

CITY COUNCIL MINUTES

City Council Chambers  
January 14, 1975

The meeting was called to order at 5:05 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 Mrs. Egan.

Mayor Johnston made a motion to recess into executive session for the purpose of receiving a briefing on City labor negotiations. Seconded by Mr. Moss. The meeting was recessed at 5:07 p.m. The meeting reconvened at 5:22 p.m.

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PROCLAMATIONS:

Mayor Johnston proclaimed the week of January 13th through the 19th, 1975 as "National Council of Jewish Women's Week" in the City of Tacoma.

Mayor Johnston proclaimed January 15, 1975 as "Dr. Martin Luther King, Jr. Day" in the City of Tacoma.

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C O N S E N T   A G E N D A

Approval of the minutes of the meetings of January 2nd and January 7th, 1975.

ASSESSMENT ROLLS:

The Directors of Public Works and Public Utilities present the Assessment Rolls for the following:

LID 5533 - water mains and fire hydrants in McKinley Avenue from East 84th to East 86th Street and in East 86th from East "G" to McKinley Avenue.

LID 6940 - modern street lights on existing wood poles at intersections along Beverly Avenue NE from 51st Street NE to 55th Street NE; Frances Avenue NE from 51st Street NE to 55th Street NE; and Broadview Avenue NE from 52nd Street NE to 55th Street NE.

Fixing Monday, February 10, 1975 at 4:00 p.m. as the date for hearing.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Board of Administration of the Tacoma Employees' Retirement System meeting of November 21, 1974.
- b. Minutes of Public Utility Board meeting of December 11, 1974.
- c. Minutes of Metropolitan Development Council Board of Trustees meeting of December 12, 1974.
- d. Dept. of Public Works filing Update Cost Estimate for UAB Project No. 8-1-128(18) and No. 8-1-128(25).
- e. Monthly Financial Report, Light Division, Water Division, and Belt Line Division, October 31, 1974.
- f. Monthly Reports, October and November, 1974, Director of Finance.
- g. Monthly Towing Report, December, 1974.
- h. Minutes of the meeting of Puget Sound Government Conference Organization and Bylaws of December 12, 1974.

Mrs. Egan moved that all of the items listed on the Consent Agenda be approved. Seconded by Mr. Nelson. 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:

- a. Planning Commission submitted Shoreline Management Permit Application #141,093 - Port of Tacoma for expansion of bulk liquid facility.

Mrs. Egan moved to concur in the recommendation of the Planning Commission. Seconded by Mr. Warnick. Roll call vote resulted in Ayes: 9 - Egan, Herrmann, Hudson, Moss, Nalley, Nelson, Sonntag, Warnick and Mayor Johnston. Nays: 0.

- b. Planning Commission submitting Shoreline Management Permit Application #141,092 - Military Department of the State of Washington for work on pier and roadway in Blair Waterway.

Mrs. Egan moved to concur in the recommendation of the Planning Commission. Seconded by Mr. Warnick. Roll call vote resulted in Ayes: 9 - Egan, Herrmann, Hudson, Moss, Nalley, Nelson, Sonntag, Warnick and Mayor Johnston. Nays: 0.

- c. Request from the City Attorney that rezone request #120.601 file of Pacific National Bank of Washington be closed and the rezone attempt be deemed to be abandoned.

Mrs. Egan moved to declare the rezone petition abandoned and the file closed. Seconded by Dr. Herrmann. Voice vote was taken and carried.

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FINAL READING OF ORDINANCES:

Ordinance <u>No. 20270</u>	Amending Chapter 6.68 of the Official Code relative to Business and Occupational tax rates.
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Mayor Johnston moved that final reading of the ordinance be continued for 90 days and that a commission consisting of at least seven members be established

immediately to review the City's municipal taxation. The membership is to include a tax expert from each of the two local universities, representatives from the banking, wholesale and retail communities and a citizen. Seconded by Mr. Nelson. Voice vote was taken and carried.

Final reading of the Ordinance was continued to April 15, 1975.

Ordinance No. 20283 Amending Chapter 6.62 of the Official Code relative to admission tax on golf.

Roll call was taken, resulting as follows:

Ayes: 1 - Sonntag

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

The Ordinance was declared failed.

