

CITY COUNCIL MINUTES

City Council Chambers
December 17, 1974

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

Present on roll call: 7 - Egan, Herrmann, Nalley, Nelson, Sonntag, Warnick and Mayor Johnston. Absent: 2 - Hudson and Moss.

The Flag Salute was led by Mr. Nelson.

Mayor Johnston made a motion to suspend the rules to hear an audit report from Mr. William Brown of the firm of Knight, Vale & Gregory. Seconded by Mr. Sonntag. Voice vote was taken and carried.

Mr. Brown then presented three reports to the City Council, one dealing with the sundry funds of the City, specifically seven special purpose funds, two, a report on the Department of Human Relations, and three, a report dealing with the Police and Fire Pension Boards.

Mayor Johnston noted that each member of the Council will receive a copy of each of the reports.

Mr. Hudson arrived at 5:11 p.m.

Mayor Johnston made a motion to continue suspension of the rules for the purpose of adjourning to executive session to receive a briefing on City labor negotiations. Seconded by Mrs. Egan. Voice vote was taken and carried, with Mr. Nalley voting nay. The meeting was recessed at 5:14 p.m.

The Council reconvened at 6:10 p.m. and resumed deliberations.

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CONSENT AGENDA

Approval of the minutes of the meeting of December 10, 1974.

RESOLUTIONS:

Resolution No. 23129

Fixing Monday, January 13, 1975 at 4:00 p.m. as the date for hearing L.I.D. 8063 for grading, oil mat and concrete curbs and gutters on South Adams Street from South 66th to 200 feet south of South 67th and South 67th from South Adams Street west to alley.

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Resolution No. 23130

Fixing Thursday, January 2, 1975 as the date for hearing the request for rezoning the northwest corner of South 23rd and Union Avenue from an "R-2" to an "R-4-L" District. (Crest Builders, Inc.)

ASSESSMENT ROLLS:

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

LID 8020 - paving on East 61st Street from East "I" to East "K"; East 62nd Street from East "I" to East "K"; East "K" from East 60th to East 61st; and East "I" from East 64th to East 65th.

Fixing Monday, January 13, 1974 at 4:00 p.m. as the date for hearing.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Board of Adjustment meeting of November 14, 1974.
- b. Minutes of City Planning Commission meetings of November 18 and December 2, 1974.
- c. Minutes of Tacoma Model Cities Program Land Use Review Board meeting of November 18, 1974.
- d. Minutes of Civil Service Board meeting of November 18, 1974.
- e. Minutes of Metropolitan Development Council Board of Trustees. special meeting and regular meeting of November 14 and special meeting of November 23 and special meeting of November 26, 1974.
- f. Minutes of Tacoma Model Cities Housing and Physical Environmental Improvement Task Force meeting of December 2, 1974.
- g. Minutes of Public Utility Board meeting of November 26, 1974
- h. Monthly report, Workload for Planning Commission and Board of Adjustment, November, 1974.
- i. Monthly report, October, 1974, Fire Department.
- j. Monthly report, November, 1974, Municipal Court.
- k. Tacoma Industrial Airport, Quarterly Financial Report, September 30, 1974.
- l. Department of Community Development-Model Cities Division, Fourth Action Year Plan, December, 1974.
- m. Dept. of Public Utilities, Negative Declaration Statement, Recommended Electric Rate Revisions, 1974.

Mr. Nelson moved that all of the items listed on the Consent Agenda, including Resolution Nos. 23129 and 23130, be approved. Seconded by Mr. Hudson. Voice vote was taken and carried. The items were declared approved.

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REGULAR AGENDA

COMMUNICATIONS:

H. B. Bond, Acting Secretary, Tacoma Landmarks Preservation Commission, requesting the Council's action to designate the Northern Pacific Headquarters Building and Stadium High School as City of Tacoma historic buildings.

