

CITY COUNCIL MINUTES

City Council Chambers
January 7, 1975

The meeting was called to order at 5:07 p.m.

Present on roll call: 9 - Egan, Herrmann, Hudson, Moss, Nalley, Nelson, Sonntag, Warnick and Mayor Johnston.

The Flag Salute was led by Mr. Sonntag.

Mayor Johnston moved to suspend the rules to recess into Executive Session to discuss the role of the Mayor's Administrative Assistant in the upcoming State Legislative Session. Seconded by Mr. Warnick. Voice vote was taken and carried. The Council recessed into Executive Session at 5:09 p.m. The Council reconvened at 5:25 p.m.

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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 December 26, 1974.

PETITIONS:

CONIFER DEVELOPMENTS, INC., requesting the rezoning of the northeast corner of South 54th and Ferry Streets from an "R-2" to an "R-3" District.

EDUCATIONAL EMPLOYEES CREDIT UNION requesting the rezoning of the southeast corner of South 12th Street and Pearl Street from an "R-2" to an "R-2-T" District.

For referral to the Planning Commission.

RESOLUTIONS:

Resolution No. 23168 Fixing Monday, January 27, 1975 at 4:00 p.m. as the date for hearing L.I.D. 3758 for sanitary sewers in South 83rd Street from Sheridan Avenue east to Cul-de-sac.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the meeting of City Planning Commission of December 16, 1974.
- b. Minutes of the meeting of Human Relations Commission of December 19, 1974.
- c. Minutes of the meeting of Board of Park Commissioners of December 23, 1974.

Mr. Nelson moved that all of the items listed on the Consent Agenda be approved, including Resolution No. 23168. Seconded by Mr. Nalley. Voice vote was taken and carried. The items were declared approved.

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REGULAR AGENDA

FINAL READING OF ORDINANCES:

Ordinance No. 20288 Approving and confirming the assessment roll for L.I.D. 3750 for construction of sanitary sewers in South Sheridan Avenue from South 88th to South 92nd 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. 20289 Approving and confirming the assessment roll for L.I.D. 5516 for construction of water mains in North 27th from McCarver to Starr 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. 20290 Approving and confirming the assessment roll for L.I.D. 5532 for construction of water mains in East "C" from East 45th to 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. 20291 Approving and confirming the assessment roll for L.I.D. 8005 for permanent paving on East "B" from East 40th to 50th and other nearby streets and storm drain lines in East 43rd from East "B" to "C" and East 40th from East "F" to "E" 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. 20292 Approving and confirming the assessment roll for L.I.D. 8010 for permanent paving on "A" Street from East 56th to 60th 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. 20293 Providing for the improvement of L.I.D. 5549 for water mains in 45th Avenue NE from 30th Street NE to 33rd Street NE and 30th Street NE from 44th Avenue NE to 45 Avenue NE.

Speaking against the ordinance was William Hyatt, 2902 49th Avenue NE. Mr. Hyatt said he and Forest Keizer jointly owned 10 lots which slope into a gulch directly across the street from the property of Edward Miller, the petitioner, who is the only other property owner in the L.I.D. District. He advised that the cost of this improvement, together with any future L.I.D.'s for storm drains, sewers, paving and sidewalks would amount to \$5,375 on each lot, in addition to what they have in the lots now. He also advised that he and his partner have decided that if the L.I.D. passes, they would pay no further taxes nor make any L.I.D. payments as the lots could not then be sold without a great loss.

On questions of Council members, Robert Hamilton, City Attorney, advised that at this point in an initial L.I.D., the Council is not obligated to approve the L.I.D. even though there is not over 50 percent remonstrance. It was pointed out that the remonstrance on the L.I.D. is 41 percent.

Mrs. Egan moved that the local improvement district not be formed. Seconded by Mr. Warnick.

Mr. Hamilton pointed out the motion is not necessary and that roll call on the ordinance should be taken instead.

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

Ayes: 0

Nays: 9 - Egan, Herrmann, Hudson, Moss, Nalley, Nelson, Sonntag, Warnick and Mayor Johnston

The Ordinance was declared failed.

Mr. Nelson moved to suspend the rules in order to reconsider ordinance 20209 relative to the Police Reserve, which was adopted last week. He said he wished to amend the first page relative to a declared emergency as the language is inconsistent to the language on page three, line three. Seconded by Mr. Hudson. Voice vote was taken and carried.

Mr. Nelson moved to delete the words "in case of a declared emergency" on line 23 of the first page. Seconded by Dr. Herrmann. Roll call was taken, resulting as follows: Ayes: 6 - Egan, Herrmann, Hudson, Nalley, Nelson, Mayor Johnston. Nays: 3 - Moss, Sonntag, Warnick The motion was declared carried.

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

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

Nays: 4 - Nalley, Nelson, Sonntag, Warnick

The Ordinance as amended was declared passed.

Mr. Warnick left the meeting at 6:05 p.m.