Ordinance No. 20284 Amending Title 13 of the Official Code relating to establishment of fees for processing and preparing environmental assessments and environmental impact statements.

Roll call was taken, resulting as follows:

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

Nays: 1 - Sonntag

The Ordinance was declared passed.

Ordinance No. 20285 Accepting additional funds under Grant No. 53-05-048 from the Manpower Administration of the Department of Labor to provide comprehensive manpower services under the authority of CETA.

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. 20286 Appropriating \$202,000 or so much thereof as may be necessary from the Model Cities Action Year Revolving Fund for the Purpose of carrying on Model Cities Fourth Action Year activities.

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. 20287 Amending Ordinance No. 20241 to transfer the sum of \$657,474 originally appropriated in the Ordinance from the Title I Comprehensive Manpower Services Fund No. 597 to Title II Public Service Employment Program Fund No. 536.

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. 20294 Accepting \$20,907 from the National Institute of Mental Health and appropriating the sum of \$44,281 from the South End Youth Center Fund #538 to continue operation of the Youth Center through September 30, 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. 20295 Accepting a grant from the U.S. Department of Labor in the sum of \$1,500,000 under authority of Title VI of the Comprehensive Employment and Training Act of 1973 as amended, establishing the Emergency Jobs Program Fund and appropriating said funds for implementation of the 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. 20296 Accepting a grant of \$10,000 from the Equal Employment Opportunity Commission and appropriating said funds from Fund No. 175 for the purpose of paying costs by the Human Relations Department for investigation of discrimination charges.

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. 20297 Amending Chapter 13.06 of the Official Code to add the West side of Alder between South 45th and 47th Streets from an "R-3" to an "R-4-L" District. (John D. Dobler)

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. 20299 Appropriating the sum of \$62,173.00 or so much thereof as may be necessary, from the Federal Shared Revenue Fund for the purpose of operating the Senior citizens, housebound and handicapped services to be administered by the Tacoma Public Library.

Jim Toney, Chief Accounting Officer of the Finance Department, described the program and said that he had reviewed the budget and certain cuts were made. He advised that he and Bill Smitherman, of the Community Development Department, went through the budget with Mr. Maxwell of the Library.

Gary Reese, Acting Library Director, described the program and answered questions of Council. Mr. Reese said, that after reviewing services, the Library concurs with the \$62,173 figure.

Mr. Warnick moved that alternative #1, appropriating \$62,173 be considered and voted on at final reading and to include the language making this an emergency appropriation. Seconded by Mrs. Egan. Motion carried.

Mrs. Egan requested a noon study session be scheduled with the Library Board.

The Ordinance was set over for final reading next week.

Ordinance No. 20300 Appropriating \$10,269.00 or so much thereof as may be necessary, from the General Fund and \$132,738.00 from the Tacoma Municipal Transit System Fund No. 440 for the purpose of paying unanticipated expenditures for the year 1974.

Earl Mittelstaedt, Finance Director, explained the reasons for the transfer of funds and Chuck Walsh, Transportation Director, answered questions of Council.

The Ordinance was set over for final reading next week.

Ordinance No. 20301 Amending the pay and compensation plan to change the salary of Radio Operator and to add the position and salary for Shift Supervisor.

Odd Lund, Personnel Director, explained that the Shift Supervisor position is needed as a result of the LESA program. He advised that a misunderstanding had arisen relative to the dollar amount for the Radio Operator's class, which was resolved the day before the Council meeting and a change was made. He asked that Council

consider substitute ordinance No. 20301, which reflects the change in the Radio Operator's pay.

Mr. Sonntag moved that substitute ordinance No. 20301 be considered. Seconded by Mr. Nalley. Voice vote was taken and carried.

The substitute Ordinance No. 20301 was set over for final reading next week.

Ordinance No. 20302 Renaming that portion of Pacific Avenue, Bayside Drive and the Tacoma Spur from South 12th to McCarver Street to Schuster Parkway.

The Ordinance was set over for final reading next week.

Ordinance No. 20303 Amending Chapter 13.06 of the Official Code to add the Northwest quadrant of East 72nd Street and Portland Avenue from an "R-2-T" and "R-2" to a "C-P-N" District. (Sun Coast Properties, Inc.)

