

CITY COUNCIL MINUTES

City Council Chambers
August 2, 1977

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

Present on roll call: 7 - Bichsel, Nelson, Nielsen, Schroeder, Sonntag, Strege and Warnick. Absent: 2 - Hudson and Mayor Johnston. Mr. Hudson arrived at 5:20 p.m.

The Flag Salute was led by Mr. Schroeder.

CONSENT AGENDA

Approval of the minutes of the special and regular meetings of July 26, 1977.

PETITIONS:

- a. Stanley W. Barker requesting the rezoning of the property located on the south side of 29th Street NE between 61st Avenue NE and 62nd Avenue NE from and "R-2" to an "R-3" District.
- b. Glen E. Graves requesting the rezoning of the property located on the northwest corner of South 12th and Cedar Streets (3103 South 12th Street) from an "R-3" to an "R-3-T" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 24562

Setting Tuesday, August 23, 1977 at 9:00 a.m. as the date for hearing by the Hearings Examiner the request for vacation of East "F" Street from East 68th to East 69th Streets. (Summit Realty, et al)

Resolution No. 24563

Setting Tuesday, August 23, 1977 at 9:00 a.m. as the date for hearing by the Hearings Examiner the request for vacation of East "F" Street between East 69th Street and West Street. (Keith Roberts, et al)

ASSESSMENT ROLLS:

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

L.I.D. 5561 - water mains in Military Road from Reservoir Road to Kathy Street; Kathy Street from Military Road to cul-de-sac; Darlene Street from Kathy Street to Military Road; and 129th Street Court East and 122nd Avenue Court East from Military Road to 128th Street Court East and including 218th Street East cul-de-sac.

Fixing Monday, September 12, 1977 at 4:00 P.M. as the date for hearing.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Tacoma Planning Commission meeting of July 18, 1977.
- b. Minutes of Board of Park Commissioners meeting of July 11, 1977.
- c. Minutes of Public Utility Board meeting of July 13, 1977.
- d. Minutes of Civil Service Board meeting of July 18, 1977.
- e. Monthly Financial Report, May, 1977, Belt Line Railway, Data Processing, Light and Water Divisions.

Mrs. Bichsel moved that all of the items listed on the Consent Agenda, including Resolutions 24562 and 24563 be approved. Seconded by Mr. Nielsen. Voice vote was taken and carried. The items were declared approved.

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

COMMUNICATIONS:

- a. City Attorney requesting that Street Vacation Request No. 124.478 and Rezone Request No. 120.640A for the area in the vicinity of South 39th, 40th and Ash and Wilkeson Streets, be closed. (Petitioner - George Economou) (Continued from the meeting of December 28, 1976)

Mr. Sonntag moved to concur in the recommendation of the City Attorney. Seconded by Mr. Nielsen. Voice vote was taken and carried.

- b. Hearings Examiner recommending denial of Viola Olge's request for reclassification of the property located on the northeast corner of 60th and South "G" Streets from an "R-2" to an "R-3" District.

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

FINAL READING OF ORDINANCES:

Ordinance No. 21099

Amending Chapter 13.06 of the Official Code to reclassify the south side of South 30th Street between Mullen and Ferdinand Streets from an "R-2" to a "C-2" District. (Van Court and Matthew)

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 2 - Hudson and Mayor Johnston.

The Ordinance was declared passed.

Ordinance No. 21126

Amending the Pay and Compensation Plan by adding and deleting certain classes in the Department of Human Development and Belt Line Railway.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: Hudson and Mayor Johnston

The Ordinance was declared passed.

Deputy Mayor Warnick moved to suspend the rules in order to introduce the new Personnel Director. Seconded by Mr. Strege. Voice vote was taken and carried.

City Manager, Erling Mork, introduced Richard J. Sokolowski, the newly appointed Director of Personnel.

