

CITY COUNCIL MINUTES

City Council Chambers
May 10, 1977

The meeting was called to order at 5:05 p.m.

Present on roll call: 7 - Bichsel, Nelson, Nielsen, Schroeder, Sonntag, Strega, Warnick. Absent: 2 - Hudson and Mayor Johnston. Mr. Hudson arrived at 5:30 p.m.

The Flag Salute was led by Mrs. Bichsel.

CONSENT AGENDA

Approval of the minutes of the meeting of May 3, 1977.

PETITIONS:

VIOLA OGLE requesting the rezoning of the property located on the northeast corner of 60th and South G Streets from an "R-2" to an "R-3" District.

LLOYD SASS requesting the rezoning of the property located on the southwest corner of 47th and Junett from an "R-3" to an "R-3T" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 24434

Setting Tuesday, May 31, 1977 at 9:00 a.m. as the date for hearing by the Hearings Examiner the vacation of certain streets and alleys south of the Tacoma Mall. (Realbon Corp.)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Tacoma Employees' Retirement System Board meeting of March 24, 1977.
- b. Minutes of Board of Park Commissioners meeting of April 25, 1977.
- c. Minutes of Board of Pierce County Commissioners meetings of May 2 and 3, 1977.
- d. Statistical Report, April, 1977, Municipal Court.

Mrs. Bichsel moved that all of the items listed on the Consent Agenda, including Resolution No. 24434, be approved. Seconded by Mr. Nielsen. Voice vote was taken and carried. The items were declared approved.

PROCLAMATION:

Deputy Mayor Warnick proclaimed the period of May 9 through 13, 1977 as "Pierce County Radio Watch Week".

REGULAR AGENDA

COMMUNICATIONS:

- a. Hearings Examiner submitting Shoreline Management Permit Application No. 141.148 - Industrial Mineral Products, Inc. - approving application for removal of 90,000 cubic yards of fine granulated slag and placement of riprap for bank stabilization on the slag fill northerly of ASARCO in the breakwater area, approximately 760 linear feet on the Commencement Bay side.

Bob Backstein, Hearings Examiner, reviewed the application for Council members.

Arman Labbe, Manager of ASARCO, answered questions of Council members regarding the granulated slag.

Also answering questions was Victor Hoffman of Industrial Mineral Products.

Mr. Nielsen moved to concur in the recommendation of the Hearings Examiner. Seconded by Mr. Schroeder. Roll call vote was taken, resulting in Ayes: 7 - Bichsel, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick. Nays: 0. Absent: 2 - Hudson and Mayor Johnston. The motion carried.

- b. Hearings Examiner submitting revision of Shoreline Management Permit Application No. 141.101 - Donald S. Olson - 4026 Marine View Drive.

Mr. Sonntag moved to concur in the recommendation of the Hearings Examiner. Seconded by Mrs. Bichsel. Roll call vote was taken, resulting in Ayes: 7 - Bichsel, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick. Nays: 0. Absent: 2 - Hudson and Mayor Johnston. The motion carried.

- c. Hearings Examiner submitting Shoreline Management Permit Application No. 141.147 - Tacoma Public Works - approving application for placement of approximately 450 feet of shoreline at the Old Town Beach Park.

Mr. Nelson moved to concur in the recommendation of the Hearings Examiner. Seconded by Mr. Sonntag. Roll call vote was taken, resulting in Ayes: 7 - Bichsel, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick. Nays: 0 Absent: 2 - Hudson and Mayor Johnston. The motion carried.

- d. Hearings Examiner submitting Shoreline Management Permit Application No. 141.144, 145, 146 - Tacoma Public Works - approving application for constructing 48 inch sanitary sewer interceptor 5,700 feet in length, 42 inch diameter sewer interceptor 3,000 feet in length, and for the reconstruction and expansion of the Central Wastewater Treatment Plan located at 1241 Cleveland Way.

Mr. Nelson moved to concur in the recommendation of the Hearings Examiner. Seconded by Mr. Sonntag. Roll call vote was taken, resulting in Ayes: 7 - Bichsel, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick. Nays: 0 Absent: 2 - Hudson and Mayor Johnston. The motion carried.

Mr. Hudson arrived at 5:30 p.m.

