

CITY COUNCIL MINUTES

City Council Chambers
December 11, 1973

The meeting was called to order at 7:23 p.m.

Present on roll call: 8 - Hudson, Jarstad, Nalley, Schuur, Sonntag, Herrmann, Moss and Mayor Johnston. Absent: Egan.

The Flag Salute was led by Mr. Jarstad.

Mayor Johnston moved to excuse Mrs. Egan, due to illness. Seconded by Mr. Sonntag. Voice vote was taken and carried.

CONSENT AGENDA

Approval of the minutes of the meeting of December 4, 1973.

PETITIONS:

H. G. Turner requesting the rezoning of the property located on the north side of South 37th Street between Pacific Avenue and Crandal Lane from an "R-3" to an "R-4-LT" District.

For referral to the Planning Commission.

RESOLUTIONS:

Resolution No. 22520

Fixing Tuesday, January 8, 1974 at 7:00 P.M. as the date for hearing the request for rezoning the West side of Pacific Avenue approximately 113 feet north of Spooner Street from an "R-2" to an "R-4-LT" District. (David A. Tonnesson)

Resolution No. 22521

Fixing Tuesday, January 8, 1974 at 7:00 P.M. as the date for hearing the request for vacation of alley lying between East 26th and 27th from East "G" to East "J" Street. (Container Corp. of America)

Resolution No. 22522

Fixing Monday, January 14, 1974 at 4:00 P.M. as the date for hearing L.I.D. 8037 for paving along North Ferdinand from North 25th to 26th; North Ferdinand from North 31st to 33rd; and North 25th from North Verde to North Cheyenne.

Resolution No. 22523

Fixing Monday, January 14, 1974 at 4:00 P.M. as the date for hearing L.I.D. 8039 for paving along South 70th from Oakes to Prospect, South Fife from South 70th to 72nd; and South Montgomery from South 76th to 77th Street.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Board of Administration of the Tacoma Employees' Retirement System meeting of October 25, 1973.
- b. Minutes of Civil Service Board meeting of November 19, 1973
- c. Minutes of Board of Park Commissioners meeting of November 26, 1973.
- d. Monthly report, purchases and sales of investments during November, 1973, Tacoma Employees' Retirement System.
- e. Monthly report, October, 1973, Tacoma-Pierce County Humane Society.
- f. Monthly report, Bill's Towing, Inc., November, 1973

Dr. Herrmann moved that all items on the Consent Agenda, including Resolutions Nos. 22520, 22521, 22522 and 22523 be approved. Seconded by Mr. Hudson. Voice vote was taken and carried. The items were declared approved.

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PROCLAMATION:

Mayor Johnston proclaimed the week of December 9th through 16th, 1973 as Railroad Week.

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R E G U L A R A G E N D A

COMMUNICATIONS:

- a. Appeal for damages by E. A. Larsen.

The communication was placed on file.

PUBLIC HEARINGS AND APPEALS:

- a. This is the date set for hearing on proposed text amendments to the Zoning Ordinance relating to extension of existing cemeteries and processing times for rezone applications. (11-5-73 Planning Commission recommended approval 7-0, 1 absent)

Russ Buehler, Planning Department Director, advised Council that the text amendments are necessary in order to implement changes in the Charter which were adopted by the vote of the people recently.

Mayor Johnston 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 on certain proposed sidewalk construction and repairs.

Charles McFail, Public Works Department, advised Council that these repairs were found to be necessary and all property owners have been notified. If the sidewalks are not repaired by the owners, the assessments will be levied according to state law.

Mr. Lewis, 504 So. 35th Street, spoke against the assessment.

Robert Sutherland, 3722 E. "J", complained about the payment program. He was advised this also is according to state law.

John C. Frai also made inquiries about the payment program.

Mayor Johnston moved that the listed sidewalk construction and repairs be approved. Seconded by Mr. Moss. Voice vote was taken and carried.

Mr. Jarstad left the meeting temporarily.

- c. This is the date set for hearing William N. Udall's appeal on the Planning Commission's denial of his request for rezoning the northeast corner of Sixth Avenue and Madison Street from a "C-1" to a "C-2" District. (11-5-73 Planning Commission recommended denial 4-3, 1 absent)

Russ Buehler, Planning Department Director, reviewed past history of the area in question and advised that in 1965 the City Council had recommended the area across the street remain a "C-1" District. He also advised the petitioner wishes to build an auto supply store on the site. The Planning Commission felt the "C-1" zoning should be retained as a buffer to the adjoining residents.

Mr. Udall, of Udall Realty, advised that they are willing to place a land use restriction against tavern use if the "C-2" zoning is allowed. He reviewed his reasons for feeling the request of the "C-2" zoning was a legitimate appeal.

Also urging approval of the "C-2" rezone was Mr. Rosen, real estate broker for the buyer, Top Auto.

Speaking against the rezone was Mary E. Cox, 3907 So. 7th Street.

