

CITY COUNCIL MINUTES

City Council Chambers
July 19, 1977

The meeting was called to order at 5:02 p.m.

Present on roll call: 8 - Bichsel, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick and Mayor Johnston. Absent: 1 - Hudson. Mr. Hudson arrived at 5:07 p.m.

The Flag Salute was led by Mr. Strege.

CONSENT AGENDA

Approval of the minutes of the meeting of July 12, 1977.

PETITIONS:

- a. George F. Hoover requesting the rezoning of the property located on the northwest corner of 49th Avenue NE and 33rd Street NE from a "C-1" and "R-2" to an "R-4-L" District.
- b. Kay Parks Auto Rebuild requesting the rezoning of the property located on the south side of South 12th Street approximately 150 feet west of Cedar Street from an "R-2" to a "C-2" District.
- c. Northwest Development Group requesting the rezoning of the property located on the southeasterly corner of Brown's Point Boulevard and 51st Street NE from an "R-1" and "R-2" to an "R-2-PRD" District.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of City Beautification Committee meetings of June 1 and 9 and May 12 and 26, 1977.
- b. City Planning Commission minutes of July 6, 1977.
- c. Minutes of Board of Pierce County Commissioners meeting of July 11, 1977.
- d. Monthly Statistical Report, June, 1977, Municipal Court.
- e. Personnel and Administrative Claim for April, May and June, 1977, Emergency Services Department.
- f. Monthly Financial Report, May, 1977, Data Processing Division.
- g. Towing Reports for May and June, 1977.
- h. Minutes of Civil Service Board meeting of July 11, 1977.

Mrs. Bichsel made the motion to approve the Consent Agenda. Seconded by Mr. Nelson. Voice vote was taken and carried. The items were declared approved.

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

SUGGESTION AWARDS:

Mayor Johnston and Assistant City Manager, Severo Esquivel, presented \$25.00 awards to Ronald G. Hohn, Richard W. Lawson and Roald Wall for their suggestions.

COMMUNICATIONS:

City Attorney requesting that street vacation request #124.537, Tyler Street between South 60 and 62 and South 60 between Mason and Tyler Streets be closed and Ordinance No. 20781 be tabled. (Petitioner Matt Matz)

Bill Barker, Assistant City Attorney, explained that the matter has been pending for quite some time. The Ordinance had first reading a year ago and certain conditions were placed. None of the conditions however, have been met and the petitioner has requested closing of the file.

Speaking against closing of the file were: Robert C. Bleitner, 6022 So. Tyler and Leo Krasinski, Jr. of 5829 So. Mason.

Discussion disclosed there is litigation pending regarding title to certain properties in the area.

Mayor Johnston moved to continue the communication and closing of the file to the last week of September. Seconded by Mr. Strega. Voice vote was taken and carried. The item was continued to September 27, 1977.

FINAL READING OF ORDINANCES:

Ordinance No. 21111

Amending Chapter 13.06 of the Official Code to reclassify the east side of Pacific Avenue approximately 180 feet south of the southwest corner of South 52nd and Pacific Avenue from an "R-4-T" to a "C-1" District. (Garry Nichols)

Mayor Johnston announced the Mr. Hudson has left the Council Chambers for the final reading of this ordinance due to a possible conflict of interest.

Roll call voice was taken, resulting as follows:

Ayes: 8 - Bichsel, Nelson, Nielsen, Schroeder, Sonntag, Strega, Warnick, and Mayor Johnston.

Nays: 0

Absent: 1 - Hudson.

The Ordinance was declared passed.

Ordinance No. 21115

Authorizing condemnation and acquisition of certain lands for vehicular off-street parking.

Roll call vote 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. 21118

Approving and confirming the assessment roll for L.I.D. 8109 for permanent paving on South 82nd from Alaska to Hosmer Street.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 21119

Amending the Official Code by repealing and reenacting Sections 12.08.095 and 12.08.105 relative to special sewer connection charges.

John C. Fry, 1423 South 43rd, asked questions.

The Ordinance was sent over for final reading next week.

Ordinance No. 21120

Appropriating the sum of \$3,333.00, or so much thereof as may be necessary, from the General Fund as the City's share to restore Locomotive 1364 as a historic and educational exhibit, and declaring an emergency making necessary the passage of this Ordinance.

John C. Fry, 1423 South 43rd, spoke.

Also speaking in favor of the Ordinance was Larry Peterson, 1445 East 30th, Project Administrator for Project 1364.

The Ordinance was set over for final reading next week.

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Ordinance No. 21121

Amerding Chapter 13.06 of the Official Code by reclassifying the west side of Sprague Avenue approximately 1260 feet south of South 66th Street from an "R-4-PRD" to a "C-P-N" District. (Bocek, Rounds & Bocek)

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

Ordinance No. 21122

Authorizing transfer of the sum of \$26,248.00 of Community Development Block Grant Fund No. 144 to Block Grant Fund No. 147 and appropriating said funds to carry out the Community Development Program.

The Ordinance was set over for final reading next week.

Ordinance No. 21123

Creating a new fund to be known as the "Multi-Service Center State Grant Fund No. 155", appropriating \$509,615.00 from said fund for the purpose of constructing the 16th and "K" Streets Multi-Service Center, and declaring an emergency making necessary the passage of this Ordinance.

John C. Fry, 1423 South 43rd, asked questions of Council.

The Ordinance was set over for final reading next week.