Mr. Alan Liddle, Chairman of the Landmarks Preservation Commission, presented

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brief remarks regarding the action of the Landmarks Preservation Commission in making its designations. Following brief remarks, Dr. Herrmann made a motion to concur in the recommendations of the Commission and that a resolution be brought forth effecting the designations. Seconded by Mr. Warnick. Voice vote was taken and carried.

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FINAL READING OF ORDINANCES:

Ordinance No. 20261 Appropriating from the Public Health Pooling Fund the sum of \$2,269.00 or so much thereof as may be necessary, for the Family Planning Clinic.

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Moss

The Ordinance was declared passed.

Ordinance No. 20262 Appropriating \$31,500.00 or so much thereof as may be necessary, from the General Fund to the Public Health Pooling Fund and appropriating the sum of \$63,000.00 from said fund for necessary expenses of the Health Department.

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Moss

The Ordinance was declared passed.

Ordinance No. 20263 Repealing and reenacting Chapter 2.09 of the Official Code relative to fees and procedures for collection thereof, known as the Building Code of the City of Tacoma.

Following a request by City Engineer, Ron Button, Mr. Sonntag made a motion to amend the Ordinance, reducing from one-half of one percent to one-quarter of one percent the fee delineated on Page 8, line 28, of the Ordinance. Seconded by Dr. Herrmann. 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, Mayor Johnston

Nays: 0

Absent: 1 - Moss

The Ordinance was declared passed, as amended.

Ordinance No. 20264 Vacating a portion of the alley on the east side of East "G" Street between East 40th and 43rd Streets. (Public Works Dept.)

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Moss

The Ordinance was declared passed.

Ordinance No. 20265 Amending Section 1.30.290 of the Official Code relative to retirement and pensions to include those previously denied membership in the retirement system because of age discrimination.

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Moss

The Ordinance was declared passed.

Ordinance No. 20266 Amending Title 13 of the Official Code to revise the duties and responsibilities of the Planning Commission and establish a hearings examiner for application of land use regulatory controls.

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Moss

The Ordinance was declared passed.

Mayor Johnston stated that with the passage of the ordinance the City's Board of Adjustment will be abolished. He then introduced members of the Board of Adjustment in the audience, Mrs. Jenny Sue Brown, Verne Ross, Esther Wilfong and Henry Haas and presented each with a plaque of appreciation for their service on the Board. He instructed Mr. Egan to present a plaque to Mr. Norman Wall, another Board member, at a future meeting of the City Planning Commission.

Ordinance No. 20267 Amending Chapter 12.06 of the Official Code relative to electric rates and certain customer service charges.

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Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Moss

The Ordinance was declared passed.

Ordinance No. 20268 Providing for the improvement of L.I.D. 3751 for construction of sanitary sewers in 65th Avenue N.E. from 20th Street N.E. to 24th Street N.E.; 28th Street N.E. from 64th Avenue N.E. to Highline Road and other nearby streets.

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Moss

Temporarily Absent: 1 - Egan

The Ordinance was declared passed.

Ordinance No. 20269 Approving and confirming the assessment roll for L.I.D. 8015 for paving along South "D"; South "I" and South "J" from 76th to 78th; South 78th from "I" to Yakima Avenue. Also storm drains only in South 76th and 78th from Fawcett Avenue to South "D" and South 78th from South "J" to South "I".

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Moss

Temporarily Absent: 1 - Egan

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 20209 (Continued from the meeting of December 10th)
Amending Title 7 of the Official Code by adding Chapter 7.20 establishing a Police Reserve Force in the City of Tacoma.

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H. B. Bond, City Clerk/Director of General Services, reviewed the contents of his report to the City Council regarding the proposed Tacoma Police Reserve Program and responded to questions of Council. Also making statements were Mrs. Jeanne Clegg, the Volunteer Services Bureau of the Department of Human Development, Police Chief, Lyle Smith, and Police Officer, Nick Nickolas, President of the Police Union, all of whom served on the negotiating committee.

