning of the property located on the southwesterly corner of Division and Ainsworth from an "R-4" to a "C-2" District.

For referral to the Planning Commission.

RESOLUTIONS:

Resolution No. 22895 Fixing Tuesday, July 30, 1974 at 5:00 p.m. as the date for hearing the request for the vacation of the alley between East "F" and "G" Streets from McKinley Way to Upper Park Street. (Old Colony Investment)

Resolution No. 22896 Fixing Monday, July 22, 1974 at 4:00 p.m. as the date for hearing L.I.D. 5543 for water mains and fire hydrants in East 52nd and 53rd Streets from McKinley Ave. to East "F"; East 49th from McKinley Ave. to East I and in East I from East 48th and 49th Street.

Resolution No. 22897 Fixing Monday, July 22, 1974 at 4:00 p.m. as the date for hearing L.I.D. 7700 for installation of underground residential electrical power in a portion of Miller's Skyline Terrace Seventh Addition.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of City Planning Commission meetings of June 3rd and June 17, 1974.
- b. Minutes of Public Utility Board meeting of June 12, 1974.

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- c. Minutes of Human Relations Commission meeting of June 20, 1974.
- d. Minutes of Board of Park Commissioners meeting of June 24, 1974.
- e. Monthly report, May, 1974, Fire Department.
- f. Monthly report, Tacoma-Pierce County Humane Society, May, 1974.
- g. Public Works Dept. filing Update Cost Estimate for UAP No. 8-1-128(36).
- h. Public Works Dept. filing Aging Schedule for various UA projects.

Dr. Herrmann moved that all of the items listed on the Consent Agenda, including Resolution Nos. 22895, 22896 and 22897, be approved. Seconded by Mrs. Egan. Voice vote was taken and carried. The items were declared approved.

PROCLAMATIONS:

Mayor Johnston read a proclamation proclaiming that all church bells in the City of Tacoma will ring out at 11 o'clock a.m. on July 4th to commemorate our nation's 198th birthday and the upcoming Bicentennial celebration in 1976.

REGULAR AGENDA

FINAL READING OF ORDINANCES:

Ordinance No. 20151 Amending the Official Code by repealing and reenacting Section 1.12.900 relative to Post-entry training.

Roll call was taken, resulting as follows:

Ayes: 9 - Egan, Herrmann, Hudson, Moss, Nalley, Nelson, Sonntag, Warnick, and Mayor Johnston

Nays: 0

The Ordinance was declared passed.

Ordinance No. 20152 Amending the pay and compensation plan to add the position of Training and Development Director.

Roll call was taken, resulting as follows:

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

Nays: 1 - Sonntag

The Ordinance was declared passed.

Ordinance No. 20153 Accepting an additional grant in the amount of \$515,499.00 from the U. S. Dept. of Labor for Summer Youth Programs for 1974.

Roll call was taken, resulting as follows:

Ayes: 9 - Egan, Herrmann, Hudson, Moss, Nalley, Nelson, Sonntag, Warnick and Mayor Johnston

Nays: 0

The Ordinance was declared passed.

Ordinance No. 20154 Amending Section 1.30.300 of the Official Code relative to membership in the Tacoma Employees' Retirement System.

Roll call was taken, resulting as follows:

Ayes: 9 - Egan, Herrmann, Hudson, Moss, Nalley, Nelson, Sonntag, Warnick and Mayor Johnston

Nays: 0

The Ordinance was declared passed.

Ordinance No. 20155 Approving and confirming the assessment roll for L.I.D. 5500 for constructing water mains in East 65th and 66th Street from the west line of Berkley Groves 3rd Addition to approximately 300 feet west and in Sonia Street from East 66th Street to 270 feet south.

Roll call was taken, resulting as follows:

Ayes: 9 - Egan, Herrmann, Hudson, Moss, Nalley, Nelson, Sonntag, Warnick and Mayor Johnston

Nays: 0

The Ordinance was declared passed.

Ordinance No. 20156 Approving and confirming the assessment roll for L.I.D. 5525 for constructing water mains in Center Street from Steele to approximately 800 feet west of Steele and from Pine to Lawrence Street; Cedar Street from Center to approximately 900 feet south of Center; Pine Street from Center to approximately 600 feet south of Center and east of Pine Street.