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FIRST READING OF ORDINANCES:

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.

The Ordinance was set over for final reading next week.

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.

The Ordinance was set over for final reading next week.

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.

The Ordinance was set over for final reading next week.

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)

The Ordinance was set over for final reading next week.

Ordinance No. 20298 Amending Section 6.20.040 of the Official Code relative to special location license for boiler operator or engineer.

Ron Button, City Engineer, explained that the Public Works Department felt an examination should be given in order to establish that the operator knows what to do when an unsafe situation occurs. The Ordinance presently in effect requires that they successfully pass the examination for the license. In the event of failure to pass the exam, there is a provision for a provisional license pending another examination within six months or an appeal to the board.

Dan Warren, representative of the Operating Engineers Local 286, spoke in favor of the ordinance, which grants a special location license in certain instances without an examination.

Mr. Nelson moved to amend the ordinance on line 16 after the word "location" to add the words "or for a particular employer". Seconded by Mr. Sonntag. After discussion, the motion was withdrawn.

Speaking against the ordinance was Robert Buss, Chief Engineer of the Bon Marche and a member of the Boiler and Engineer's Examining Appeal Board.

After further discussion, Mr. Moss moved to continue first reading of the Ordinance to January 28, 1975. Seconded by Mrs. Egan. Roll call on the motion resulted as follows: Ayes: 5 - Egan, Herrmann, Hudson, Moss, Mayor Johnston. Nays: 2 - Nelson and Sonntag. Absent: 2 - Nalley and Warnick. The motion carried.

First Reading of the Ordinance was continued to January 28, 1975.

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RESOLUTIONS:

Purchase
Resolution No. 23169 Awarding contract to Star Machinery Company on its bid of \$22,555.26 for four (4) portable air compressors.

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

Resolution No. 23170 Authorizing sale of certain miscellaneous surplus vehicles to the highest bidders.

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

Resolution No. 23171 Approving the forfeiture of the bid bond submitted by Hanson Excavating Company, Inc. in the sum of \$380.45 for contract on Improvement 3755 awarded by Resolution No. 23103.

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. 23172 Authorizing execution of an agreement with the Washington State Human Rights Commission to provide more efficient services to persons discriminated against in real property transactions.

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

Resolution No. 23173 Authorizing the City Manager to execute and file all documents and make all necessary certifications required for pollution control project cost reimbursements.

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

Resolution No. 23174 Authorizing execution of supplementary agreement with the Tacoma Community College to extend emergency medical Technicians training of 60 firefighters to June 1, 1975.

Mr. Sonntag 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:

- a. This is the date set for hearing the request for vacation of South "C" Street beginning 100 feet north of South 76th and extending approximately 203 feet north and vacation of an unnamed r/o/w between South 74th Street extended and South 76th from South "D" to a point approximately 306.14 feet east. (11-18-74 Planning Commission recommended approval 6-0, 1 absent) (Fred Meyer Properties, Inc.)

Russell Buehler, Planning Department Director, said that discussion would cover both items a and b. Mr. Buehler reviewed the area of the proposed vacation and rezone for Council and advised that all of the conditions of the Planning Commission have been met.

Mr. Steve Turlis, representing the petitioner, answered questions of Council and urged approval of the vacation and rezone.

Mr. Sonntag moved to concur in the recommendation of the Planning Commission. Seconded by Mr. Moss. Voice vote was taken and carried.

- b. This is the date set for hearing the request for rezoning the northwest corner of South 76th and Pacific Avenue from an "R-2" and "R-4-L" to a "C-P-C" District. (11-18-74 Planning Commission recommended approval 6-0, 1 absent) (Fred Meyer Properties, Inc.)

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

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COMMENTS BY MEMBERS OF THE CITY COUNCIL:

Mayor Johnston advised that Mr. Warnick left the meeting earlier because he was feeling ill and has asked to be excused.


Mr. Hudson inquired of Mr. Donaldson regarding information received on the professional guidelines which indicated the Department of Public Utilities might not adopt them.

Mr. Donaldson said it is his understanding that the Department of Public Utilities has no objections and are presently practicing that system.

CITIZENS REQUESTS TO BE HEARD:

Roger Howeller, Executive Secretary of the Tacoma Employees Retirement System, advised Council of an open meeting at 7 p.m., Wednesday, January 15, 1975 in the Department of Public Utilities Auditorium, which the Retirement Board has scheduled for members of the Retirement System for the purpose of receiving input from the members on three subjects currently under discussion by the Board, i.e, (1) a petition for military credit, (2) request by the Director of Utilities that on January 1, 1976 when the 60 percent maximum retirement benefit goes into effect, employee contributions no longer be made by members of the Retirement System who have reached the 60 percent maximum level, and (3) the State Legislature's study of the possibility of combining all public pension systems.

On proper motion, the meeting adjourned at 7:50 p.m.



GORDON JOHNSTON - MAYOR

ATTEST: 

H. B. BOND - CITY CLERK