

C I T Y C O U N C I L M I N U T E S

City Council Chambers
August 19, 1975

The meeting was called to order at 5:13 p.m.

Present on roll call: 7 - Herrmann, Hudson, Moss, Nalley, Nelson, Sonntag
and Mayor Johnston. Absent: 2 - Egan and Warnick. Mr. Warnick arrived at 5:20 p.m.

The Flag Salute was led by Dr. Herrmann.

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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 August 12, 1975.

PETITIONS:

Hugh M. Askren requesting the rezoning of the property located on the northeast corner of South 15th and Union Avenue from an "R-2" to an "R-4-LT" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 23495 Fixing Tuesday, September 2, 1975 at 5:00 p.m. as the date for hearing proposed amendments to Title 13 of the Official Code relative to procedures of the Hearings Examiner, Zoning and Shoreline Permits.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the Public Utility Board meeting of July 23, 1975.
- b. Minutes of Citizens Transportation Advisory Committee meeting of July 28, 1975.
- c. Notice of Public Hearing on proposed enactment of certain new provisions of the Criminal Code and Traffic Code fo Pierce County--Board of Pierce County Commissioners.
- d. Monthly Financial Report, June 30, 1975, Belt Line Division, Light Division and Water Division.
- e. Application for Certificate of Compliance for Teleprompter Corp.

Mr. Hudson moved that all of the items listed on the Consent Agenda, including Resolution No. 23495, be approved. Seconded by Mr. Nalley. Voice vote was taken and carried. The items were declared approved.

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REGULAR AGENDA

Mayor Johnston moved to suspend the rules and consider Ordinance No. 20535 at this time. Seconded by Mr. Sonntag. Voice vote was taken and carried.

Ordinance No. 20535 Amending Title 10 of the Official Code by adding Section 10.28 entitled "Art in the City Construction Projects".

Ellida Kirk, President of the Tacoma-Pierce County Civic Arts Commission, advised that present in the Council Chambers were Mayor Robert C. Anderson of Everett and Mayor Wes Uhlman of Seattle, both of whom have ordinances in their City for one percent for the arts programs. She introduced Mayor Robert C. Anderson.

Mayor Anderson distributed information to Council members on his City's one percent for the arts. He gave a review of their ordinance and their Advisory Committee. He advised that their ordinance was fashioned after the City of Seattle whose program had been in effect longer than theirs and had a good track record.

Mrs. Kirk introduced Mayor Wes Uhlman. Mayor Uhlman advised that two years ago Seattle passed an ordinance for one percent for the arts. Their ordinance provides that in every capital improvement project, one percent of the cost is set aside for art projects in the City. He reviewed and enumerated the art projects and advised that he felt the program was a successful one.

Also speaking in favor of the one percent for the arts ordinance were: Johanna Nitzke and Noel Mason from the Washington State Arts Commission; Edmund Hurschell, Tacoma Opera Society; and Jon Kowalek, Tacoma Art Museum.

The Ordinance was set over for final reading next week.

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COMMUNICATIONS: William J. Barker, Assistant City Attorney, requesting Rezone Request #120.662 of Joseph Verone be closed.

Mayor Johnston advised that Mr. Barker asked to have this continued for two weeks.

Dr. Herrmann moved that the communication be continued for two weeks. Seconded by Mr. Moss. Voice vote was taken and carried.

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Mayor Johnston announced that Mrs. Egan had telephoned that she was ill and asked to be excused. Mayor Johnston moved that she be excused from the meeting. Seconded by Dr. Herrmann. Voice vote was taken and carried.

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FINAL READING OF ORDINANCES:

Ordinance No. 20522 Amending Chapter 8.46 of the Official Code by repealing and reenacting subsection (b) of Section 8.46.010 relative to prostitution.

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Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Egan

The Ordinance was declared passed.

Ordinance No. 20523 Appropriating the sum of \$2,500 or so much thereof as may be necessary, for the purpose of paying for the services of an executive management consultant for the selection of a Library Director, and declaring an emergency making necessary the passage of this Ordinance.

Roll call was taken, resulting as follows:

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

Nays: 1 - Sonntag

Absent: 1 - Egan

The Ordinance was declared passed.

Ordinance No. 20524 Providing for the improvement of L.I.D. 5557 for constructing water mains and fire hydrants in Orchard Street from South 56th to 58th.

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Egan

The Ordinance was declared passed.

Ordinance No. 20525 Providing for the improvement of L.I.D. 5558 for constructing water mains and fire hydrants in East 57th from McKinley Avenue to East "F" Street.

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Egan

The Ordinance was declared passed.

Ordinance No. 20526 Providing for the improvement of L.I.D. 5559 for constructing water mains and fire hydrants in East 55th from Portland Avenue to East "N" Street.

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Egan

The Ordinance was declared passed.

Ordinance No. 20527 Providing for the improvement of L.I.D. 7703 for installing underground residential electrical power in South 83rd Street extending east from Sheridan Avenue approximately 360 feet.

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Egan

The Ordinance was declared passed.