Roll call was taken, resulting as follows:

Ayes: 9 - Egan, Herrmann, Hudson, Moss, Nalley, Nelson, Sonntag, Warnick and Mayor Johnston

Nays: 0

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 20157 Authorizing execution of EEA Grant 53-2-0208 in the sum of \$426,100.00 to continue operation of the Public Employment Program.

Ruby Gray, Project Supervisor, advised that the purpose of the ordinance is to accept monies to continue the Public Employment Program, which was due to expire on June 30, 1974. The funds will permit operations to continue for nine months and fund approximately 90 positions.

The ordinance was set over for final reading next week.

Ordinance No. 20158 Accepting a grant for \$583,100.00 from the U.S. Department of Labor under authority of Title II of the Comprehensive Employment and Training Act of 1973 for a Public Service Employment Program.

Ray Corpuz, Manpower Planning Director, advised that the grant will provide 70 additional Public Service Employment positions and will be administered by Ruby Gray.

The Ordinance was set over for final reading next week.

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

City Manager, William Donaldson, advised that staff has requested a three week postponement of this ordinance.

Mr. Sonntag moved that the ordinance be continued for three weeks. Seconded by Mrs. Egan. Voice vote was taken and carried. The Ordinance was continued to July 23, 1974.

Ordinance No. 20160 Granting a franchise to Buffelen Woodworking Company for two spur tracks across Taylor Way north of Lincoln Avenue.

Bob Sparling, Public Works Department, advised that this ordinance would allow Buffelen Woodworking Company to realign two spur tracks and no problems are foreseen in the franchise.

The Ordinance was set over for final reading next week.

Ordinance No. 20161 Authorizing the proper officers of the City to enter into a contract with Washington State Law and Justice Planning Office for federal funds in the amount of \$10,307.00 for the purchase of portable radios and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Police Chief Smith advised that this ordinance was for the purpose of accepting federal funding for the purchase of thirteen portable radios to be used by Police Department personnel. The emergency status of the ordinance is necessary in order that the money may be accepted and expended prior to July 15, 1974.

The Ordinance was set over for final reading next week.

Ordinance No. 20162 Appropriating the sum of \$7,000.00 or so much thereof as may be necessary, from the County-City Public Health Pooling Fund, for the purpose of administering certain programs for the balance of 1974.

The Ordinance was set over for final reading next week.

Ordinance No. 20163 Authorizing changing the name of Highland Street to Bantz Boulevard from the north line of existing Bantz Boulevard north of South 10th Street to the south line of 6th Avenue.

The Ordinance was set over for final reading next week.

Ordinance No. 20164 Amending Chapter 13.06 of the Official Code to add the southeast corner of North 3rd and J Streets in an "R-5-T" District. (Dr. Huish, et al).

Rod Kerslake, City Planning Department, advised that Council held a hearing on this last week and everything is in order for passage of the ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 20165 Amending Chapter 6.89 of the Official Code relative to gambling taxes, declaring an emergency making necessary the taking effect immediately upon publication.

Richard Newman, Tax and License Department, advised that the ordinance amends the City's gambling laws to conform with the changes in the State of Washington laws relating to gambling as passed by the State Legislature which become effective July 24, 1974.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Purchase
Resolution No. 22898 Awarding contract to Sunset Pacific Landscape Company on their bid of \$46,277.50 for Imp. 4987, Unit "E", street plantings on Pearl Street.

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

Resolution No. 22899 Approving and providing for the execution of a First Amendatory Contract amending NDP program funding agreement No. 2 and Master Agreement No. Wash A-3 between the City and the U. S. of America.

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. 22900 Authorizing the City to enter into an agreement with Pierce County regarding the operation of the Bicentennial Commission.

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. 22901 Authorizing settlement of claim of Coast Mortgage Company in the sum of \$992.33.

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

Resolution No. 22902 Authorizing execution of a memoranda of agreement between the City and Tacoma School District No. 10, Metropolitan Park District, Tacoma Housing Authority, Boy Scouts of America and Downtown Tacoma Boys' Club, to provide a variety of summer recreational activities for disadvantaged youth.