Ordinance No. 21127

Appropriating the sum of \$107,000 from the General Fund to the Public Works Building Fund for the purpose of desing engineering for a Public Works Operations Building, Vehicle Maintenance Building, and appropriating from the General Fund to the Public Works Revolving Fund the sum of \$12,600.00 for cost of appraisal of land in the vicinity of South Pine and Center and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 2 - Hudson and Mayor Johnston.

The Ordinance was declared passed. Mr. Hudson arrived at 5:20 p.m.

Ordinance No. 21130

Providing for the improvement of L.I.D. 8186 for permanent paving on South Ainsworth from Wright to South 35th; South Sawyer from South Wright to South 35th; and South Wright from South Sawyer to South Chandler Street.

Speaking against the ordinance were: George Etter, 3330 South Ainsworth; Vern Faker, 3302 South Sawyer; Estelle Clark, representing her mother who lives at 3314 South Sawyer and Leonard Butler, 1517 South 35th Street.

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Speaking in favor of the ordinance were: Anest Peters, Louise Smith 3323 South Sawyer and L. J. Gibson.

Ben Thompson, Chief of the Buildings Division, said he wished to clear up any misunderstanding that the Council members or the citizens might have regarding the L.I.D. He said that the pavement of the street was not a condition of the development of the area.

Mr. Sonntag moved to continue the ordinance for one week. The motion failed for lack of a second.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Mayor Johnston.

The Ordinance was declared passed.

Ordinance No. 21131

Providing for the improvement of L.I.D. 3791 for constructing sanitary sewers in North Mildred from North 49th to North 31st Street.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Mayor Johnston.

The Ordinance was declared passed.

Ordinance No. 21132

Providing for the improvement of L.I.D. 8187 for permanent paving on East "K" from East 38th to East 40th and East "M" from East 61st to East 62nd Street.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Mayor Johnston

The Ordinance was declared passed.

Ordinance No. 21133

Amending Chapter 1.14 of the Official Code to add precincts 26-46, 26-47 and 29-96 and change the boundaries of precincts 26-23, 26-24, 26-25 and 29-92, and declaring an emergency making necessary the immediate passage of this ordinance and its taking effect immediately upon publication.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Mayor Johnston

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 21112

Vacating certain streets and alleys between South 48th and 49th Street which would include State Street, Steele Street, Wapato Street and Prospect Street. (Realbon Corporation)

Deputy Mayor Warnick suggested consideration of Ordinance No. 21113 together with Ordinance No. 21112.

Ordinance No. 21113

Amending Chapter 13.06 of the Official Code to reclassify the south side of South 48th approximately between Prospect and Stated extended; and south side of South 42nd extended approximately between Fife and Prospect Streets extended from an "R-2" to "CPR" District. (Realbon Corp. & Tacoma Mall) (Appeals have been filed by the Downtown Tacoma Association and George Tyler on the Rezone and on Special Use Permit No. 121.705 and Site Approval No. 127.86)

Bob Backstein, Hearings Examiner, advised that he'd held a hearing on the requested street vacation and rezone. Mr. Backstein explained that the reclassification was on 48th Street for a parking lot to be used mainly by employees of the Mall, and the site plan approval was for expansion of the Mall. He advised that two appeals had been filed, one by George Tyler and one by the Downtown Tacoma Association.

Deputy Mayor Warnick announced that each side would be allowed a total of 20 minutes to speak, that is the two appellants combined would receive 20 minutes and the petitioner would receive 20 minutes.

George Tyler, 4119 Sunset Drive West, owner of two lots at 49th and Pine Street gave his views and reasons for opposing the reclassification of the area on 48th Street for a parking lot.

Thomas Fishburne, Attorney at Law, representing the Downtown Tacoma Association, presented his study of the market for this particular expansion and their reasons for objecting to the expansion and concentration of additional stores in that area. He said that a creation of an additional "CPR" zone in the area was a violation of the Land Use Management Plan and asked that the Hearings Examiner recommendation be overruled.

