

CITY COUNCIL MINUTES

City Council Chambers
May 6, 1975

The meeting was called to order at 5:12 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. Nalley.

Mayor Johnston moved to suspend the rules in order to hear a presentation by Mr. William Brown of Knight, Vale & Gregory on an audit of the Fire Department. Seconded by Mr. Moss. Voice vote was taken and carried.

Mayor Johnston distributed copies of the Knight, Vale & Gregory report on the Fire Department. Mr. Brown reviewed briefly the contents of the report. He said there were no irregularities found. However, there were recommendations being made on the Fire Prevention Bureau, training records and reports, and disability retirement. Mayor Johnston asked members of the Council to review the report for further discussion and consideration.

Mr. Hudson requested the follow-up reports from the departments be sent to the Council and to Knight, Vale & Gregory.

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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 April 29, 1975.

RESOLUTIONS:

- Resolution No. 23336 Fixing Monday, May 26, 1975 at 4:00 p.m. as the date for hearing L.I.D. 6944 for street lighting on ornamental standards and underground wiring on Fawcett Avenues from South 45th to South 46th.
- Resolution No. 23337 Fixing Monday, May 26, 1975 at 4:00 p.m. as the date for hearing L.I.D. 8030 for permanent paving along East 59th Street from Portland Avenue to Pipeline Road; East 63rd from East "S" to East "T" and other nearby streets.
- Resolution No. 23338 Fixing Monday, May 26, 1975 at 4:00 p.m. as the date for hearing L.I.D. 8054 for permanent paving along Fawcett Avenue from South 45th to South 46th and other nearby streets; also storm drain only in South "G" from South 59th Street south 150 feet.

- Resolution No. 23339 Fixing Tuesday, May 20, 1975 at 5:00 p.m. as the date for hearing on proposed text amendments relative to street vacations, platting and the Hearings Examiner.
- Resolution No. 23340 Fixing Tuesday, June 3, 1975 at 5:00 p.m. as the date for hearing the request for vacation of the south 250 feet of alley lying between Warner and Lawrence Streets and between South 45th and 47th Streets. (John D. Dobler)
- Resolution No. 23341 Fixing Tuesday, June 3, 1975 at 5:00 p.m. as the date for hearing the request for vacation of portions of Pacific Avenue and Commerce Street, including certain air rights and subsurface rights, between South 11th & 12th Streets.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the Board of Administration of the Tacoma Employees' Retirement System meeting of March 27, 1975.
- b. Minutes of the Executive Board of Tacoma/Pierce County Bicentennial Commission meeting of April 22, 1975.
- c. Monthly report, purchases and sales of investments during April, 1975, Tacoma Employees' Retirement System.
- d. Application for a Comprehensive Planning Assistance Grant, Planning Department.

Mrs. Egan moved that all of the items listed on the Consent Agenda, including Resolution Nos. 23336, 23337, 23338, 23339, 23340 and 23341, be approved. Seconded by Mr. Nalley. Voice vote was taken and carried. The items were declared approved.

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

COMMUNICATIONS:

Me1 Gaumer, Administrative Assistant to the Mayor, reported on various bills in the State Legislature of concern to the City. The Council took the information under advisement with no formal action taken.

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HEARINGS - COMMITTEE APPOINTMENTS:

- a. Hearing on nomination of William Hocking for re-appointment to the Landmarks Preservation Commission.

Mr. Hocking was introduced by Mayor Johnston and answered questions of Council.

- b. Hearing on nomination of Dolores Jacques for appointment to the Bicentennial Commission.

Ms. Jacques was introduced by Mayor Johnston and answered questions of Council.

- c. Hearing on nomination of Charles T. Pearson for appointment to the Building Code Board of Appeals.

Mr. Pearson was introduced by Mayor Johnston and answered questions of Council.