Ordinance No. 20528 Approving and confirming the assessment roll for L.I.D. 3729 for constructing sanitary sewers in 33rd Street NE from 39th Avenue NE to Browns Point Boulevard; 39th Avenue NE from 33rd Street NE to Browns Point Boulevard; and other nearby streets.

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Egan

The Ordinance was declared passed.

Ordinance No. 20529 Approving and confirming the assessment roll for L.I.D. 3754 for constructing sanitary sewers in East "F" from East 7th Street to approximately 700 feet north of East 3rd Street.

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Egan

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 20530 Amending Titles II and III of the Official Code relative to Boards of Appeal.

Mayor Johnston advised that he requested the ordinance in order to combine the separate boards of appeal so that appeals of the Building Code, Plumbing Code, etc. could utilize persons with expertise in the various trades.

On question of Mr. Hudson, Ron Button, City Engineer, advised that members of Boards of Appeals do have the opportunity to make suggestions when reviewing proposed new provisions to the Codes.

The Ordinance was set over for final reading next week.

Ordinance No. 20531 Amending Chapter 1.34 of the Official Code to create a working fund in the office of Community Development.

The Ordinance was set over for final reading next week.

Ordinance No. 20532 Amending Ordinance No. 20484, Section 1, to correct improper employee classification and assign new classification of P-014 Police Documentation Analyst.

Chief Smith advised that this is merely to correct a title classification and number.

The Ordinance was set over for final reading next week.

Ordinance No. 20533 Creating a new fund to be known as the "Federal EDA Grant Fund," and appropriating \$1,336,000, or so much thereof as may be necessary for the purpose of aiding in the construction of the Bicentennial Pavilion, extension of the Broadway Plaza and Pedestrian Overpass at South 11th Street, and authorizing a temporary loan of \$750,000 from the General Fund.

The Ordinance was set over for final reading next week.

Ordinance No. 20534 Amending the Pay and Compensation Plan to adjust salaries of certain Belt Line employees as negotiated with the United Transportation Union.

The Ordinance was set over for final reading next week.

Ordinance No. 20536 Amending Title 10 of the Official Code to change the classification of the northeast corner of So. 48th and Orchard Streets, from an "R-2", "R-2-TM" and a "C-1" to an "R-4-TM" District. (George S. Pessemier)

Russell Buehler, Planning Department Director, advised that Council held a hearing on this some time ago and all of the conditions have now been met and everything is in order for final reading of the ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 20537 Amending Chapter 13.06 of the Official Code to reclassify the northwest corner of So. 19th and Washington Streets from an "R-2" to an "R-2-TM" District. (Richard H. Shaw)

Russ Buehler, Planning Department Director, advised that Council held a hearing on this some time ago, and all of the conditions have now been met and everything is in order for final reading of the ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 20538 Amending Chapter 13.06 of the Official Code to change the classification of the area located 750 feet west of Grandview Drive and lying between South 19th Street, 27th Street West, Vista Place West and Day Island Bridge Road and east of the Burlington Northern r/o/w from an "R-1" to an "R-3-PRD" and "R-4-LPRD" District. (Les Rowland Construction Co., Inc.)

Mayor Johnston moved to set over consideration of first reading of this ordinance until after hearing on the appeal which is at the end of the agenda. Seconded by Mr. Moss. Voice vote was taken and carried.

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RESOLUTIONS:

Resolution No. 23493 (Continued from the meeting of August 12)
Establishing the class of P012 Crime Information Analyst as a project position in the Police Department.

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. 23496 Appointing Mrs. Alaire Sheimo, President of the Tacoma-Pierce County Board of Realtors, to serve on the Landmark Preservation Commission for a term expiring April 3, 1978.

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

Purchase Resolution No. 23497 Awarding contract to Lige Dickson Company on its bid of \$19,436.35 for L.I.D. #8068 - concrete alley paving and storm drainage.

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. 23498 Authorizing the sale of surplus miscellaneous vehicles and equipment to various bidders.

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

Resolution No. 23499 Ratifying and approving the revised fee schedule for health services adopted by the Tacoma Pierce County Board of Health.

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

Resolution No. 23500 Designating the Bank of California building as a City of Tacoma historic landmark.

Mr. Warnick moved that the Resolution be adopted. Seconded by Mr. Hudson. Mr. James Widrig, Chairman of the Landmarks Preservation Commission, advised that the Commission voted unanimously to place this building on the historic register.

Mr. Thomas J. Gagliardi, attorney representing the Bank of California, spoke in opposition to the designation and enumerated the Bank's reasons for not wanting the building so designated. After discussion, roll call vote was taken, resulting in Ayes: 3 - Hudson, Warnick and Mayor Johnston. Nays: 5 - Herrmann, Moss, Nalley, Nelson and Sonntag. Absent: 1 - Egan. The Resolution was declared failed.

Resolution No. 23501 Designating the Federal Building as a City of Tacoma historic landmark.

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

Resolution No. 23502 Designating the Holy Rosary Church as a City of Tacoma historic landmark.

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

Resolution No. 23503 Designating the Seamens Rest Building as a City of Tacoma historic landmark.