Mr. Raymond Roland, 1620 East Columbia, spoke in favor of the ordinance, including the arming of reserve officers.

Mr. Steve Kirby, 5623 South Oakes, President of the Pierce County Young Democrats, introduced the Governmental Affairs Chairman of the Club, Mr. Tom Stenger, 5338 Broadview Avenue N.E., who read a prepared statement speaking primarily against passage of the ordinance.

Police Officer, William Bellante, and a member of the Police Negotiating Team, discussed the ramifications of the Police Reserve Advisory Board, and the problems inherent in providing firearms to Reserve Officers.

Mrs. Mary Ranke, 601 East 70th, presented the Council with petitions signed by 200 concerned citizens stating that they were against the Reserve Program as proposed.

Mrs. Kenneth Dolan, 4316 East "F", spoke against the proposed program.

Police Office, James Wooldrige, and a member of the Police Negotiating Team, spoke against the arming of Police Reserve Officers.

Following additional discussion, Mrs. Egan requested that an amendment be drafted for consideration at next week's meeting to, one, provide for a mandatory Council review of the Police Reserve Program two years after the first reserve class is graduated, and two, that the ordinance incorporate the provision that during the trial period, no member of the Reserve Force be assigned to ride-along with regular police officers on duty.

Councilman Sonntag requested an amendment be brought forth for consideration at next week's meeting not to allow reserve officers to carry firearms on routine patrol.

There being no further discussion, the ordinance was set over for final reading next week.

Ordinance No. 20270 Amending Chapter 6.68 of the Official Code relative to Business and Occupational tax rates.

Mayor Johnston moved to continue first reading of the Ordinance for two weeks. Seconded by Mr. Nelson. Roll call vote was taken on the motion, resulting in Ayes: 5 - Herrmann, Hudson, Nelson, Sonntag and Mayor Johnston Nays: 3 - Egan, Nalley and Warnick Absent: 1 - Moss. The motion carried.

First Reading of the Ordinance was continued to January 2, 1975.

Ordinance No. 20271 Amending Sections 8.12.010 and 15.10.010 of the Official Code to remove criminal sanctions from the offense of being intoxicated in public from the use of alcohol.

Bob Hamilton, City Attorney, advised this ordinance would bring the Official Code in conformity with State law which becomes effective January 1, 1975.

Police Chief Smith advised that there will be a detoxification center by January 1, 1975.

The Ordinance was set over for final reading next week.

Ordinance No. 20272 Authorizing the acceptance of \$2,000 from the Medina Foundation for the Urban Observatory and/or Teaching Government Program and appropriating said sum for the continuation of said program.

The Ordinance was set over for final reading next week.

Ordinance No. 20273 Creating a new fund to be known as "Earthquake Recording Instrumentation Program Fund" and appropriating from said fund \$7,500 for earthquake recording equipment.

The Ordinance was set over for final reading next week.

Ordinance No. 20274 Appropriating the sum of \$750,000.00, or so much thereof as may be necessary, from the Light Division Current Fund No. 470 to pay increased costs of operation for the year 1974 and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

A. J. Benedetti, Director of Utilities, advised this transfer of funds to adjust the budget is in compliance with the State law when expenditures exceed the budget.

The Ordinance was set over for final reading next week.

Ordinance No. 20275 Adopting the Annual Budget of the City of Tacoma for the fiscal year 1975 and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

The Ordinance was set over for final reading next week.

Ordinance No. 20276 Amending Sections 1.12.360 through 1.12.629 of the Compensation Plan to reflect adjustments to the salary schedule for 1975 and Section 1.12.200 to authorize overtime rates for holidays to be collectively bargained.

The Ordinance was set over for final reading next week.

Ordinance No. 20277 Amending Title 8 of the Official Code to add Chapter 8.102 providing for regulation of body painting establishments.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 23128 (Final Reading)
Amending the City Council Rules of Procedure to prohibit smoking during Council meetings.

