

CITY COUNCIL MINUTES

City Council Chambers  
April 19, 1977

The meeting was called to order at 5:05 by Deputy Mayor Warnick in the absence of Mayor Johnston.

Present on roll call: 7 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Strega, Deputy Mayor Warnick. Absent: 2 - Sonntag and Mayor Johnston.

The Flag Salute was led by Mr. Schroeder.

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CONSENT AGENDA

Approval of the minutes of the special and regular meetings of April 12, 1977.

RESOLUTIONS:

Resolution No. 24385

Setting Monday, May 9, 1977 at 4:00 p.m. as the date for hearing L.I.D. 2441 for an oil surface treatment on North Mullen from North 24th to 25th; South 61st from Park to Yakima Avenue and other streets.

Resolution No. 24386

Setting Monday, May 9, 1977 at 4:00 p.m. as the date for hearing L.I.D. 5572 for constructing water mains in Bell Street from South 68th to approximately 250 feet south of South 70th Street.

Resolution No. 24387

Setting Tuesday, May 10, 1977 at 9:00 a.m. as the date for hearing by the Hearings Examiner the request for vacation of Mullen Street from North 16th to North 18th Street. (J.M. Schmitz, et al).

Resolution No. 24388

Setting Tuesday, May 10, 1977 at 9:00 a.m. as the date for hearing by the Hearings Examiner the vacation of a portion of Madison Street from South 48th to South 50th Street. (Anderson Enterprises, Inc.)

ASSESSMENT ROLLS:

The Director of Public Utilities presents the assessment roll for the following:

L.I.D. 5563 - water mains in East 70th Street from East "K" to East "L" Street.  
Fixing Monday, May 23, 1977 at 4:00 p.m. as the date for hearing.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Civil Service Board meeting of April 4, 1977.
- b. Minutes of Board of Pierce County Commissioners meetings of April 11 and 12, 1977.
- c. Minutes of Public Utility Board meeting of March 23, 1977.
- d. Minutes of City Planning Commission meeting of April 4, 1977.
- e. Monthly Statistical Report, March 1977, Municipal Court.
- f. Emergency Services filing Personnel & Administrative Claims for January, February and March, 1977.
- g. 1976 Annual Report, Traffic Division, Police Department.
- h. 1976 Annual Report, Police Department.
- i. City of Tacoma Emergency Services Operations Plan, January, 1977.

Mr. Schroeder moved to approve the Consent Agenda included revised Resolution 24385, Resolutions 24386, 24387 and 24388. Seconded by Mr. Nelson. Voice vote was taken and carried.

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REGULAR AGENDA

COMMUNICATIONS:

- a. Hearings Examiner submitting Shoreline Management Permit Application No. 141.137 - Marine Iron Works, Inc. - placing of dolphins for berthing a dry dock on the northerly side of the Hylebos Waterway in the vicinity of 1720 Marine View Drive.

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

- b. City Attorney requesting that Street Vacation Request No. 124.519 and Rezone Request No. 120.714 in the vicinity of Sixth Avenue and Circle Way - petitioner Phillip F. Jacobs - be closed and Ordinance No. 20480 be tabled.

Robert Backstein, Hearings Examiner, advised that a request for an extension of six months has been received since the agenda was prepared.

Mr. Schroeder moved to grant an extension of six months. Seconded by Mr. Nielsen. Voice vote was taken and carried.

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FINAL READING OF ORDINANCES:

Ordinance No. 20709

Vacating that portion of Cleveland Way between Portland Avenue and "Q" Street for the purpose of consolidating parcels on each side of Cleveland Way to allow expansion of the City's Central Sewage Treatment Plant. (Dept. of Public Works)

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Strege, Warnick

Nays: 0

Absent: 2 - Sonntag and Mayor Johnston

The Ordinance was declared passed.

Ordinance No. 21008

Vacating the alley between "K" and "L" Streets from South 16th to South 17th Streets. (Community Development Department.

Mr. Schroeder moved to approve revised Ordinance 21008. Seconded by Mr. Nielsen.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Strege, Warnick

Nays: 0

Absent: 2 - Sonntag and Mayor Johnston

The Revised Ordinance was declared passed.

Ordinance No. 21044

Revising the 1977 Annual Budget of the City of Tacoma.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Strege, Warnick

Nays: 0

Absent: 2 - Sonntag and Mayor Johnston

The Ordinance was declared passed.

Ordinance No. 21047

Authorizing execution of a contract with the State of Washington Office of Community Development to accept \$93,371.00 to provide for allowance payments for participants enrolled in the classrool training program and appropriating \$93,371.00 from the Employment and Training Fund No. 171 for the purpose of implementing the contract.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Strege, Warnick

Nays: 0

Absent: 2 - Sonntag and Mayor Johnston

The Ordinance was declared passed.

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Ordinance No. 21048

Authorizing execution of an agreement with the National League of Cities to provide for City participation in a national productivity study and appropriating the sum of \$1,975.00, or so much thereof as may be necessary, from the Technology Transfer Center Fund No. 164 for such purposes.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Strege, Warnick

Nays: 0

Absent: 2 - Sonntag and Mayor Johnston

The Ordinance was declared passed.