Craig Wentz, Attorney, representing the Tacoma Mall Corporation and Realbon Corp. reviewed the Hearings Examiner's findings and conclusions and pointed out facts to support these conclusions and referred to his memorandum to the Council. He answered questions of Council members and then asked that the conclusions and findings of the Hearings Examiner be upheld.

Mr. Hudson moved to return the request back to the Hearings Examiner for the purpose of considering new evidence. Seconded by Mrs. Bichsel. After discussion the motion was withdrawn.

After further questions and discussion Mr. Hudson moved to overrule the Hearings Examiner and grant the appeal on the basis that the evidence presented indicated the proposed parking lot was an improper buffer and an intrusion into an existing neighborhood. Seconded by Mr. Sonntag.

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

Ayes: 6 - Bichsel, Hudson, Schroeder, Sonntag, Strega and Warnick.

Nays: 2 - Nelson and Nielsen

Absent: 1 - Mayor Johnston.

The motion was declared carried. Mr. Nelson changed his vote to Aye to be on the prevailing side.

Deputy Mayor Warnick moved to recess for ten minutes. Seconded by Mr. Sonntag. Voice vote was taken and carried. The meeting recessed at 9:25 P.M. The meeting reconvened at 9:35 P.M.

Ordinance No. 21134

Vacating East 36th Street and the alley to the south between East "E" Street and the State Highway Right-of-Way. (Leonard E. Davis)

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

Ordinance No. 21135

Amending Chapter 13.06 of the Official Code to reclassify the southwest corner of South 47th and Junett Streets from an "R-3" to an "R-3-T" District. (Lloyd Sasa)

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

Ordinance No. 21136

Amending Chapter 13.06 of the Official Code to reclassify the west side of South "C" Street approximately 230 feet north of South 82nd Street from and "R-2" to an "R-4-L" District. (Dick McArthur)

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

Ordinance No. 21137

Amending Chapter 13.06 of the Official Code to reclassify the northeasterly corner of South 8th and "I" Streets from an "R-5-T" to a "C-1" District. (Neil and Mary Winters)

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

RESOLUTIONS:

Purchase Resolution No. 24564

Awarding contract to Hanson Excavating Company on its supplemental bid of \$2,737.64 and its basic bid of \$90,321.99 for L.I.D. 3772-sanitary sewers.

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. 24565

Authorizing a six-month extension of the rental agreement relating to the Wang Word Processing equipment.

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

Resolution No. 24566

Authorizing execution of an agreement with Seifert, Forbes and Berry for the design of the Maintenance Center Facilities.

Mr. Sonntag 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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Resolution No. 24567

Authorizing execution of collective bargaining agreement with International Brotherhood of Electrical Workers Local 483, Light Division effective April 1, 1977 through March 31, 1979.

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. 24568

Authorizing execution of agreement with Pierce County for winterizing services for low-income elderly or handicapped who are City Light customers living in Pierce County.

John C. Fry, 1443 South 43rd Street, spoke.

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

Resolution No. 24569

Authorizing application to U.S. Department of Transportation, Urban Mass Transportation Administration for an Operating Assistance Grant for 1978 in the amount of \$1,650,000.00.

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. 24570

Adopting revised Minimum Standards for General Aviation Operations at Tacoma Industrial Airport.

Yoshio Kosai, Airport Director asked that some amendments be made to the minimum standards. He asked that on Page 13, Item 7, after the words "line services" there should be a dash and the words "additional services required." On Page 23, Roman Numeral XVI, underneath the words "additional aeronautical services" the first line reads "The City Council may, in its sole discretion determine," in that line the words "in its sole discretion" should be removed. On Page 27, Item H, the next to the last line of that paragraph, after the words "for services performed on" the words "or with" should be added. Mr. Kosai advised that these are the recommendations received from the FAA.

Mr. Sonntag moved that the amendments be made. Seconded by Mrs. Bichsel. Voice vote was taken and carried.

Mr. Arnold Ketler, a lessee of the airport, advised that he has not had time to study the proposed minimum standards and asked that the resolution be continued for 30 days so that he could study them and meet with the Airport Director and Air-Gemeni.