Motion to adopt was made at first reading December 10, 1974.

Roll call was taken resulting in ayes: 7 - Egan, Herrmann, Hudson, Nalley, Nelson, Warnick and Mayor Johnston. Abstaining: 1 - Sonntag Absent: 1 - Moss.

The Resolution was declared adopted.

Resolution No. 23131 Establishing a policy regarding retroactivity of collective bargaining agreements settled after December 31, 1974.

Hugh Judd, Labor Relations Director, asked that the Resolution be continued for one week.

Mr. Sonntag moved that the Resolution be continued for one week. Seconded by Mr. Warnick. Voice vote was taken and carried. The Resolution was continued to December 26, 1974.

Resolution No. 23132 Authorizing the Purchasing Agent to purchase furniture from Bank and Office Interiors, 224 Westlake Avenue North, Seattle on State of Washington contract #50-B-74.

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

Resolution No. 23133 Authorizing execution of agreement with Hillcrest Properties, Inc. and L. Kenneth Schoenfeld concerning the development of a "C-P-N" planned neighborhood shopping center on the west side of Sprague Avenue between South 66th and 68th Street extended.

Dr. Herrmann 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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PUBLIC HEARINGS:

- a. This is the date set for hearing the request for vacation of the Plat of Heatherwood West located on the east side of James Street between North 11th and 12th Streets extended. (10-7-74 Planning Commission recommended approval 6-1) (Powell Homes, Inc.) (Continued from the meeting of November 19, 1974)

Mrs. Egan called Council's attention to Powell Homes, Inc.'s written request that the hearing be continued to January 14, 1975. Mrs. Egan moved that the request for continuance be granted. Seconded by Mr. Warnick. The motion carried. The hearing was continued to January 14, 1975.

- b. This is the date set for hearing the request for rezoning the area approximately 120 feet east of South Tacoma Way and between the flume line r/o/w and the Tacoma City Limits. (11-4-74 Planning Commission recommended approval 6-0, 1 absent) (Tom E. Hawkins, Hawkins Pontiac, Inc.)

Russell Buehler, Planning Department Director, reviewed the request for Council.

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

- c. This is the date set for hearing the request for rezoning the S.E. corner of Unica Avenue and Melrose Street from an "R-2" to an "R-4-LT" District. (11-4-74 Planning Commission Recommended approval 6-0, 1 absent) (Tuell & Anderson)

Mr. Hudson excused himself from sitting in on the hearing due to a conflict of interest. Mr. Hudson left the Council Chambers.

Mr. Buehler reviewed the request.

Mr. Warnick moved to concur in the recommendation of the Planning Commission. Seconded by Mrs. Egan. Voice vote was taken and carried.

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COMMENTS BY MEMBERS OF THE CITY COUNCIL:

Mayor Johnston moved to reschedule next week's City Council meeting to Thursday, December 26, 1974. Seconded by Mr. Nelson. The motion carried.

Mayor Johnston wished everyone present, and those in the Cable TV audience, a very Merry Christmas.

Mr. Warnick commented on his feelings regarding the lack of communication with the business community relative to the proposed changes in the B & O Tax.

Mr. Warnick also commented that he felt items should not be placed on the agenda until the City Administrative Officers are certain the items will be heard, as too often items are either removed from the agenda or continued after citizens have waited to be heard.


Mr. Hudson made reference to the recent fire at the Peerless Laundry owned by his father and said the family was very impressed with the efficient organization of the Fire Department in extinguishing the fire.


Mr. Sonntag commented that he felt items should not be on the agenda unless the item is heard; however, in the case of the B & O Tax, he felt in this particular case there was some justification for the continuance.

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Dr. Herrmann said he felt enough has been said about lack of communication on, and postponement of agenda items.

On proper motion, the meeting adjourned at 9:20 p.m.


GORDON JOHNSTON - MAYOR

ATTEST: 
H. B. BOND - CITY CLERK