FINAL READING OF ORDINANCES:

Ordinance No. 20388 (Continued from the meeting of April 22nd)
Appropriating the sum of \$20,000.00, or so much thereof as may be necessary, from the Federal Shared Revenue Fund for the design and construction of certain City bikeways.

Roll call was taken, resulting as follows:

Ayes: 6 - Egan, Hudson, Moss, Nalley, Warnick and Mayor Johnston

Nays: 3 - Herrmann, Nelson and Sonntag

The Ordinance was declared passed.

Ordinance No. 20420 Appropriating the sum of \$1,443.04, or so much thereof as may be necessary from the General Fund for Fire Department personnel participation in the Ft. Steilacoom Community College Fire Command Administration Program.

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. 20421 Authorizing execution of a Grant Award Contract with the State of Washington for \$40,000 and a temporary loan from the General Fund for a City Waterway Public Float Project and declaring an emergency making necessary the passage of this ordinance.

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. 20422 Amending Section 1.12.345 of the Official Code relating to employee service awards.

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. 20423 Authorizing the issuance and sale of \$8,000,000 Water Revenue Bonds, Series of 1975.

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. 20424 Appropriating the sum of \$3,000.00, or so much thereof as may be necessary, from the General Fund for the purpose of financing jointly with Pierce County and the Port of Tacoma certain activities of the Pierce County/Tacoma Growth Policy Conference, Phase III, and declaring an emergency making necessary the passage of this ordinance.

Roll call was taken, resulting as follows:

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

Nays: 2 - Egan and Nalley

The Ordinance was declared passed.

Ordinance No. 20425 Providing for the improvement of L.I.D. 5551 for construction of water mains and fire hydrants in East 65th from East "N" Street to Portland Avenue.

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. 20426 Providing for the improvement of L.I.D. 5553 for construction of water mains and fire hydrants in North Defiance Street from North 45th to North 46th 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.

Ordinance No. 20427 Approving and confirming the assessment roll for L.I.D. 8014 for permanent paving on South Alder from South 43rd to 45th Street and South Montgomery from South 64th to 66th 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.

Ordinance No. 20428 Approving and confirming the assessment roll for L.I.D. 8021 for permanent paving on North 7th from Proctor to Madison; North 25th from Union Avenue to Washington Street; North 46th from Vassault to Frace Street and other nearby streets.

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. 20429 Approving and confirming the assessment roll for L.I.D. 8030 for permanent paving on South 63rd from South "J" to South "K"; South 80th from Pacific Avenue to South "D"; South "D" from South 80th to 82nd; and storm drain lines in South "K" from South 62nd to South 63rd 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. 20430 Amending Chapter 13.06 of the Official Code to add the south side of South 19th Street at Prospect Street extended from an "R-2" to an "R-4-LT" District. (Crest Builders, Inc.)

Mr. Warnick excused himself from sitting in on the first reading of this ordinance and left the Council Chambers.

Russell Buehler, Planning Department Director, advised Council that the City Planning Commission, acting as the Hearings Examiner on April 21, 1975, held a hearing and recommended approval of the rezone.

The Ordinance was set over for final reading.

RESOLUTIONS:

Resolution No. 23342 Reappointing William Hocking as a member of the Landmarks preservation Commission for a three-year term expiring on April 3, 1978.

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. 23343 Appointing Charles T. Pearson as a member of the Building Code Board of Appeals for a five-year term expiring on February 4, 1980.

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

Resolution No. 23344 Appointing Mrs. Dolores Jacques as a member of the Bicentennial Commission to serve through the calendar year 1976 and until completion of the festivities and programs implementing the 200th anniversary celebration.

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

Purchase Resolution No. 23345 Awarding contracts to Cushman Electronics, Inc. on its bid of \$5,485.00 for Signal generator/service monitor and to Tacoma Yellow Cab Company on its bid for Taxi service for senior citizens and handicapped residents registered with the Dept. of Human Development.

