

CITY COUNCIL MINUTES

City Council Chambers
April 6, 1976

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

Present on roll call: 9 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick and Mayor Johnston. Absent: 0.

The Flag Salute was led by Mrs. Bichsel.

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PROCLAMATION:

Mayor Johnston proclaimed the entire month of April, 1976 as "Loggers Basketball Month" in tribute to the 1976 NCAA Division II Basketball Champions from the University of Puget Sound.

Mayor Johnston introduced Athletic Director, Doug MacArthur, who in turn introduced Coach Don Zech, Assistant Coach Mike Acres and the entire UPS basketball team.

Mayor Johnston presented them with a plaque from the City of Tacoma.

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C O N S E N T A G E N D A

Approval of the minutes of special City Council meeting of March 27th and regular meeting of March 30, 1976.

PETITIONS:

- a. George F. Hoover requesting the rezoning of the property located on the west side of Manitou Way between South 50th and 52nd Streets from an "R-2" to an "R-3" District.
- b. William G. Scannell requesting the rezoning of the property located on the southeast corner of South 4th and "G" Streets from an "R-5" to an "R-5-T" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 23824 Setting Monday, April 26, 1976 at 4:00 p.m. as the date for hearing L.I.D. 5562 for installation of water mains and fire hydrants in vicinity of 30th Street N.E. and 45th Street N.E.

Resolution No. 23825 Setting Monday, April 26, 1976 at 4:00 p.m. as the date for hearing L.I.D. 5563 for installation of water main in vicinity of East 70th and East "K" Streets.

- Resolution No. 23826 Setting Monday, April 26, 1976 at 4:00 p.m. as the date for hearing L.I.D. 8108 for permanent paving on East 63rd from East "I" to East "J" Street and other nearby streets; also, storm drains only in East "D" from East 90th to East 91st Street.
- Resolution No. 23827 Setting Monday, April 26, 1976 at 4:00 p.m. as the date for hearing L.I.D. 8111 for permanent paving on South Warner from 60th to 62nd Street; South Alder from 45th to 47th Street; also, storm drains only in South 60th from Warner to Lawrence Street.
- Resolution No. 23828 Setting Monday, April 26, 1976 at 4:00 p.m. as the date for hearing L.I.D. 8112 for permanent paving on South "G" from South 58th to 59th; South 76th from "J" to "K" (Ext.); South 79th from Pacific Avenue to "D" Street; and storm drains only in South "D" from South 78th to 79th Street.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the hearing before the ad hoc committee on energy conservation of March 27, 1976.
- b. Minutes of Tacoma Employees' Retirement System meeting of February 26, 1976.
- c. Minutes of Public Utility Board meeting of March 10, 1976.
- d. Minutes of Port of Tacoma Board of Port Commissioners meeting of March 25, 1976.
- e. Minutes of Pierce County Commissioners meeting of March 29, 1976.
- f. Monthly report of purchases and sales of investments, March, 1976.
- g. Monthly report, February, 1976, Fire Department.
- h. Annual Financial Report, December 31, 1975, Water Division, Light Division and Belt Line Division.
- i. Performance Report - Fire Year Community Development Activities.
- j. Second Year Community Development Grant Application 1976-77.
- k. Review of Data Processing Division, September, 1975, Knight, Vale & Gregory.

Mr. Nelson moved that all of the items listed on the Consent Agenda, including Resolution Nos. 23824, 23825, 23826, 23827 and 23828, be approved. Seconded by Mr. Schroeder. 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:

- a. Hearings Examiner recommending modification of Land Use Restrictions on File No. 120.618 - Golden Ridge, Inc.

Mr. Sonntag moved to concur in the recommendation of the Hearings Examiner. Seconded by Mrs. Bichsel. Voice vote was taken and carried.

- b. Hearings Examiner recommending denial of Rezone Request No. 120.741 of Kenneth W. Johnson, Jr. for the reclassification of the north-east corner of South 19th and Durango Street from an "R-2" to an "R-4-L" District.

Mr. Backstein asked that this item be removed from the agenda as the attorney for Mr. Johnson has indicated they may ask for a lesser reclassification and a rehearing.

Mr. Sonntag moved that the item be removed from the Agenda. Seconded by Mr. Nelson. Voice vote was taken and carried.

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FINAL READING OF ORDINANCES:

Ordinance No. 20701 Amending Ordinance 19762 to incorporate changes necessary to allow The Municipal Authority to assume certain responsibilities under the Housing and Community Development Act of 1974.

Roll call was taken, resulting as follows:

Ayes: 9 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick and Mayor Johnston.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 20703 Amending the Pay and Compensation Plan to add the classifications of Television Production Coordinator, MCATV Program Manager and Kitchen Helper and setting the rates of pay.

