

CITY COUNCIL MINUTES

City Council Chambers
October 8, 1974

The meeting was called to order at 5:10 p.m.

Present on roll call: 8 - Egan, Herrmann, Hudson, Nalley, Nelson, Sonntag, Warnick and Mayor Johnston. Absent: 1 - Moss.

The Flag Salute was led by Mr. Nelson.

PROCLAMATIONS:

Mayor Johnston proclaimed the week of October 6 thru 12, 1974 as "Employ the Handicapped Week in the City of Tacoma" and "Fire Prevention Week".

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CONSENT AGENDA

Approval of the minutes of October 1, 1974.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Board of Administration of the Tacoma Employees' Retirement System meeting of August 29, 1974.
- b. Minutes of City Planning Commission meetings of September 4th and September 16th, 1974.
- c. Minutes of Board of Park Commissioners meeting of September 23, 1974.
- d. Monthly report, purchases and sales of investments during September, 1974, Tacoma Employees' Retirement System.
- e. Emergency Services Dept. filing Personnel & Administrative Claim for August, 1974.
- f. Monthly report, August, 1974, Personnel Department.

Mrs. Egan moved that all of the items listed on the Consent Agenda be approved. Seconded by Mr. Nalley. Voice vote was taken and carried. The items were declared approved.

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REGULAR AGENDAPRESENTATION:

Mayor Johnston presented cash and honorary awards to high school student winners of the Fire Prevention Poster Contest.

Mayor Johnston also presented award certificates to Donald L. Greenler in recognition of his 24 years of volunteer auxiliary Fire service and to Sigma Alpha Epsilon Fraternity of University of Puget Sound in recognition of loading 60 tons of food destined for Bangladesh.

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FINAL READING OF ORDINANCES:

Mr. Sonntag suggested it would be more appropriate to consider Ordinance 21216 before considering 20207 and asked whether this would require a formal motion.

Mayor Johnston ruled that it would be more appropriate to reverse the order of the two ordinances and asked the clerk to read Ordinance 20216.

Ordinance No. 20216 Amending Ordinance No. 19960 and Sections 8.100.010 and 8.100.020 of the Official Code relative to gambling.

Roll call was taken, resulting as follows:

Ayes: 3 - Egan, Hudson and Nalley

Nays: 5 - Herrmann, Nelson, Sonntag, Warnick and Mayor Johnston

Absent: 1 - Moss

The Ordinance was declared failed.

Ordinance No. 20207 (Continued from the meeting of September 19th)
Amending Chapter 6.89 of the Official Code relative to the taxing of gambling activities and declaring an emergency and making necessary the taking effect thereof immediately upon publication.

Mr. Sonntag moved that the Ordinance be amended by adding a paragraph stating "one year after the effective date of the ordinance, the Council shall hold a hearing." Seconded by Mr. Warnick.

After discussion, Mrs. Egan moved to amend the amendment to read "15 months after the effective date of the ordinance". Seconded by Mr. Sonntag. Voice vote was taken and carried.

Mr. Sonntag moved to amend the ordinance wherever the figure 10 percent appears that it be changed to "20 percent". Seconded by Mr. Warnick.

Jim Brannon, Tavern Owner at 6th and K Street, spoke in opposition of the 20 percent and, on question of Mr. Nalley, explained the routine of the card room business and how the tax would be applied on the activities. After further discussion, voice vote was taken on the motion and carried.

Roll call was taken on the amended ordinance, resulting as follows:

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

Nays: 1 - Nalley

Absent: 1 - Moss

The Ordinance, as amended, was declared passed.

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Ordinance No. 20226 Amending Chapter 13.06 of the Official Code to add the Northwest corner of South 45th and Warner Streets from an "R-3" to an "R-4-L" District. (Paul M. Schwebke)

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Moss

The Ordinance was declared passed.

Ordinance No. 20227 Vacating South 7th Street from Pacific Avenue to "A" Street and vacation of "A" Street from South 7th to South 8th Street. (Department of Public Works)

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Moss

The Ordinance was declared passed.

Ordinance No. 20228 Amending Chapter 13.06 of the Official Code to add the south side of South 19th Street at Lawrence Street extended from an "R-2-T" to an "R-5-TM" District. (Allentown Medical Center, Inc.)

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Moss

The Ordinance was declared passed.

Ordinance No. 20229 Amending Chapter 13.06 of the Official Code to add the west side of Cedar Street approximately 600 feet south of South 19th Street from an "R-5-TM" to an "R-2-T" District. (Allentown Medical Center, Inc.)

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Moss

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

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

City Manager, Bill Donaldson, asked that first reading of the ordinance be continued for 60 days.

Mr. Sonntag moved to continue first reading of the ordinance for 60 days. Seconded by Mrs. Egan. Voice vote was taken and carried. First reading was continued to December 10, 1974.

Ordinance No. 20230 Creating and establishing a Department of Community Development.

Gary Sullivan, Director of the Urban Renewal Department, explained that the consolidation of the Model Cities Department and the Urban Renewal Department would create a new department to be known as the Department of Community Development. At the present time, the establishing of the new department would entail only one additional staff member to work on the grant application.