Mr. Sonntag moved to concur in the recommendation of the Planning Commission to deny the rezone. Seconded by Mr. Hudson. Voice vote was taken and carried. The appeal was denied.

FINAL READING OF ORDINANCES:

Ordinance No. 20003 Amending Section 1.12.550 of the Official Code to add the position of Police Research and Development Planner.

Roll call was taken, resulting as follows:

Ayes: 7 - Herrmann, Hudson, Moss, Nalley, Sonntag, Schuur, Mayor Johnston.

Nays: 0

Absent: 2 - Egan and Jarstad

The Ordinance was declared passed.

Ordinance No. 20009 Repealing and reenacting Section 11.42.020(2) of the Official Code relative to Motorcycle Regulations.

Roll call was taken, resulting as follows:

Ayes: 7 - Herrmann, Hudson, Moss, Nalley, Sonntag, Schuur and Mayor Johnston.

Nays: 0

Absent: 2 - Egan and Jarstad

The Ordinance was declared passed.

Ordinance No. 20010 Creating and establishing a new fund to be known as Radio and Communication Maintenance Revolving Fund 554 for monetary transactions relative to the Communication Center.

Roll call was taken, resulting as follows:

Ayes: 7 - Herrmann, Hudson, Moss, Nalley, Sonntag, Schuur and Mayor Johnston

Nays: 0

Absent: 2 - Egan and Jarstad

The Ordinance was declared passed.

Ordinance No. 20011 Amending Section 1.12.080 of the Official Code relative to Overtime Compensation.

Roll call was taken, resulting as follows:

Ayes: 7 - Herrmann, Hudson, Moss, Nalley, Sonntag, Schuur and Mayor Johnston

Nays: 0

Absent: 2 - Egan and Jarstad

The Ordinance was declared passed.

Ordinance No. 20012 Appropriating \$909.96 or so much thereof as may be necessary from the Genral Fund for the purpose of purchasing certain capital outlay items for the Personnel Department.

Roll call was taken, resulting as follows:

Ayes: 7 - Herrmann, Hudson, Moss, Nalley, Sonntag, Schuur and Mayor Johnston

Nays: 0

Absent: 2 - Egan and Jarstad

The Ordinance was declared passed.

Mr. Jarstad returned to the meeting.

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FIRST READING OF ORDINANCES:

Ordinance No. 20013 Appropriating \$91,000.00 or so much thereof as may be necessary from the Federal Shared Revenue Fund for the purpose of establishing and operating an Adult Offender Outreach Program to be administered by the Human Development Department.

Mel Jackson, Director of the Human Development Department, reviewed the proposal for Council. John C. Frai commented that he felt the program should be administered by ex-convicts.

Speaking in favor of the ordinance were Mr. Willy Cheatum, Mr. Ruslund and Mrs. McTata, ex-offenders. Also speaking in favor was Thomas Dixon, Executive Director of the Urban League.

The Ordinance was set over for final reading next week.

Ordinance No. 20014 Appropriating \$127,000.00 or so much thereof as may be necessary from the Federal Shared Revenue Fund for the purpose of establishing and operating a Tacoma Veterans Action Center to be administered by the Human Development Department.

Mel Jackson reviewed this proposal for Council. Mr. Nalley read a letter he received from Ed Faker, Chairman, Pierce County Veterans Advisory Council, relative to a meeting to be held later in the week on the proposal.

Mr. Nalley moved to continue first reading of the ordinance to December 18, so that all interested parties can be heard next week. Seconded by Mr. Schuur. Voice vote was taken and carried.

First reading of the ordinance was continued to December 18, 1973.

Ordinance No. 20015 Amending Section 10.10.010 of the Official Code to provide for retention of 5 percent of amount of contracts over \$100,000.00.

Gilbert Schuster, Public Works Department Director, advised that the lowering of the retained percentage, from 10% to 5% on all contracts over \$100,000.00 would bring City Ordinances in compliance with recently enacted state law.

The Ordinance was set over for final reading next week.

Ordinance No. 20016 Authorizing the City Attorney to initiate a condemnation action for the purpose of acquiring two parcels of real property for the Tacoma Industrial Airport.

Robert Hamilton, City Attorney, advised that the City recently received a grant from the F.A.A. for the purpose of acquiring additional land for the airport. Agreement has been reached on all parcels of land with exception of these two.

The Ordinance was set over for final reading next week.

Ordinance No. 20017 Creating a new fund to be known as the "Bayside Greenbelt Project Fund" and appropriating the sum of \$42,680.00 or so much thereof as may be necessary from the General Fund to the Bayside Greenbelt Project Fund for application for matching funds, appropriating the sum of \$146,720.00 or so much thereof as may be necessary for the purpose of carrying out the Bayside Greenbelt Project and declaring an emergency making necessary the passage of this ordinance.

Mr. Schuster reviewed the Ordinance and project for Council.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Resolution No. 22524 Authorizing settlement of claim of Robert D. Nightingale not to exceed \$1,000.00 of City funds.