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PROCLAMATIONS:

Deputy Mayor Warnick proclaimed the week of April 24 thru 30, 1977 as "Y. W. C. A. Week" in the City of Tacoma.

He also announced that the Tacoma Opera Society will sponsor the opera "Elixir of Love" at Wilson High School at 8 p.m. on Friday and Saturday, April 23 and 24 and April 29 and 30, 1977.

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FIRST READING OF ORDINANCES:

Ordinance No. 21049

Amending Chapter 13.03 of the Official Code relating to appeals of the Hearings Examiner's decision.

The Ordinance was set over for final reading next week.

Ordinance No. 21050

Vacating South 47th Street between Ferry Street and Interstate Highway 5. (State of Washington)

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

Ordinance No. 21051

Amending Chapter 13.06 of the Official Code to reclassify the Southeast corner of South 12th and Woodlawn Street from an "R-2" to an "R-3" District. (T & L Construction, Inc.)

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

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Ordinance No. 21052

Amending Chapter 13.06 of the Official Code to reclassify the west side of McKinley Avenue between South 74th and 75th Streets from an "R-2" to an "R-4-L" District. (George and Garnett Jennejahn)

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

Ordinance No. 21053

Amending Chapter 1.12 of the Official Code to add Section 1.12.075 and amend Sections 1.12.220 and 1.12.345 to provide for consistency in eligibility for certain fringe benefits.

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

Ordinance No. 21054

Amending the Pay & Compensation Plan to adjust the salaries of certain classes.

Mr. Hudson moved to consider corrected Ordinance No. 21054. Seconded by Mr. Strage. Voice vote was taken and carried.

John C. Frai, 1423 South 43rd Street, inquired as to the reasons for the salary adjustments. It was explained to him the salary adjustments were the cost of living increases.

The Corrected Ordinance was set over for final reading next week.

Ordinance No. 21055

Amending Chapter 12.06 of the Official Code relating to purchased Power Adjustment to provide for a temporary surcharge on billings for electric power and declaring an emergency making necessary the passage of this ordinance and its taking effect on May 1, 1977.

Aldo J. Benedetti, Director of Utilities, gave a review of the electrical power shortage the City of Tacoma is experiencing due to the present drought conditions and the conservation efforts made to date. He also explained the considerable cost of purchasing the electrical power from other sources and advised that the purchased power was not provided for in the budget. He also advised that the Public Utility Board, after an in-house study and a review by the consulting engineering firm of Ford, Bacon and Davis, determined that a temporary surcharge would provide the funds for the power purchase.

Citizens speaking on the subject and the following Ordinance No. 21056 were:

County Commissioner, Joe Stortini, speaking on behalf of the Pierce County Commissioners, who referred to the tax revenue from the proposed surcharge, which the City proposes to use a portion of for the benefit of the elderly and disabled poor. He asked that the monies produced by the increased tax revenues derived from the surcharge be given to Pierce County for use on similar programs to benefit equally the low income citizens who are equally taxed.

John C. Frai, 1423 South 43rd;  
Thelmagene Collings, President of the League of Women Voters of Tacoma/Pierce County;

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Jeffrey Kipp, 1747 East 40th Street;  
Delores Vaughn, 4424 North 29th;  
Tony Vlahovich, 2101 North 27th;  
Neil Anderson, 3105 North 29th;  
Walter Tatum, 1111 South 14th;  
Robert McCraill, 2315 South Wilkeson;  
Carmen Bretzman, 609 South Grant;  
Jerry Barr, 2320 South Oakes;  
Anne Larson, 4131 South Yakima;  
Donna Burdick, 2517 South 15th;  
Robin Benning, 1234 South State;  
John Deen, Public Information Officer, Public Utilities.

After discussion, the ordinance was set over for final reading next week.

Ordinance No. 21056

Creating a new fund to be known as the "Surcharge Credits and Winterizing Program Fund", appropriating the sum of \$445,837.00, or so much thereof as may be necessary, from the General Fund to said fund for the purpose of providing a surcharge credit and winterizing service to certain low-income senior citizens and handicapped and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately after publication.

Mr. Hudson moved to consider and substitute revised pages one, four and five. Seconded by Mr. Nielsen. Voice vote was taken and carried.

Dick Hayes, Department of Human Development, reviewed the criteria for eligibility for the surcharge credits and winterizing program.

Citizens speaking on the Ordinance were:

Rosemond Victorino, Chairperson of the Housing and Energy Conservation Issue Group of the Metropolitan Development Council, who asked that the Metropolitan Development Council be allowed to administer the winterizing services.

Noel Hageon, 3214 North 27th;  
Carmen Bretzman, 609 South Grant;

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Resolution No. 24389

Appointing Raymond A. Harms and Linn E. Larsen to the City Beautification Committee for terms expiring on January 22, 1980.

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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Resolution No. 24390

Thanking the Tacoma-Pierce County Bicentennial Commission for their efforts for the Bicentennial celebration and terminating the Commission.

