

CITY COUNCIL MINUTES

City Council Chambers
September 9, 1975

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

Present on roll call: 7 - Egan, Hudson, Nalley, Nelson, Sonntag, Warnick and Deputy Mayor Hermann. Absent: 1 - Mayor Johnston (One Council Vacancy)

The Flag Salute was led by Mr. Nelson.

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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 September 2, 1975.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Citizens Transportation Advisory Committee meeting of August 27, 1975.
- b. Minutes of Board of Park Commissioners meeting of August 25, 1975.
- c. Monthly report, Tacoma-Pierce County Human Society & SPCA, July, 1975.
- d. Second quarter status report for grant #75-C-0117 "Youth Services Bureau Coordinator of Volunteers. "
- e. Notice from Pierce County Commissioners that a Public Transportation Improvement Conference will be held on Monday, September 29, 1975 at 2:00 p.m. in the Pierce County Commissioners Council Chambers, in compliance with Substitute Senate Bill 2280.

Mr. Hudson moved that all of the items listed on the Consent Agenda be approved. Seconded by Deputy Mayor Hermann. 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: Hearings Examiner submitting report and recommendation on Shoreline Management Permit Application No. 141.106 of Pennwalt Corporation for replacement of docking facilities and installation of two Chlorine storage tanks.

Robert Backstein, Hearings Examiner, gave a brief summary of the request and advised that unless a Council member requests a hearing, the decision of the Hearings Examiner becomes final on September 17, 1975.

Mr. Hudson moved to concur in the recommendation of the Hearings Examiner. Seconded by Mr. Sonntag. Roll call was taken resulting in ayes: 7 - Egan, Hudson, Nalley, Nelson, Sonntag, Warnick, Deputy Mayor Hermann. Nays: 0 Absent: 1 - Mayor Johnston. (One Council Vacancy) The motion carried.

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FINAL READING OF ORDINANCES:

Ordinance No. 20547 Vacating South 14th Street from Yakima Avenue easterly 150 feet and the alley from South 14th and 15th Streets between South "G" and Yakima Avenue. (St. Leo's Church)

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Mayor Johnston (One Council Vacancy)

The Ordinance was declared passed.

Ordinance No. 20548 Vacating the alley between Alaska and Asotin Streets from South 74th to South 76th Streets. (Tobe & Motoko Owens, et al)

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Mayor Johnston (One Council Vacancy)

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FIRST READING OF ORDINANCES:

Ordinance No. 20549 Amending the pay and compensation plan to provide a modified method of computing holiday entitlements for employees working less than a full year.

Odd A. Lund, Personnel Director, explained that the ordinance provides for allowing one day off for each holiday worked for those employees in the Police, Fire and Transit Departments who are required to work holidays.

The Ordinance was set over for final reading next week.

Ordinance No. 20550 Amending the pay and compensation plan to provide pay differential for Customer Service Assistant assigned as Training Officer.

The Ordinance was set over for final reading next week.

Ordinance No. 20551 Amending Chapter 12.12 of the Official Code relative to bus passes for handicapped persons.

The Ordinance was set over for final reading next week.

Ordinance No. 20552 Amending Chapter 2.06 of the Official Code to add regulations concerning enclosure of swimming pool areas.

Mr. Warnick moved to delete on line 25 through line 27 the words "and which do not exceed a maximum depth of eighteen inches (18)". Seconded by Mr. Hudson. Voice vote was taken and carried.

Ed Lane, Attorney representing Mr. and Mrs. James Bellamy who have a swimming pool, objected to the wording of the ordinance. He said it should not be made retroactive, as his clients and others already have adequate security for their pools. He also felt the ordinance is indefinite and should be more specific in defining the area to be enclosed.

Mr. Sonntag requested the City Manager's Office to provide the City Council with information as to injuries, deaths, accidents or lawsuits on the 159 swimming pools in Tacoma by next week.

Mr. Sonntag moved to continue first reading of the ordinance to next week. Seconded by Mr. Hudson. Voice vote was taken and carried. First reading of the ordinance was continued to next week.

Ordinance No. 20553 Vacating South "C" Street beginning 100 feet north of South 76th and extending approximately 203 feet north, and unnamed right-of-way between South 74th Street extended and South 76th from South "D" to approximately 306.14 feet east. (Fred Meyer Properties, Inc.)

The Ordinance was set over for final reading next week.

Ordinance No. 20554 Amending Chapter 13.06 of the Official Code to change the classification of the southeast corner of South 38th and South "K" Streets from an "R-3" to a "C-1" District. (John C. and Janice S. McCracken)

The Ordinance was set over to a date to be designated.

Ordinance No. 20555 Authorizing condemnation of certain properties on Sixth Avenue for street purposes.

The Ordinance was set over for final reading next week.

Ordinance No. 20556 Authorizing appropriations to complete Urban Arterial Construction Program.

The Ordinance was set over for final reading next week.

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Deputy Mayor Herrmann moved to suspend the rules in order to allow former Mayor Harold Tollefson to speak regarding an L.I.D. which he wishes to ask to be referred back to the L.I.D. Committee. Seconded by Mr. Sonntag. Voice vote was taken and carried.