Ordinance No. 21124

Creating a new fund to be known as the "Storm Drain Construction Fund" and appropriating \$189,500.00 from said Fund for addition to the storm drainage system and declaring an emergency making necessary the passage of this Ordinance.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 24549

Awarding contracts to Byron Rockstad Construction, Inc. on its supplemental of \$5,769.99 and basic bid of \$72,230.97 for L.I.D. 3786; George Madsen Company on its bid of \$20,200.00 for Improvement 8153 Unit B; Lige Dickson Company on its bid of \$51,723.08 for L.I.D. 8155, 8164 and 3781-B and rejecting all bids for W.O. 59729.

Mr. Sonntag moved that Items 2, 3 and 4 be adopted and that Item 1 be brought back to Council next week. Seconded by Mr. Warnick. Voice vote was taken and carried. The Resolution excluding Item 1 was adopted.

Resolution No. 24444

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

Mr. Sonntag moved that the the Resolution be continued for four weeks. Seconded by Mr. Schroeder. Voice vote was taken and carried. The Resolution was continued to August 16, 1977.

Resolution No. 24550

Authorizing the sale of surplus IBM-CRT Network to highest bidders.

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

Resolution No. 24551

Authorizing execution of an agreement with John Kuhn for certain technical consultant services in the Fire Department.

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

Resolution No. 24552

Authorizing the purchase of certain real property located between North 31st and 32nd Street and between Union and Puget Sound Avenue from Pierce County for the sum of \$127.00

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

Resolution No. 24553

Authorizing execution of amendment to agreement with Air Gemini, Inc., relating to business as fixed base operator at Tacoma Industrial Airport.

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

PUBLIC HEARINGS AND APPEALS:

- a. This is the date set for hearing the appeal of Charles Dawson on the Hearings Examiner's decision to deny a side yard variance at 2925 - 57th Avenue NE. (Continued from the meeting of July 12th)

The petitioner and appellants were heard last week. The decision was deferred to this meeting.

Mr. Warnick advised he had viewed the site.

Mr. Warnick moved to overrule the recommendations of the Hearings Examiner. Seconded by Mr. Nielsen.

Roll call vote was taken, resulting as follows:

Ayes: 3 - Nelson, Nielsen, Warnick.

Nays: 6 - Bichsel, Hundson, Schroeder, Sonntag, Strege and Mayor Johnston.

The motion was declared failed.

- b. This is the date set for hearing the amendments, modifications or termination of the Demolition of Dangerous Buildings Project of the Community Development Department. (Second Hearing)

Mr. Sonntag moved to continue Second Hearing for two weeks. Seconded by Mr. Warnick. The Second Hearing was continued to August 2, 1977.

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

Tom Terrien, Director of Transportation, made a detailed presentation on the City's application for a Federal Urban Mass Transportation Operating Assistance Grant. A copy of his statment is attached to these minutes.

John C. Fry, 1423 South 43rd, spoke in favor of the grant.

Also speaking in favor of the grant was Reverend Ed Winckley, 2807 North Union.

There being no further discussions Mr. Nielsen moved that the hearing be closed. Seconded by Mr. Sonntag. Voice vote was taken and carried.

- d. This is the date set for hearing the appeal of Bethesda Baptist Church on the Hearings Examiner's decision to deny their request for a Special Use Permit to allow a private school at the northeast corner of South 45th and "L" Streets.

Robert Backstein, Hearings Examiner, reviewed the request for Special Use Permit and his reasons for recommending denial.

Speaking on behalf of the petitioner was Sam Gaffney who read a prepared statement explaining their reasons for the application and what the church purposes to do in accommodating the students and their future plans.

Speaking in opposition to the Special Use Permit were Frank Billington 4317 South "L" Street and Truman Thompson, 4333 South "L" Street.

Mr. Gaffney had some petitions signed by residents who wished their names removed from the petition in opposition to the Special Use Permit.

After discussion by Council Mr. Sonntag moved that the Special Use Permit be referred back to Hearings Examiner for re-hearing within 30 days

and that the Hearings Examiner consider changing his initial opinion based on possible conditions relating to size of the student body, use of the rear entrance for ingress and egress of students, the locations of the church owned buses, the matter be returned to the City Council at an appropriate date after the Hearings Examiner rehears the subject. Seconded by Mr. Hudson.

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

Ayes: 6 - Bichsel, Hudson, Schroeder, Sonntag, Strege and Mayor Johnston.

Nays: 2 - Nielsen and Warnick

Absent: 1 - Nelson

The motion carried.

Mr. Sonntag then asked that the City Clerk do a comparison of the signatures and report on the validity of all signatures that have been received on petitions on this subject.

After discussion it was agreed that the Hearings Examiner's office would compare the signatures.

REPORTS BY CITY MANAGER:

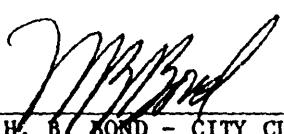
Assistant City Manager, Severo Esquivel, reported that the City of Tacoma has a new fire rating. It has been re-rated from a Class 3 City to a Class 2 City. He also reported that there are no Class 1 cities in the nation. Presently there are only two cities in the State of Washington with a Class 2 rating and one of them is Tacoma.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Mayor Johnston asked to be excused from next weeks meeting. Mr. Sonntag and Mr. Nielsen moved to grant the request. Voice vote was taken and the motion carried.

On proper motion the meeting adjourned at 7:06 p.m.


GORDON JOHNSTON - MAYOR

ATTEST: 
H. B. BOND - CITY CLERK