Roll call was taken, resulting as follows:

Ayes: 9 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick and Mayor Johnston.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 20704 Authorizing execution of contract with the U.S. Equal Employment Opportunity Commission and appropriating the sum of \$15,820.00 from EEO Fund No. 175-651 for the purpose of enforcement of Title VII of the Civil Rights Act of 1964 as amended and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Roll call was taken, resulting as follows:

Ayes: 9 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick and Mayor Johnston.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 20705 Authorizing execution of an agreement with Pacific Lutheran University, appropriating the sum of \$2,500.00 from the Work-Study Program Fund for the purpose of implementing a Work-Study Program and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Roll call was taken, resulting as follows:

Ayes: 9 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick and Mayor Johnston.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 20706 Authorizing execution of an agreement with Tacoma School District #10, appropriating \$3,434.00 from the Federal Shared Revenue Fund for operation of a Community Center and Recreation Program at the Baker Junior High School and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Roll call was taken, resulting as follows:

Ayes: 9 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick and Mayor Johnston.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 20707 Amending Chapter 13.03 of the Official Code relating to appeal of Hearing Examiner's decision.

Roll call was taken, resulting as follows:

Ayes: 9 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick and Mayor Johnston.

Nays: 0

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 20698 (Continued from the meeting of March 30th)
Amending the Pay and Compensation Plan to add the position of Fire Research and Development Administrator.

Fire Chief, Tony Mitchell, reviewed the technology program the Fire Department is embarked upon and the need to have an individual qualified to steer the program. He advised that future appointments to the position would be made from Fire Department personnel within the same pay range.

Mr. Nielsen felt that since the position is unclassified, it should be reviewed by the Civil Service Board. Mr. Nielsen moved that this matter be referred to the Civil Service Board for review. Seconded by Mr. Strege.

Ralph Guelfi, President of the Firefighters Union, advised that a memorandum of understanding had been signed with management and the position would be refilled by an individual of captain's rank.

Mr. Nielsen and Mr. Strege withdrew their motion. However, Mr. Nielsen asked that matters on unclassified positions in the future be referred to the Civil Service Board for recommendation.

Mr. Warnick moved to insert corrected page number three, which contains the title of Fire Research and Development Administrator and the pay range. Seconded by Mr. Strege. Voice vote was taken and carried.

The Ordinance, as amended, was set over for final reading next week.

Ordinance No. 20702 (Continued from the meeting of March 30th)
Amending Chapter 8.12 of the Official Code by repealing and reenacting Section 8.12.025, adding Section 8.12.026 and repealing subsection 40 of Section 8.12.010 relative to criminal trespass and vehicle prowling.

The Ordinance was set over for final reading next week.

Ordinance No. 20711 Amending Chapter 13.06 of the Official Code to reclassify the southwest corner of South 19th and "J" Streets from an "R-3" to an "R-3-T" District. (Sisters of St. Francis)

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

Ordinance No. 20712 Amending Chapter 13.06 of the Official Code to reclassify the southwest corner of Steele Street and South 42nd Street from an "R-2" to a "C-1" District. (Puget Sound Mutual Savings Bank)

Mr. Sonntag advised that he would leave the Council Chambers during discussion of this ordinance and would not vote on the ordinance due to a possible conflict of interest.

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

Ordinance No. 20713 Appropriating \$74,695.00, or so much thereof as may be necessary, from the Federal Shared Revenue Fund for the purpose of establishing and operating a Summer Youth Employment Program.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Resolution No. 23816 (Second Reading)
Amending Rule 12.B of the Council Rules of Procedure to establish procedures relating to appeals and presentations on Hearings Examiner's recommendations.

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

Roll call was taken on the Resolution, resulting in Ayes: 9 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick and Mayor Johnston. Nays: 0
The Resolution was declared adopted.

Resolution No. 23823 (Continued from the meeting of March 30th)
Accepting the offer of W. Towne Collins and Blanche L. Pavlic by competitive bids, to purchase Parcel 4 in the New Tacoma, Urban Renewal Project Wash. R-14.

Mr. Nelson moved to consider Substitute Resolution 23823. Seconded by Mr. Warnick.
Mr. Nelson moved to adopt Substitute Resolution 23823. Seconded by Mr. Hudson.
Voice vote was taken and carried. Substitute Resolution 23823 was declared adopted.