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

Resolution No. 22903 Authorizing the purchase of 370 gallons of "Light Water 37" from Minnesota Mining & Manufacturing Company for the sum of \$6,444.15 for use by the Fire Department in extinguishing fires.

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

Resolution No. 22904 Amending the Health Department pay and compensation plan as approved by the Board of Health Resolution #45 to be effective January 1, 1974.

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. 22905 Approving Board of Health Resolution No. 42 and execution of a collective bargaining agreement with the Tacoma-Pierce County Public Health Employees Association.

Mrs. Egan moved that line 21 of the Resolution be changed to read "Resolution No. 44" rather than "Resolution No. 42". Seconded by Mr. Moss. Voice vote was taken and carried.

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

Resolution No. 22906 Directing the City Manager to investigate and resolve the prerequisites for the 9-1-1 single number emergency telephone reporting system as outlined in the document "A Plan for '911' service in Tacoma and Pierce County, June 1974".

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. 22907 Authorizing the execution of a lease with the Washington National Guard for 3,999 square feet of office space to be used by the General Services Division of the City Clerk/General Services Department.

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

Mr. Sonntag moved to suspend the rules in order to allow Mr. Jack E. Carlson to speak at this time rather than under Citizens Request to be Heard. Seconded by Mr. Warnick. Voice vote was taken and carried, with Dr. Herrmann dissenting.

Mr. Jack E. Carlson, Executive Board Member of Local 483, spoke regarding the 90 percent increase of the Appliance Repair Section service charges of Tacoma City Light and the possible phasing out of this service.

PUBLIC HEARINGS:
AND APPEALS:

- a. This is the date set for hearing the request for vacation of the northerly and southerly 10 feet of the alley between No. "L" and "M" Streets from No. 10th to 11th Street. (5-20-74 Planning Commission recommended approval 5-0, 3 absent) (Dr. Norman E. Magnussen)

Rod Kerslake, Planning Department, explained the reasons for the proposed vacation and answered questions of Council.

Dr. Norman Magnussen, the petitioner, spoke in favor of the vacation.

Dr. Herrmann moved to concur in the recommendation of the Planning Commission. Seconded by Mr. Moss. Voice vote was taken and carried.

- b. This is the date set for hearing the request for rezoning the west side of Warner Street between So. 40th & 43rd Streets from an "R-3" to an "R-4-L" District. (5-20-74 Planning Commission recommended approval 5-1, 2 absent) (Teco, Inc.)

Mr. Warnick asked to be excused from discussion of this public hearing and left the meeting at 6:20 p.m.

Mr. Rod Kerslake of the Planning Department reviewed the rezoning petition and outlined the recommendations of the Planning Commission.

Speaking in favor of the request was Mr. Lea Rhea, representing Teco, Inc.

Following further discussion, Dr. Herrmann made a motion to concur in the recommendations of the Planning Commission. Seconded by Mr. Hudson. Roll call was taken, resulting as follows:

Ayes: 5 - Herrmann, Hudson, Moss, Nelson and Mayor Johnston.

Nays: 3 - Egan, Nalley and Sonntag

Absent: 1 - Warnick

Councilman Warnick returned to the Council Chambers at this time.

- c. This is the date set for hearing the request for rezoning the property located on the south side of So. 19th at Lawrence from an "R-2-T" to an "R-5-TM" District. (5-20-74 Planning Commission recommended approval 6-0, 2 absent) (Allenmore Medical Center, Inc.)

Mr. Kerslake reviewed the Planning Commission's recommendations on this item as well as item "d" as both concern the Allenmore Medical Center, Inc.

Speaking in favor of the request was Mr. John Wolfe, Executive Director of the Allenmore Medical Center.

Dr. Herrmann made a motion, seconded by Mr. Hudson, to concur in the recommendation of the Planning Commission. Voice vote was taken and carried, with Mrs. Egan temporarily absent.

- d. This is the date set for hearing the request for rezoning the west side of Cedar Street approximately 600 feet south of So. 19th Street from an "R-5-TM" to an "R-2-T" District. (5-20-74 Planning Commission recommended approval 6-0, 2 absent) (Allenmore Medical Center, Inc.)