- e. Hearings Examiner submitting Shoreline Management Permit Application No. 141.149 - West Coast Development Group - approving application for development of a water-oriented recreation complex, including marina facilities and a restaurant/lounge, at the southeasterly end of City Waterway between East D Street and City Waterway.

Mr. Nielsen moved to concur in the recommendation of the Hearings Examiner. Seconded by Mrs. Bichsel. Roll call vote was taken, resulting in Ayes: 8 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick. Nays: 0. Absent: 1 - Mayor Johnston. The motion carried.

FINAL READING OF ORDINANCES:

Ordinance No. 20975 (Continued from May 3, 1977)

Granting a non-exclusive franchise for CATV to Tribune Publishing Company d/b/a Cable TV Puget Sound.

Mr. Sonntag moved to amend the revised Ordinance as follows: Section 5, add "provided further that the total amount of the bond herein provided shall be increased in a sum equal to 10 percent of the construction costs occasioned by any extension of expansion of the company's facility over and above the total sum of \$150,000 inclusive of the present plant within the City of Tacoma, but no exceeding the total amount of \$100,000." Seconded by Mr. Strege. Voice vote was taken and carried.

Mr. Sonntag moved to amend the Ordinance under Section 16 to strike the words "customer connections, appliances," and to add at the end of the section the words "as provided in Section 10 hereof". Seconded by Mr. Strege. Voice vote was taken and carried.

Mr. Sonntag moved to amend Section 20 by striking the word "furnishing" on the fifth line and by adding at the end of the Section the words "provided, however, that nothing contained in this section shall prohibit the company from providing minor repairs or adjustments of television receivers but not involving replacement of parts." Seconded by Mr. Strege.

Mr. Sonntag then moved to amend the amendment by deleting the words starting on the third line "itself nor through any other person, either directly or indirectly". Seconded by Mr. Strege. Voice vote was taken and carried on the motion as amended.

Mr. Sonntag moved to amend Section 22 by changing the place of the office where it states that the company shall maintain an office in the City of Tacoma to "the company shall establish, keep, maintain and conduct in the greater Tacoma area an office for the transaction of its business". Seconded by Mr. Strege. Voice vote was taken and carried.

Mr. Sonntag then moved to amend Section 25 where the figure "1,000" appears to change it to read "300". Seconded by Mr. Schroeder. Voice vote was taken and carried.

Jim Bellamy, Vice President of Tribune Publishing Company, commended the City staff and City Council members for their efforts and their consideration. He said that if the Ordinance is adopted in its present form they would accept and sign.

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

Ayes: 8 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick

Nays: 0

Absent: 1 - Mayor Johnston

The Ordinance as amended was declared passed.

Ordinance No. 21061

Amending Section 13.04.300 of the Official Code to delete a portion of Lincoln Avenue from the major street plan.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick

Nays: 0

Absent: 1 - Mayor Johnston

The Ordinance was declared passed.

Ordinance No. 21062

Creating a new fund to be known as the "Elderly and Handicapped Transportation Fund", appropriating the sum of \$78,122.00, or so much thereof as may be necessary, from said fund, and \$88,910.00, or so much thereof as may be necessary from the Transit Fund No. 440 for the purpose of carrying out the Elderly and Handicapped Demand Response Transportation and Home Delivered Meals Program.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick

Nays: 0

Absent: 1 - Mayor Johnston

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 21057 (Continued from April 26, 1977)

Appropriating \$5,000.00 from the General Fund to the Metropolitan Park District as the City's share for a study to be conducted of Wapato Lake.

The Ordinance was set over for final reading next week.

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Ordinance No. 21063

Amending Chapter 13.06 of the Official Code to reclassify the southwest corner of South 30th St. extended and Tyler Street from an "R-3" to an "R-4-L" District. (Jacobson & Wall)

The Ordinance was set over for final reading to a date to be determined.

Ordinance No. 21064

Vacating streets and alleys between McKinley Park and Interstate 5. (Metropolitan Park District)

The Ordinance was set over for final reading next week.

Ordinance No. 21065

Amending Section 1.24.750 of the Personnel Rules relative to reinstatement.

The Ordinance was set over for final reading next week.

Ordinance No. 21066

Amending the pay and compensation plan to establish the class of Parking Checker and implement certain salary increases reached through collective bargaining.