Mr. Tollefson advised that he owns property along Marine View Drive on the upper side on a bluff which has been included in L.I.D. 5512 for construction of a water main. He said that he had learned that the LID Committee at their meeting of September 8th had advised persons present at the meeting that the ordinance for the assessment roll on L.I.D. 5512 would be before Council for their consideration on September 16th and that those objecting to the assessment should come to that meeting to voice their opinions at that time. He reviewed for Council the many continued hearings on the LID and felt that proper procedures had not been followed since he had been promised photographs would be taken of his property to be considered by the Committee and also that he had

not been notified of the continued hearing date so he could be heard on why he felt he did not benefit from the LID. He asked that Council refer the LID back to the Committee for further hearing prior to considering an ordinance.

Mr. Warnick moved to refer L.I.D. 5512 back to the LID Committee for further hearing at their next regularly scheduled meeting on September 22, 1975 at 4 p.m. Seconded by Mr. Nelson. Voice vote was taken and carried.

Mr. Hudson, member of the LID Committee, asked that staff provide him with certain legal information pertaining to assessments in order to have answers to questions which may arise at the Committee meeting.

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RESOLUTIONS:

Purchase Resolution No. 23529 Awarding contract to Kent Gilchrist GMC School Bus Division on their bid of \$12,440.92 for a maxi-van for the Human Development Department.

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. 23530 Authorizing execution of an agreement with Touche Ross & Company to provide for productivity study involving the Municipal Court System and Violations Bureau.

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

Resolution No. 23531 Authorizing the proper officers of the City to execute a Quit Claim Deed on certain L. I. Guaranty Fund property located at 4949 - 32nd Street N.E. to Marvin R. and Sharon F. Cooley.

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. 23532 Authorizing the proper officers of the City to execute an extension of the agreement with Mr. Harvey Singleton for services as Program Coordinator for the Totem I Project through December 31, 1975.

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

Resolution No. 23533 Authorizing execution of a collective bargaining agreement with I.B.E.W. Local #483, Traffic Signal and Fire Alarm Division to be effective April 1, 1975 through March 31, 1976.

Mr. Hudson moved that the Resolution be adopted. Seconded by Mrs. Egan. Hugh Judd, Labor Relations Director, referred to a typographical error and the fact the contract does not include changes in vacation usage recently approved by Council. He asked that these changes be allowed. Council agreed to the changes.

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

Resolution No. 23534 Authorizing execution of a collective bargaining agreement with Teamsters, Chauffeurs, Warehousemen and Helpers Union Local #313 to be effective January 1, 1975 through December 31, 1975.

Mr. Judd asked that this resolution be removed from the agenda.

Mrs. Egan moved that the resolution be removed from the agenda. Seconded by Mr. Hudson. Voice vote was taken and carried. The Resolution was removed.

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Mr. Nelson moved to reconsider the vote on Resolution 23528, which failed last week. Seconded by Mr. Warnick. Voice vote was taken and carried.

Resolution No. 23528 Determining the amount of Business and Occupation Tax to be levied against the American Plywood Association, including interest and penalty, for the years 1965 through 1974.

Mr. Nelson moved that the Resolution be adopted. Seconded by Mr. Sonntag.

Mr. Nalley moved to amend the resolution by deleting the penalty of \$8,288.96. Seconded by Mr. Sonntag. Roll call was taken, resulting in Ayes: 5 - Hudson, Nalley, Nelson, Sonntag and Deputy Mayor Herrmann. Nays: 2 - Egan and Warnick. Absent: 1 - Mayor Johnston. (One Council Vacancy) The motion was declared carried.

Roll call vote was taken on the resolution as amended resulting in Ayes: 5 - Hudson, Nalley, Nelson, Sonntag and Deputy Mayor Herrmann. Nays: 2 - Egan and Warnick. Absent: 1 - Mayor Johnston (One Council Vacancy) The Resolution as amended was declared adopted.

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PUBLIC HEARINGS: This is the date set for hearing on the proposed text amendments to Title 13 of the Official Code relating to procedures of the Hearings Examiner, zoning and shoreline permits. (Continued from the meeting of September 2, 1975)

Rod Kerslake, Planning Department, pointed out the proposed changes. Council had a copy of the proposed ordinance.

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

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COMMENTS BY MEMBERS OF THE CITY COUNCIL:

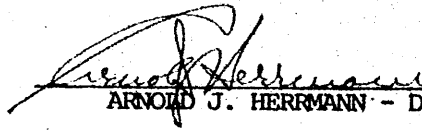
Deputy Mayor Herrmann called attention to the Council Rules of Procedure, which set forth that the Council meeting shall be held the day after the primary election, which is Tuesday, September 16, 1975. However, Wednesday, September 17th is Tacoma Day at the Fair. He suggested the meeting date be changed to Thursday, September 18th and explained that this had been done in the past.

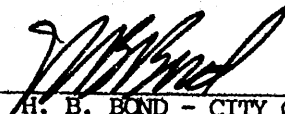
Mr. Sonntag moved that the next regular meeting be changed to Thursday, September 18, 1975. Seconded by Mr. Warnick.

Mr. Hudson moved to suspend the Council Rules of Procedure and hold the meeting on Election Day, September 16, 1975. The motion failed for lack of a second.

Voice vote was taken and carried on the motion to hold the next regular meeting on Thursday, September 18, 1975.

On proper motion the meeting adjourned at 6:45 p.m.


ARNOLD J. HERRMANN - DEPUTY MAYOR

ATTEST: 
H. B. BOND - CITY CLERK