The Ordinance was set over for final reading next week.

Ordinance No. 20304 Amending Chapter 13.06 of the Official Code to add the Northwest corner of South 49th and Ferry Streets from an "R-2-T" District. (Wm. Hocking for Van Buskirk & Haas)

The Ordinance was set over for final reading next week.

Ordinance No. 20305 Amending the Annual Budget for year 1975 and appropriating the sum of \$62,564.00, or so much thereof as may be necessary, for the purpose of operating the City Jail.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Resolution No. 23131 (Continued from the meeting of January 2nd) Establishing a policy regarding retroactivity of collective bargaining agreements settled after December 31, 1974.

Mrs. Egan commented that Mr. Judd had requested the resolution be continued for two weeks. Mrs. Egan moved that the resolution be continued for two weeks. Seconded by Mr. Warnick. Voice vote was taken and carried.

The Resolution was continued to January 28, 1975.

Purchase Resolution No. 23175 Awarding contracts to: (1) Western Fire Equipment Company on its bid of \$10,847.66 for butterfly valves and (2) Phil Brodsky Uniforms on its bid of \$16,274.25 and to Hammar's Uniforms on its bid of \$1,722.00 and to Jensen's Men's Shop on its bid of \$3,987.60 for certain Police Department uniforms.

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

Resolution No. 23176 Authorizing the removal of blackberry vines and debris from the properties known as approximately 8025-27 East C and 9411-29 South D; 2816-22 South D and 402-12 South 29th; and 3305 South Sawyer Street and costs to be charged against the property owners.

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

Resolution No. 23177 Authorizing release of a portion of Light and Water Division and Department of Public Works easement on vacated Lawrence Street near South 19th Street to Allenmore Medical Center.

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. 23178 Authorizing an easement to Bonneville Power Administration in the Green River Watershed area.

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. 23179 Authorizing amendment to contracts with the Washington State Department of Employment Security and Tacoma Urban League by extending On-The-Job Training Programs to September 30, 1975 and allocating an additional \$260,067.00 for each program.

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. 23180 Adopting certain Guidelines for retaining consultants for technical services to be used in the selection and hiring of outside consulting firms.

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. 23181 Establishing certain additional job classes and salaries in the Emergency Employment Project.

Mrs. Egan moved to adopt substitute resolution number 23181. Seconded by Dr. Herrmann. Voice vote was taken and carried.

The Substitute Resolution No. 23181 was declared adopted.

Resolution No. 23182 Authorizing the proper officers of the City to execute an application to HUD for entry in national competition in a demonstration project to achieve productivity improvements in the area of Street and Highway Maintenance Operations.

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. 23183 Designating the Carnegie Library Building as a City of Tacoma Historic Landmark.

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

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PUBLIC HEARINGS  
AND APPEALS:

- a. This is the date set for hearing the request for rezoning the south side of South 58th Street between Ferdinand and Orchard Streets extended south from an "R-2" to an "R-2-PRD" District. (12-2-74 Planning Commission recommended approval 6-0, 1 absent) (Richard H. Shaw)

Russell Buehler, Planning Department Director, reviewed the request for Council. Dr. Herrmann moved to concur in the recommendation of the Planning Commission. Seconded by Mr. Sonntag. Voice vote was taken and carried.

- b. This is the date set for hearing the request for vacation of the Plat of Heatherwood West 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.)

Mrs. Egan called Council's attention to a letter received today from the attorney for Powell Homes, Inc., advising they wish to withdraw their petition to vacate the plat.

Mrs. Egan moved that the request for vacation of the plat be removed from the agenda. Seconded by Dr. Herrmann. Voice vote was taken and carried.

- c. This is the date set for hearing Collison Realty, Inc.'s appeal on the Planning Commission's decision to deny their request for a Special Use Permit for an off-street parking area on the east side of Pacific Avenue between 70th and 72nd Street. (11-18-74 Planning Commission recommended denial 3-2 (1 absent, 1 abstention).

Mr. Buehler described the area of the requested special use permit and said the petitioner planned to build two restaurants along Pacific Avenue, with the property in question to be used as a parking lot with a 4-foot fence around it. He advised that the Planning Commission felt the use would be incompatible with adjacent residential development and that it would constitute a defacto reclassification.