The Ordinance was set over for final reading next week.

Ordinance No. 21067

Amending Section 1.06.390 of the Official Code relative to Office Hours.

The Ordinance was set over for final reading next week.

Ordinance No. 21068

Vacating Mason Ave. from So. 40th to So. 42nd and alleys between So. 40th and So. 41st and So. 41st and So. 42nd from Manitou Way to Mason Avenue. (Fred R. Roberson)

The Ordinance was set over for final reading to a date to be determined.

RESOLUTIONS:

Resolution No. 24375 (Continued from April 5, 1977)

Urging the Secretary of Transportation of the United States to establish a Coast Guard monitoring station within the harbor of the City of Tacoma.

Mr. Sonntag moved that this Resolution be removed from the Agenda. Seconded by Mrs. Bichsel. Voice vote was taken and carried. The Resolution was removed from the Agenda.

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Resolution No. 24381 (Continued from April 12, 1977)

Establishing the rates for private occupancies of public streets.

Mrs. Bichsel moved that the Resolution be adopted. Seconded by Mr. Nielsen.

Ron Button, Director of Public Works, asked that the Resolution be continued for four weeks.

Mr. Sonntag moved that the Resolution be continued for four weeks. Seconded by Mr. Stregge. Voice vote was taken and carried. The Resolution was continued to June 7, 1977.

Resolution No. 24433 (Continued from May 3, 1977)

Approving the purchase of the Medical Arts Building for the sum of \$1,540,000.

A motion to adopt by Mr. Sonntag and seconded by Mr. Schroeder was made at the meeting of May 3, 1977.

Mr. Bud McIvor, President of the Downtown Tacoma Association, spoke in favor of the Resolution.

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

Resolution No. 24435

Reappointing fifteen members and appointing six new members to the Tacoma Comprehensive Employment Services Advisory Council.

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

Resolution No. 24436

Appointing Robert Backstein, Lt. John Whitfield, Eugene Matsusaka to the Human Relations Commission Hearings Tribunal.

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

Purchase Resolution No. 24437

Awarding contract to John Korsmo Construction on its bid of \$389,699.24 for W.O. 91817 - Remodeling and Conversion of Filtration Bldg. Central Treatment Plant.

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

Resolution No. 24438

Authorizing purchase of a Video Editing System for MCA-TV from Central Video Inc. for an estimated cost of \$6,844.50 and waiving the requirement for competitive bidding.

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

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Resolution No. 24439

Authorizing execution of an agreement and project prospectus with the State of Washington for the Puyallup Ave. Bridge at Ea. "B" Street under the Special Bridge Replacement Program.

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

Deputy Mayor Warnick advised that he has been informed that this Resolution should be considered after the public hearing. Mr. Warnick moved to consider the Resolution after the public hearing. Seconded by Mr. Nielsen. Voice vote was taken and carried.

Resolution No. 24440

Approving the final plat of BYRN-MAR located west of Alaska Street and north of South 82nd Street. (Martin Boyle)

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

Resolution No. 24441

Approving the preliminary plat for MULTIPLE VIEW HEIGHTS located in the area north of 33rd St. N.E. and South of Brown's Point Blvd. (Leonard Olson)

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

Resolution No. 24442

Authorizing the proper officers of the City to execute an agreement with Michele Griffoul to complete a work of art on the south exterior wall of the Bank of California Building.

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. 24443

Authorizing application to the State of Washington for a federal Inter-governmental Personnel Act of 1970 grant in the sum of \$12,955.00 for Training and Development.

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. 24444

Establishing a Council policy of reviewing legislative positions taken by the Department of Public Utilities.

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

Discussion by Council members indicated that the Resolution should be reviewed by the Public Utility Board.

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Mr. Sonntag moved to continue the Resolution for two weeks. Seconded by Mr. Strege. Voice vote was taken and carried.

The City Manager was instructed to send the Resolution to the Public Utility Board for review.

Resolution No. 24445

Authorizing execution of a Local Improvement Assessment Deed for the sale of Local Improvement Guaranty Fund real property located near 33rd Street N.E. to Christian and Catherine Palzer for the sum of \$3,764.28.