Purchase Resolution No. 23829 Awarding contracts to: (1) Kentucky Fried Chicken of Tacoma on its bid for Hot Meals Catering Service for Senior Citizens; (2) International Harvester Company on its bid of \$13,021.38 for Cab & Chassis for Sewer Utility Division; and (3) Totem Electric Company of Tacoma, Inc. on its bid of \$58,301.25 for Work Order 91813 - Sewer Monitor System.

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

Resolution No. 23830 Authorizing execution of an agreement with the Tacoma Symphony Orchestra through the Tacoma/Pierce County Civic Arts Commission, to provide for certain free public concerts.

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

Resolution No. 23831 Authorizing execution of an agreement and establishing a central agency for a one-call subsurface warning system.

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

Resolution No. 23832 Authorizing sale of surplus Seattle-Tacoma Tie Line to Puget Sound Power & Light.

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. 23833 Authorizing release of portion of easement No. E-6149 to Hillcrest Properties.

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. 23834 Approving and adopting rules and regulations for the use of the Bicentennial Pavilion and Broadway Plaza as submitted by the Plaza-Pavilion Advisory Committee.

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

Mr. Dennis Derby, Pavilion Manager, asked that an amendment be made in the proposed policies, rules and regulations in conformance with the decision made at the Study Session regarding appeals. The change would be on page four of the regulations that the appeal

be submitted to the City Council for final determination rather than to the City Manager.

Mr. Hudson moved that the amendment be made. Seconded by Mr. Schroeder. Voice vote was taken and carried.

After discussing the paragraph in the regulations concerning the business and occupation tax, Mr. Sonntag moved that that section on business and occupation tax be deleted. Seconded by Mr. Nelson. Voice vote was taken and carried.

After discussion that groups and organizations be permitted to furnish their own food at certain gatherings in the Pavilion, it was felt that Appendix Three concerning the catering contract should at this time be removed from the regulations until a future date when the award for catering services would be considered.

Mr. Schroeder moved to remove Appendix Three. Seconded by Mr. Nielsen. Voice vote was taken and carried.

On question of Bill Pollack, Hotel, Motel & Restaurant Employees Union Local 61, Mayor Johnston advised that the catering service was not being voted upon in this resolution.

Voice vote was taken on the amended Resolution and carried. The Amended Resolution was declared adopted.

Resolution No. 23835 Authorizing execution of an agreement with the Washington State Highway Commission for relocation and upgrading street lights along Bantz Boulevard.

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

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PUBLIC HEARINGS
AND APPEALS:

- a. This is the date set for hearing on Proposed Text Amendments to the Zoning Ordinance relating to permit procedures for Shoreline Management.

Mr. Hudson moved to concur in the proposed Text Amendments. Seconded by Mr. Warnick. Voice vote was taken and carried.

- b. This is the date set for hearing on the Complex Facilities Plan for the Central Wastewater Treatment Plant.

Mayor Johnston read a statement on the facilities plan and pointed out that public comments would be received at the hearing and additional written comments regarding this matter will be accepted for the record until 5 p.m. on April 16, 1976. Comments should be filed in the Office of the City Clerk. Mayor Johnston also advised that the plan, as presented, will be adopted unless testimony contrary is presented at this meeting or during the comment period between now and April 16, 1976.

Bob Sparling, Public Works Department, presented an overall review of the sewage and wastewater service throughout the different areas of the City and adjoining County areas.

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Joseph John Anderson, Co-Director of the National Resources Protection Agency of the Puyallup Tribe of Indians, read a prepared statement setting forth the views of the Tribe relative to the proposed treatment plant improvement.

With no further public comments, Mayor Johnston declared the verbal portion of the public hearing concluded.

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COMMENTS BY MEMBERS OF THE CITY COUNCIL:


Mr. Nelson advised that the meeting scheduled by the County Commissioners for tomorrow evening has been changed to April 14th at 5:30 p.m. at a location to be announced.

Mr. Hudson reported on the sub-regional meeting of the Puget Sound Council of Governments, which he attended last week and said there is now a multi-county task force, which he will be on which will be dealing with the drafting of the final resolution. He will report on it when the task force completes its work.

Mr. Warnick commented on the City Manager's memo regarding maintenance cost figures obtained from the Coast Guard on the "Swiftsure" museum proposed by the Bicentennial Commission. He said outside information passed on to him indicates the costs might be approximately 20 percent less. He asked that the City Manager look further for estimates.

Mayor Johnston moved for a brief Execution Session to discuss a personnel matter. Seconded by Mr. Schroeder. Voice vote was taken and carried. The meeting recessed at 7:20 p.m. The meeting reconvened at 7:57 p.m.

Upon proper motion, the meeting adjourned at 7:58 p.m.



GORDON JOHNSTON - MAYOR

ATTEST: 

H. E. BOND - CITY CLERK