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

Resolution No. 23504 Designating the Tacoma Gasworks as a City of Tacoma historic landmark.

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

Resolution No. 23505 Authorizing execution of a lease agreement with Bernard G. and Marie O. Tresner, husband and wife, and Dale E. Tresner, for 5,500 square feet of warehouse space at 751 Tacoma Avenue South for the Department of Human Development.

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

Resolution No. 23506 Authorizing execution of an agreement with the Washington State Criminal Justice Training Commission to train police officers from other police agencies within the State of Washington.

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. 23507 Authorizing the execution of an agreement between the City of Tacoma and National Urban Fellows, Inc. for certain services in connection with its Fellowship program.

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

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Mayor Johnston moved to recess the meeting for a brief period in view of the two hearings scheduled. Seconded by Mr. Nelson. Voice vote was taken and carried.

The meeting recessed at 7:47 and reconvened at 8:05 p.m.

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PUBLIC HEARINGS AND APPEALS:

(a) This is the date set for hearing on the Six Year Comprehensive Street Program for the years 1976 - 1981.

Bob Anderson, Director of Public Works, advised that State law requires the Six Year Capital Improvement Program for streets be updated each year. The plan includes: (1) Urban Arterial projects which have not been approved in any way; (2) projects which have been approved and are underway; and (3) the projects under the one-half cent gasoline

tax program. He also advised the program has been reviewed by the Transportation Committee and the Planning Commission.

Larry Walker, Public Works Department, reviewed for Council and the citizens present the designations of the colored lines on the maps and answered questions of Council.

On question of a citizen on whether Mildred Street between Sixth Avenue and North 17th is included in the plan as an arterial, Mr. Anderson advised it is proposed to have a study with input from the residents and then a decision will be made.

Dr. Herrmann moved to adopt the Six Year Comprehensive Street Program. Seconded by Mr. Warnick. Voice vote was taken and carried.

- (b) This is the date set for hearing the appeal of the West Slope Community Council on the Hearing Examiner's recommendation to reclassify the property located 750 feet west of Grandview Drive and lying between South 19th Street, 27th Street West, Vista Place West and Day Island Bridge Road and east of the Burlington Northern r/o/w from an "R-1" to an "R-3-PRD" and "R-4-LPRD" District.

Bob Backstein, Hearings Examiner, reviewed the original hearing by the Planning Commission and the rehearing by the Hearings Examiner. He exhibited an aerial view map of the area, pointing out the portion to be dedicated to the City and the portion to be developed. He enumerated the communications received in favor and in opposition to the rezone. He referred to and reviewed his documented report and recommendations. He reviewed the conditions placed on the reclassification. He recommended a Control Board be formed to review each phase of the development before it goes into the area. He advised that he felt the whole University Place area did not constitute a homogeneous neighborhood, therefore introducing this use into it did not violate the provision.

Mr. Hudson suggested additional conditions be placed and a study of the area between the Narrows Bridge and Chambers Creek be made by Pierce County and the City of Tacoma.

Herb Gilman, Attorney for the West Slope Community Council, said that portions of the land use management plan were not met by the Hearings Examiner. He said he felt the entire West Slope should be considered together, that the County should be involved in this planning, and suggested a joint planning committee composed of the Council Planning Commission, Fircrest and City of Tacoma to review and solve traffic problems, schools, etc. He also asked for a moratorium on development of the area until a plan is completed by the Planning Commission.

Thomas Fishburne, attorney representing Les Rowlands Construction Co., advised that the 713 apartment and condominium units would be constructed in phases and take several years to complete. This time table they felt would not prove a burden to the schools and traffic situation. He answered further questions of Council.

Mayor Johnston moved to deny the appeal. Seconded by Mr. Warnick. Roll call was taken, resulting in Ayes: 7 - Herrmann, Hudson, Moss, Nalley, Nelson, Warnick and Mayor Johnston. Nays: 1 - Sonntag. Absent: 1 - Egan.

Mayor Johnston moved to concur with the recommendation of the Hearings Examiner including his conditions. Seconded by Mr. Moss.

Mr. Hudson moved that the motion to concur be continued for one week. Seconded by Mr. Nalley. Roll call was taken, resulting in Ayes: 5 Nays: 3 Absent: 1. The motion was continued for one week.

Ordinance No. 20538

Mr. Hudson moved that first reading of the ordinance be continued for one week. Seconded by Mr. Nelson. Voice vote was taken and carried. First reading was continued to August 26, 1975.


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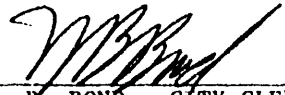
REPORTS BY CITY MANAGER:

Mr. Mork asked for a waiver of the residency requirement in order to employee Keith Black as an attorney in the City Attorney's Office. Mr. Sonntag moved that the request be granted. Seconded by Dr. Herrmann. Voice vote was taken and carried.

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On proper motion, the meeting adjourned at 10:07 p.m.


GORDON JOHNSTON - MAYOR

ATTEST: 
H. B. BOND - CITY CLERK