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

Resolution No. 24446

Reaffirming the City's agreement with Pierce County to bear fifty percent of the total cost of jail modification and agreeing to reimburse Pierce County a sum not to exceed \$145,000.00.

Mr. Sonntag moved to adopt Revised Resolution 24446. Seconded by Mr. Strega. Voice vote was taken and carried. The Revised Resolution was adopted.

Resolution No. 24447

Requesting the State Legislature to reinstate funding for the State Office of Voluntary Action in the 1978 State Budget.

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

PUBLIC HEARINGS & APPEALS:

- a. This is the date set for hearing the appeal of Hauserman, Inc., #AD-1341 Audit-Assessment Notice of Tax & License Director. (Continued from the meeting of May 3, 1977)

Mr. H. A. Kopkas, Tax Manager of Hauserman, Inc. of Cleveland, Ohio, read a prepared statement to Council regarding the company's position on the audit assessment of the Tax & License Department. The audit in question was on Educated Manufacturing Company, a division of Hauserman, Inc..

Mr. Nielsen advised that he would be abstaining from voting on the appeal, as a family member owns stock in the company.

After discussion, Mr. Hudson moved that the appeal be denied. Seconded by Mr. Sonntag. Roll call vote was taken, resulting in Ayes: 6 - Bichsel, Hudson, Schroeder, Sonntag, Strege, Warnick. Nays: 1 - Nelson. Abstaining: 1 - Nielsen. Absent: 1 - Mayor Johnston. The motion carried and the appeal was denied.

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- b. This is the date set for hearing on the application to the U.S. Dept. of Transportation for a Federal Urban Mass Transportation Operating Assistance Grant.

Ben Benoit of the Transit Department advised that the hearing is being held in accordance with the requirements of the Urban Mass Transportation Act of 1964 as amended by the National Mass Transportation Assistance Act of 1974. It had been duly advertised and a certified transcript of the hearing was being prepared to be sent to UMTA. He also advised that the grant funds would be used for operating assistance only, to continue to provide the present level of service using the same fare structure. He further reviewed in detail services provided by the department.

No one from the public appeared to speak at the hearing.

Mr. Nielsen moved that the hearing be closed. Seconded by Mr. Sonntag. Voice vote was taken and carried.

- c. This is the date set for hearing an amendment to the Six-Year Comprehensive Street Program for the years 1977 through 1982.

Ron Button, Director of Public Works, advised that under the Federal Special Bridge Replacement Program, the City is eligible to reconstruct the Puyallup Avenue Bridge at Ea. "B" Street. In order to do this, the six year street program must be amended. He also advised that all the necessary preliminary steps have been taken.

No one from the public appeared to speak.

Mr. Nielsen moved that the hearing be closed. Seconded by Mr. Sonntag. Voice vote was taken and carried.

Resolution No. 24439

Authorizing execution of an agreement and project prospectus with the State of Washington for the Puyallup Ave. Bridge at Ea. "B" Street under the Special Bridge Replacement Program.

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

REPORTS BY CITY MANAGER:

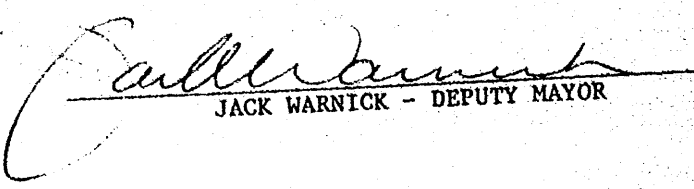
Mr. Mork said Gary Sullivan, Director of the Community Development Department, was present to address the Council with an update on the status of the Pantages Theater. Mr. Sullivan reported on the exploration of the feasibility of the purchase of the building and the possibilities of obtaining funds to restore the building.

Mr. Mork reported he is changing his recommendation on the matter of unemployment compensation. He said it appeared the legislature was going to approve an unemployment compensation bill for cities. He recommended taking no action on the Federal bill until the status of the State bill is determined.

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Mr. Sonntag moved to recess into Executive Session to consider a matter of litigation. Seconded by Mr. Hudson. Voice vote was taken and carried. The Council recessed at 7:47 p.m. The Council reconvened at 8:30 p.m.

On proper motion, the meeting adjourned at 8:31 p.m.


JACK WARNICK - DEPUTY MAYOR

ATTEST: 
H. B. BOND - CITY CLERK