The Ordinance was set over for final reading next week.

Ordinance No. 20231 (Continued from the meeting of October 1st)
Amending Section 1.12.414 and adding Section 1.12.473 of
the pay and compensation plan to add four new positions
relative to Community Development.

Mr. Sullivan asked that the ordinance be removed from the agenda, as it has been replaced by Resolution No. 23039 which appears later on the agenda.

Mayor Johnston moved to remove the ordinance from the agenda. Seconded by Dr. Herrmann. Voice vote was taken and carried. The ordinance was removed.

Ordinance No. 20232 Accepting a grant in the sum of \$241,122.00 from the U.S. Department of Labor and appropriating said funds to continue operation of the Public Service Employment Program.

Ray Corpuz, Director of Manpower Planning, explained that the City has applied for acceptance of an appropriation of the federal funds for the Service Employment Program.

The Ordinance was set over for final reading next week.

Ordinance No. 20233 Amending the pay and compensation plan relative to wages and salaries of certain Local #483 Water Division employees.

Hugh Judd, Labor Relations Director, asked that the Council substitute page 77 in the ordinance with an amended page, which would correct an error.

Mrs. Egan moved that substitute page 77 be inserted. Seconded by Mr. Sonntag. Voice vote was taken and carried.

The Ordinance was set over for final reading next week.

Ordinance No. 20234 Fixing the ad valorem tax for fiscal year 1975.

Earl Mittelstaedt, Finance Director, explained that the ordinance would levy the amount of tax to be assessed on the property within the City limits. He also explained that this year changes have been made in the assessed valuation.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 23028 (Continued from the meeting of October 1st) Establishing a Housing and Community Development Citizens Advisory Committee.

Mrs. Egan moved that the Resolution be adopted. Seconded by Mr. Sonntag.

Speaking in opposition to the Resolution were: Thomas Dixon, Executive Director of the Urban League and Virginia Taylor, a citizen.

Mr. Nelson left the meeting at 7:00 p.m.

Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 23035 (Continued from the meeting of October 1st) Authorizing execution of an agreement with TelePrompter Corporation to grant a rate increase and providing for certain agreements between TelePrompter and the City of Tacoma relative to service.

Mrs. Egan moved that the new schedule of rates and charges be inserted in the agreement as follows:

- Item 1. Monthly service charge \$6.95, additional outlets \$1.50.
Item 2. Rate per month per outlet \$6.75, \$4.75, \$3.50 and \$3.00.
Item 3. Time and material \$6.95, additional outlets \$1.50.

Seconded by Mr. Hudson. Voice vote was taken and carried.

Mr. Hudson moved to fix the effective date of the rates retroactive to October 1, 1974. Seconded by Mr. Sonntag. Voice vote was taken and carried.

Mr. Nalley left the meeting at 7:25 p.m.

Voice vote was taken on the amended Resolution and carried.

Mr. Nelson returned at 7:30 p.m. and Mr. Nalley at 7:35 p.m.

Resolution No. 23036 Awarding contract to Lige Dickson Company on its bid of \$21,980.07 for L.I.D. 3753-sanitary sewers in North Frace Street from approximately 200 feet north of North 37th to North 42nd Street.

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. 23037 Authorizing sale of surplus property, Block 26, Hillcrest Addition to Tacoma, Wash. to Ten Fold, Inc. on its bid of \$12,101.00 cash.

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. 23038 Designating the Old City Hall as a City of Tacoma Historic Landmark.

Mrs. Egan moved that the Resolution be adopted. Seconded by Mr. Sonntag.

Speaking in favor of the Resolution were Alan Liddle, Chairman of the Landmarks Preservation Commission and Betty Sias, member of the Commission.

Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 23039 Establishing positions and compensation for temporary employees in the Community Development Project.

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. 23040 Authorizing execution of an agreement with Pierce County to provide sewer service to an area in Pierce County in the vicinity of South 96th and Hosmer Streets.

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. 23041 Authorizing execution of a contract with the Washington State Department of Ecology for the acceptance of a facilities plan grant offer for upgrading and expanding the Tacoma sewage collection, treatment and disposal facilities.

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. 23042 Authorizing the proper officers of the City to execute a contract with Consoer, Townsend and Associates for preparation of a comprehensive facilities plan for upgrading and expansion of Central Sewage Treatment Plant.

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

Resolution No. 23043 Authorizing execution of amendment to agreement to extend the contract with Stanford Research Institute for continued evaluation of the STEP Project.

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. 23044 Declaring the intent to approve the transfer of function of the police reserve force and/or auxiliary police from the Emergency Services Department to the Police Department.

Dr. Herrmann moved that the Resolution be adopted. Seconded by Mr. Sonntag.

After discussion, Dr. Herrmann moved that the resolution be continued for 60 days. Seconded by Mr. Warnick. Voice vote was taken and failed.