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

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Resolution No. 22525 Authorizing execution of an agreement with United Way of Tacoma-Pierce County for implementing the Cooperative Child-Care Staff Training System project.

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

Resolution No. 22526 Authorizing execution of an agreement with Big Brothers of Tacoma-Pierce County for implementing the Big Brothers Services project.

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

Resolution No. 22527 Authorizing execution of an agreement with the Y.M.C.A. of Tacoma-Pierce County for implementing the Recreation and Leisure Time Management Program.

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

Resolution No. 22528 Authorizing execution of an agreement with the Central City Learning Center for implementing the Central City Learning Center project.

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

Resolution No. 22529 Authorizing execution of an agreement with the Legal Assistance Foundation of Tacoma-Pierce County for implementing the Senior Citizen Outreach Service project.

Mr. Nalley moved that the Resolution be adopted. Seconded by Mr. Moss.

Mr. Jackson advised that following preparation of the contract, the question of confidentiality arose. He asked that an amendment to the contract be made relative to the confidential attorney-client relationship. He referred to the December 11th memorandum of Dick Hayas, which listed two additional statements to be included in the contract. He requested that Council make these additions.

Mr. Sonntag moved to amend the agreement to include the two paragraphs mentioned. Seconded by Mr. Nalley. Voice vote was taken and carried. Voice vote was taken on the Resolution and carried. The Resolution was declared adopted.

Resolution No. 22530 Authorizing execution of an agreement with Family Counseling Services for implementing the Senior Citizens Outreach Service project.

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. 22531 Authorizing execution of an agreement with Tacoma Chapter of the American National Red Cross for implementing the Senior Citizen Outreach Service project.

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

Resolution No. 22532 Authorizing execution of an agreement with the Comprehensive Mental Health Center of Tacoma-Pierce County for implementing the Senior Citizen Outreach Service project.

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

Resolution No. 22533 Authorizing execution of an agreement with Lutheran Community Services for implementing the Senior Citizen Outreach Service Project.

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

Resolution No. 22534 Authorizing execution of an agreement with Mary Bridge Children's Hospital for implementing the Senior Citizen Outreach Service project.

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. 22535 Awarding contract to Union Oil Company on its bid for furnishing motor oil requirements for year 1974.

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

Arnold Hall, service station operator, spoke in favor of the Resolution.

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

Resolution No. 22536 Approving the action of the Board of Health relative to establishing revised vacation accrual schedule for employees of the combined Health Department to be effective as of January 1, 1973.

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

Lily Piva, representing a group of employees in the Health Department, urged adoption.

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

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REPORTS BY CITY MANAGER:

Mr. Donaldson referred to a bill passed by Congress which was for municipal aid in the transportation field. An existing program, called "Topics", was incorporated in the new program. He commented there is some objection to the State's plan on allocation of these funds. He advised that tomorrow afternoon the Transportation Sub-Committee of the Puget Sound Governmental Conference has this subject on their agenda. He asked that a member of the City Council volunteer to appear before the Transportation Sub-Committee to represent the City's point of view. He also asked that next Monday, December 17, the Mayor or a Council member volunteer to appear before the Washington State Highway Commission to indicate the City's opposition to the plans.

Mayor Johnston moved to concur in the Manager's recommendation that a representative of the Council appear at the committee meeting tomorrow. Seconded by Dr. Herrmann. Voice vote was taken and carried.

Upon Mayor Johnston's suggestion, Mr. Sonntag volunteered to represent the Council at tomorrow's meeting. Mayor Johnston volunteered to appear before the State Highway Commission on Monday, December 17th.

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COMMENTS BY MEMBERS OF THE CITY COUNCIL:

Mayor Johnston distributed to Council members, Knight, Vale and Gregory's audit of the Water Division and advised that next week distribution of the audit would be made to the administration.

Mr. Sonntag inquired as to the procedures necessary in order to change the starting time of the City Council meetings.

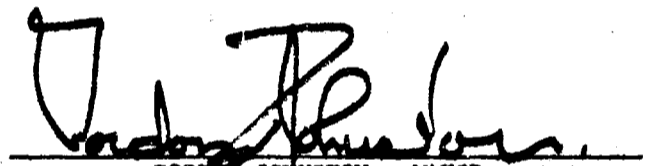
Mr. Hamilton advised that this change can be made by Resolution, amending Rule 1 of the Council's Rules of Procedure.

Mr. Sonntag requested that a Resolution be brought to Council before the end of the year, with a blank space to be filled in for the new starting time.

CITIZENS REQUEST TO BE HEARD:

Bertie M. Edwards, Director of the Model Cities' Senior Citizens' Center, gave a film presentation of the programs, activities and accomplishments of the center.

On proper motion, the meeting adjourned at 10:08 p.m.


GORDON JOHNSTON - MAYOR

ATTEST: 
H. B. BOND - CITY CLERK