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

Purchase Resolution No. 24391

Awarding contracts to: (1) Venture Construction on its bid of \$2,237,728.77 for basic bid "A" - W.O. 90004 - Solid Waste Resource Recovery System and W.O. 90003 - Consolidated Refuse Facilities; (2) Steiner (Alsco) Corp. on its estimated bid of \$38,000 annually - Annual Coverall Service Contract and (3) J. Simon & Sons on its bid for Sale of Surplus Lead and Copper Wire.

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

Kenneth Burrows, Attorney, representing Donald B. Murphy, asked that Council accept the total bid of Venture or have them withdraw their bid and not grant only basic bid "A". He asked that Donald B. Murphy be awarded the bid on his total low bid.

After discussion on the bid procedures, Mr. Schroeder moved that Item 1 be removed from the Resolution and that it be returned and rebid. Seconded by Mr. Nielsen. Voice vote was taken and carried.

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

Resolution No. 24392

Authorizing the sale of surplus Oil Circuit Breakers and Potential Transformers to Puget Sound Power and Light Company on their bid of \$40,450.00.

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. 24393

Authorizing extension of agreement with McLean & Company and William P. Harper & Sons & Company for the underwriting and marketing of local improvement district bonds.

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

Resolution No. 24394

Authorizing a 90-day extension of the Lease Option Agreement with Totem Boat Haven, Inc.

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

Resolution No. 24395

Authorizing execution of a collective bargaining agreement with District Lodge #160 IAM and AW effective January 1, 1977 to December 31, 1977.

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

Resolution No. 24396

Authorizing execution of a collective bargaining agreement with Professional and Technical Engineers Local #17 effective January 1, 1977 to December 31, 1977.

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. 24397

Authorizing release of Light Division easement on certain property in Brookdale.

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

Resolution No. 24398

Authorizing the filing of a Notice of Intention with the Pierce County Boundary Review Board to realign water service boundaries.

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. 24399

Approving Tacoma-Pierce County Board of Health Resolution Nos. 149 and 150 establishing rates of pay for certain classes in the Health Department for year 1977.

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

Resolution No. 24400

Authorizing execution of an agreement with Conifer Developments, Inc. concerning the development of an "R-4-L PRD" Multiple Family Planned Residential Development District located on the northeast corner of South 19th and Tyler Streets.

Deputy Mayor Warnick excused himself from participating in the discussion on this Resolution and Resolution 24401 due to the appearance of fairness doctrine. Deputy Mayor Warnick left the Council Chambers.

Mrs. Bichsel 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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Resolution No. 24401

Approving the preliminary plat of Summerset located North of North 28th Street, South of Cushman Transmission Line and East of Burlington Northern Railroad. (Crest Builders, Inc.)

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. 24402

Authorizing execution of an amendment to the agreement with the Washington State Dept. of Highways to increase the prorated share of the State Highway Dept. maintenance of War Memorial Park area of the Tacoma Narrows Bridge.

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

Resolution No. 24403

Authorizing temporary loans from the General Fund to various State and Federal Grant Funds and other operating funds.

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

Resolution No. 24404

Authorizing implementation of the Cloverdale Site project in the vicinity of East 59th and "Q" Streets.

Mrs. Bichsel moved that the Resolution be adopted with Alternative Proposal No. 2. Seconded by Mr. Strege. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 24405

Authorizing the proper officers of the City to execute an Interlocal Agreement between the member agencies of the Puget Sound Council of Governments.

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

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UNFINISHED BUSINESS:

Mr. Hudson advised that last week he had testified on SB 3026 in Olympia and tomorrow at 4 p.m. another hearing will be held which he will be unable to attend. He urged that a Council member attend the 4 p.m. hearing. Mrs. Bichsel volunteered.

Mr. Strege reviewed SB 2956 regarding Billboards on which he had testified for the City in opposition to the Bill.

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COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:


Mr. Nielsen asked that he be excused from attending next week's meeting as he will be attending the American Society of Planning Officials Conference in San Diego. Mr. Strege moved to excuse Mr. Nielsen from next week's meeting. Seconded by Mrs. Bichsel. Voice vote was taken and carried.

Mr. Nielsen referred to the decision of the Civil Service Board and a letter received from the Plaza-Pavilion Advisory Committee regarding the position of Facility and Maintenance Operation Chief at the Bicentennial Pavilion and suggested that Council members indicate whether they were going to sponsor an ordinance designating the position "appointive" so that management would know whether to go ahead and make an appointment off the eligible list. Individual council members indicated they would not sponsor an ordinance.

Mr. Hudson referred to a certain group in town placing stickers on public property regarding a May Day celebration and asked that a method be found to halt this practice.

Deputy Mayor Warnick moved to recess into Executive Session for the purpose of considering a matter involving contemplated litigation. Seconded by Mr. Hudson. Voice vote was taken and carried. Council recessed at 9:45 p.m. and reconvened at 10:29 p.m.

On proper motion, the meeting adjourned at 10:30 p.m.

  
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JACK WARNICK - DEPUTY MAYOR

ATTEST:   
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H. B. BOND - CITY CLERK