Roll call was taken on the resolution, resulting as follows:

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

Nays: 3- Nalley, Nelson, Warnick

Absent: 1 - Moss

The Resolution was declared adopted.

Resolution No. 23045 Amending Rule 10 of the Council Rules of Procedure to provide for public hearings on appointments.

Mr. Hudson moved that the Resolution be adopted. Seconded by Mrs. Egan.

Roll call was taken, resulting as follows:

Ayes: 4 - Egan, Hudson, Nalley and Warnick

Nays: 4 - Herrmann, Nelson, Sonntag, Mayor Johnston Absent: 1 - Mr. Moss

The Resolution was declared failed.

Mr. Hudson changed his vote from aye to nay to be on the prevailing side.

Mayor Johnston moved to suspend the Rules to consider Resolution 23046. Seconded by Mr. Sonntag. Voice vote was taken and carried.

Resolution No. 23046 Approving a proposed assignment and amendment of Contract for Sale of Land for Private Redevelopment, dated March 28, 1973, between the City and Pacific Northwest Bell Telephone Company, from the Pacific Northwest Bell, Assignor, to Seymour B. Levin, Trustee of Levin-Tacoma Trust, Assignee.

Mayor Johnston 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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PUBLIC HEARINGS:

This is the date set for hearing a proposed amendment to an existing open space current use classification on the property located on the east side of Cedar Street between South 19th Street and SR-16 Freeway. (Tacoma Lodge No. 174 B.P.O.E.) (9-4-74 Planning Commission recommended approval 6-0, 1 absent)

Rod Kerslake, Planning Department, reviewed the request and state law governing the payment of taxes on the reclassification.

Murray Anderson, member of the Board of Trustees of the Elks, asked that the penalty fee as outlined in the Planning Commission's decision be removed.

Floyd Oles, Elks Club representative, answered questions of Council and also requested the removal of the penalty provision.

Mr. Nelson moved to strike the penalty provision. Seconded by Mr. Sonntag.

After discussion on the legality of the amendment, Mrs. Egan moved to continue the hearing one week. Seconded by Mr. Nelson. Voice vote was taken and carried.

Mrs. Egan requested the legal department research and advise the Council as to whether Council can legally take this action without the recommendation of the Planning Commission.

This is the date set for the meeting with initiating parties of the petition to annex the area between 19th Street West and 27th Street West/Regents Blvd. from Rochester Street to the west Fircrest City Limits. (Patrick J. Lyon, et al)

George Hoivik, Planning Department, reviewed the area of proposed annexation, answered questions and advised Council of the necessary steps to be taken in annexation.

Mr. Sonntag moved that the Council express its intent to accept the 75 percent petition. Seconded by Mr. Nalley. Voice vote was taken and carried.

Mr. Sonntag moved to require the proposed area of annexation to assume the existing bonded indebtedness of the City. Seconded by Mr. Warnick. Voice vote was taken and carried.

Mr. Sonntag moved to waive the simultaneous adoption of a comprehensive plan for the area. Seconded by Dr. Herrmann. Voice vote was taken and carried.

REPORTS BY CITY MANAGER:

Mr. Donaldson advised there will not be a study session next Monday due to the Columbus Day holiday and asked that Council schedule a special study session toward the end of next week or the beginning of the following week to give guidance on certain areas of the budget. Mayor Johnston set Thursday, noon, October 17, 1974 for the Study Session at a public place to be designated.

COMMENTS BY MEMBERS OF THE CITY COUNCIL:

Mr. Sonntag commented on his prior suggestion that he be informed of all proceeds above administrative costs of the gambling ordinance in order that he may make a motion to designate that sum of money to Police enforcement of the gambling laws. Mr. Donaldson concurred.

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Mr. Hudson distributed to Council a redraft of the proposed Citizen Involvement Committee and solicited comments from Council members. Mr. Hudson also commented on the costs of his previous suggestion of an advisory ballot on gambling and said he would not propose a resolution for the ballot at this time. He also suggested as an alternate proposal on the gambling funds that the money be held for approximately six months in the general fund for a full determination of the expenses of the gambling difficulties, if any, and then make the decision as to how the money should be used.

Mayor Johnston asked Mr. Donaldson to schedule Mr. Hudson's Citizen Involvement Committee resolution for discussion at a study session.

Mr. Nalley commented on the complaints he has received concerning the lack of information and misinformation on the time and places available for voter registration and asked that Mr. Donaldson obtain this information for him. He also requested that eight copies of the Harris Public Opinion Survey covering the credibility of various professions and jobs be obtained.

Mayor Johnston advised that a citizen is requesting to be heard and pointed out the rules of procedure concerning this and how he could be permitted to be heard next week. Mr. Warnick moved to suspend the rules to permit Mr. Doug Sutherland to speak. Seconded by Mrs. Egan. Voice vote was taken and carried.

Mr. Sutherland presented the Mayor with a new Washington State Flag for the Council Chambers.

Upon proper motion, the meeting adjourned at 9:25 p.m.



GORDON JOHNSTON - MAYOR

ATTEST:



E. E. BOND - CITY CLERK