Dayle Collison, petitioner, distributed arial photos of the area, described the neighborhood and stated he felt the proposal was compatible and would eliminate traffic hazards on Pacific Avenue. He also showed slides of his property and adjoining properties. He also showed slides of similar parking lots.

Speaking against the request were:

Annon May, attorney representing a number of residents of the area;  
P. J. Gallagher, 125 So. 72nd Street;  
David Jones, 7030 "A" Street.

Mrs. Egan advised the Planning Commission's findings were that adequate parking space is available on the "C-2" zoned area along Pacific Avenue if only one restaurant is built.

After discussion, Mr. Nelson moved to overrule the Planning Commission. Seconded by Mr. Nalley.

Roll call vote was taken, resulting as follows:

Ayes: 1 - Sonntag

Nays: 7 - Egan, Herrmann, Hudson, Moss, Nalley, Nelson and Mayor Johnston

Absent: 1 - Warnick

The motion failed. The appeal was denied.



REPORTS BY THE CITY MANAGER:

Erling Mork, Assistant City Manager, asked for direction from the City Council as to whether revenue sharing money would be used to make adjustments in the 1975 budget since the B & O. tax ordinance had been continued for 90 days.

Dr. Herrmann advised that his individual request is that revenue sharing money be used.

Mayor Johnston suggested facts and figures be made available to Council at Monday's study session, when a decision will be made.

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COMMENTS BY MEMBERS OF THE CITY COUNCIL:

Mayor Johnston reported that A. J. Benedetti, Director of Utilities, has suggested the next quarterly study session with the Utility Board be held Monday evening, February 3rd. Mrs. Egan called attention to the fact this would conflict with the Planning Commission meeting of which she is a member. Mayor Johnston said he would contact Mr. Benedetti to set another date.

Mayor Johnston asked that he be excused from next week's meeting. Mr. Sonntag moved that the request be granted. Seconded by Mrs. Egan. Voice vote was taken and carried.

Mr. Hudson commented on why he voted against continuing the B & O. tax ordinance, one was because it interferes with the budgetary process. Also, he felt the Council would be in a better position to take a full look at the entire tax structure of the City over a period of time not encumbered by a 90-day limit. He also commented on the possibilities of a commuter tax which should be studied, along with other alternatives, and felt it would be difficult to make all these studies in 90 days.

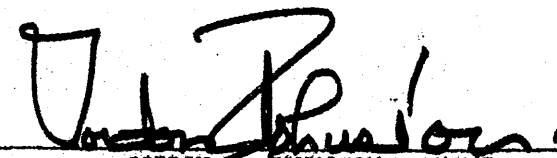
Mr. Hudson also commented on the Puget Sound Governmental Conference and the proposal for sub-regional committees and the abolishing of current standing committees. He said it also appeared an increase in expense to the City would be made.

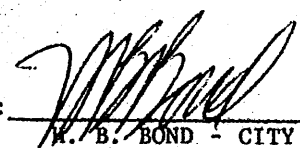
Mr. Sonntag commented he has forwarded to Council material on the subjects being proposed by the Puget Sound Governmental Conference and advised that the next meeting of the conference will be January 17th. He also said the Spellman Committee will be coming forth with a resolution. He will forward to Council further information to keep them up to date. He asked the City Manager's office to reserve time at the January 27th study session, in order to discuss the subject. He is seeking their advice as to how they want him to vote on the committee. The committee vote will be taken after January 27th. Mr. Sonntag asked Mr. Mork to invite someone from Mr. Spellman's staff and Jack Creighton to come to the study session. Mayor Johnston requested the subject be placed on the January 27th study session.

Mr. Moss made reference to a letter each Councilman received from State Representative Mike Parker and took exception to his accusations regarding the City Council and the B & O. tax. He said he would contact Representative Parker and ask him to work with the City in trying to solve the problems rather than to take legislative action to place pressure on the cities.

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On proper motion, the meeting adjourned at 8:45 p.m.

  
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GORDON N. JOHNSTON - MAYOR

ATTEST:   
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W. B. BOND - CITY CLERK