Mr. Moss moved to concur in the recommendation of the Planning Commission. Seconded by Mr. Hudson. Voice vote was taken and carried, with Mrs. Egan temporarily absent.

- e. This is the date set for hearing Wolfram & Edith Albicht and J. A. Reder, et al's, appeal of the Planning Commission's decision to grant a Conditional Use Permit for a foster home for the care of not more than eight children at 1116 North "J" Street. (5-20-74 Planning Commission approved the request for the permit 6-0, 1 absent) (Pierce County Homes for Youth, Inc.)

Mr. Rod Kerslake gave a detailed explanation on the recommendations of the Planning Commission.

Persons speaking in favor of the special use permit were as follows:

Dr. Leonard Holden, President, Pierce County Homes for Youth
Mrs. Sherry Swain, Director, Pierce County Homes for Youth
Cindy Bailey, Social Worker, 3019 North 21st
Erling Petersen, 4129 6th Avenue
Helen R. Zylstra, 4002 North 12th
Robert Deutscher, 1447 North Winnifred
Linn Jacobs, 625 North McCarver
Norman Wall, 611 North Starr
Noel Wall, 611 North Starr
Ralph Turco, 2707 Henry Road
Charlotte Valbert, 3737 East "F"
Marilyn Thompson, 817 North Yakima

Dr. Herrmann was excused at approximately 7:47 p.m.

Those speaking against the conditional use permit, were as follows:

James Mason, an attorney representing a number of residents in the area
Jeri Christenson, 910 North Yakima
J. A. Reder, 1210 North "J"
Betty Mosich, 1208 North I

Steve Politeo, 1220 North "J"
 Valerie Troge, 1217 North "J"
 Louis J. Burkey, 918 North Yakima
 J. D. Watson, 1205 North "J"
 L. McDonald, 1211 North "J"
 Edith Albicht, 1215 North "J"
 Wolfram Albicht, 1215 North "J"
 Mary Abbott, 1112 North "J"
 Ellis Green, 1014 North 12th
 Julia A. Ball, 823 North Yakima
 Donald T. Ball, 823 North Yakima

At the request of Mayor Johnston, Mrs. Alberta Wilcox, the new President of the Tacoma Planning Commission and Commission member, Nathaniel Green, recounted the Commission's view and decision, noting that the only decision the Commission had before it was relative to land use. It was the Commission's feeling that the conditional use permit would be compatible with that land use.

Mr. Sonntag made a motion to grant approval of the conditional use permit, with the provision that it come before the Council for review in one year's time. Seconded by Mr. Nelson. Roll call vote was taken, resulting as follows:

Ayes: 5 - Egan, Hudson, Nelson, Sonntag, Mayor Johnston

Nays: 3 - Moss, Nalley, Warnick

Absent: 1 - Dr. Herrmann

The motion carried.

Mr. Moss made a motion, seconded by Mr. Nalley, that a further condition be placed on the permit declaring that the proposed group home have a couple designated at all times to serve in the home. Roll call vote was taken, resulting as follows:

Ayes: 4 - Moss, Nalley, Sonntag, Mayor Johnston

Nays: 4 - Egan, Hudson, Nelson, Warnick

Absent: 1 - Herrmann

The motion was declared failed due to a tie vote.


Mr. Warnick made a motion, seconded by Mr. Moss, that the Council concur in the recommendation of the Planning Commission as amended by the Council. Roll call vote was taken, resulting as follows:

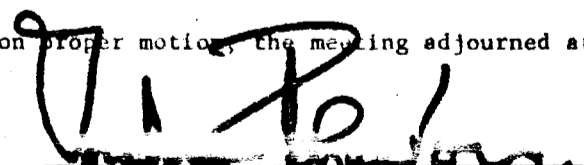
Ayes: 8 - Egan, Hudson, Moss, Nalley, Nelson, Sonntag, Warnick, Mayor Johnston

Nays: 0

Absent: 1 - Herrmann

There being no further business and upon proper motion, the meeting adjourned at 12:25 a.m.

Attest: 
 H. B. Bond, City Clerk


 GORDON JOHNSTON - MAYOR