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

Resolution No. 23334 (Continued from the meeting of April 29) Establishing the classification of Sickle Cell Counselor within the combined County-City Health Department.

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

Resolution No. 23346 Approving Tacoma-Pierce County Board of Health Resolution No. 82 providing for the sale of the EMIT System.

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

Resolution No. 23347 Authorizing execution of a collective bargaining agreement with IBEW, Local 483, for certain employees of the Water Division to be effective January 1, 1975 through December 31, 1976.

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. 23348 Authorizing execution of an agreement with the National Aeronautics and Space Administration for certain services to be rendered by the City of Tacoma.

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

Resolution No. 23349 Authorizing execution of a harbor area lease agreement with the State of Washington for the City's Public Float Project in City Waterway.

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

Resolution No. 23350 Authorizing execution of an application for a grant agreement with the U. S . Department of Health, Education and Welfare for the purpose of developing and operating a Social Services Systems Development Project.

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

Resolution No. 23351 Authorizing sale of certain surplus Guaranty Fund property located near South 46th and Fawcett Avenue to Charles W. and Janet A. Byard.

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. 23352 Authorizing the purchase of a parcel of land from the State of Washington, Department of Highways for \$7,400.00.

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

Resolution No. 23353 Amending Rules 5 and 10 of the City Council Rules of Procedures concerning hearings on appointments to boards, commissions and committees.

Dr. Herrmann moved that the Resolution be adopted. Seconded by Mrs. Egan. The Resolution was set over for final reading next week.

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PUBLIC HEARINGS AND APPEALS:

- a. This is the date set for hearing on the proposed text amendments to the Zoning Ordinance establishing an intent and purpose for special and conditional use permits and also establishing criteria for granting of special and conditional use permits. (City Planning Commission)

Russell Buehler, Planning Department Director, advised that these amendments set for the guides for the Hearings Examiner.

Mr. Moss moved to concur with the recommendations of the Planning Commission. Seconded by Mr. Nelson. Voice vote was taken and carried.

- b. This is the date set for hearing the appeal of Harry H. Horowitz, C. P. A., on the Tax and License Department's audit assessment notice on the Safety Barricade Company and/or National Barricade Company.

Mr. Horowitz said he felt the tax assessment was improper because it was levied on the total business generated, when in fact they are a Seattle firm and should be taxed only on business done in Tacoma. On question of Council members he advised they do have an office in Tacoma which is manned an hour a day with phone calls the remainder of the day rerouted to Seattle.

Richard Newman, Tax & License Director, advised that Safety Barricade Co., Inc. is registered with the Tax & License Department, is doing business in Tacoma and, therefore, is liable for tax on all business done.

Darrell Matz, Assistant Tax & License Director, and Auditor of Safety Barricade, advised that the firm has an office and warehouse in Tacoma, and on a visit to the premises, workers were found in the office and warehouse.

Further discussion disclosed there was a question as to whether any of the tax had been paid to another jurisdiction.

After further discussion by Council members, motion was made by Mr. Moss and seconded by Mrs. Egan that the hearing be continued for two weeks so that the Tax & License Department and representatives of Safety Barricade could meet, seek answers to questions raised and determine the taxes due. Roll call was taken on the motion to continue, resulting as follows:

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

Nays: 2 - Hudson and Sonntag

Absent: 1 - Nalley


The motion was declared passed. The hearing was continued to May 20, 1975.

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UNFINISHED BUSINESS:

Dr. Herrmann made reference to a letter received from the chairman of the Civil Service Board requesting concurrence in an amendment to the proposed amendment to Section 1.24.430c which had previously been submitted to Council. Mrs. Egan asked that this be brought to Council next week with relative information for discussion. Erling Mork, Assistant City Manager, said he would have an ordinance prepared for next week's agenda.

On proper motion, the meeting adjourned at 7:25 p.m.



 GORDON JOHNSTON - MAYOR

ATTEST: 

 W. B. BOND - CITY CLERK