After discussion it was determined that 30 days delay would jeopardize the rulings of the FAA.

Mr. Warnick moved to continue the resolution for two weeks. Seconded by Mr. Nielsen. Voice vote was taken and carried. The Resolution was continued to August 16, 1977.

Resolution No. 24571

Authorizing execution of a rental agreement with the Port of Tacoma for space for use by the Department of Emergency Services as a fire station.

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. 24572

Authorizing a six-month extension to the Lease Option Agreement with Totem Boat Haven, Inc.

Ron Nelson, of the Community Development Department, asked that a correction be made on the resolution in two places where the words "February 28, 1978" appear, should read "January 31, 1978."

Mr. Nielsen moved to make the amendment. Seconded by Mr. Hudson. Voice vote was taken and carried.

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

Resolution No. 24573

Authorizing execution of collective bargaining agreement with Local 483 I.B.E.W., Traffic Signal/Fire Alarm Division effective April 1, 1977 through March 31, 1979.

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. 24574

Approving sublease at Tacoma Industrial Airport between Arnold W. and Marcella M. Ketler and Air Puyallup, Inc., d/b/a/ Tacoma Aviation Center.

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

PUBLIC HEARING:

This is the date set for hearing the amendments, modifications or termination of the Demolition of Dangerous Buildings Project of the Community Development Department. (Continued from the meeting of July 19th)

Keith Palmquist, Assistant Director of the Community Development Department, advised that this is the second public hearing to receive citizens input as to whether there should be any amendments, modifications or termination of demolition.

The following citizens appeared and spoke: Reverend Ed Winckley, who asked that a green belt be placed near Holy Rosary Church; John C. Fry, 1443 South 43rd Street, Bob Gallucci, who asked for monies for rehabilitation; Addie Brewster, asked that money be set for rehabilitation; Alberta Canada, who asked that \$70,000.00 be set aside for grants for rehabilitation and James Patterson of 1816 South "L" Street who asked for rehabilitation funds. There being no further citizens appearing to speak Mr. Sonntag moved that the Public Hearing be closed. Seconded by Mr. Schroeder. Voice vote was taken and carried.

Mr. Warnick asked that a Study Session on the subject of funds for rehabilitation be set for next week.

REPORTS BY CITY MANAGER:

Erling Mork, City Manager, asked that the City Council approve funds up \$1,900.00 to pay for moving expenses for the new Personnel Director, Mr. Richard J. Sokolowski.

Mr. Sonntag moved to appropriate up \$1,900.00 to pay moving expenses for the new Personnel Director. Seconded by Mr. Hudson. Voice vote was taken and carried.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Mr. Hudson commented since there seems to be no policies set by the Planning Department or the Planning Commission regarding expansions of the CPR District or a community center that he would suggest they begin to develop some standards in order to be prepared when groups request to establish any neighborhood shopping center or any expansion of one.

Mr. Hudson also reported on an energy meeting he attended at Timberline last week. He commented they expect a meeting of a four state task force in conjunction with the National League of Cities meeting for the regional area in Seattle next week. The energy meeting will be at the same time, possibly in the same place. He suggested Council members plan to attend.

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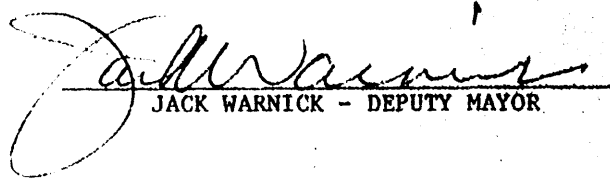
Mr. Hudson also advised that August 16th is the suggested meeting date for the first efforts to bring final points together on the SR 509 Project. The meeting is to include the County Commissioners, Port Commissioners, as well as the Council members. He asked whether Council members concurred with this Study Session date at the Bicentennial Pavilion. All of the Council members present agreed to the date of August 16th.

CITIZENS REQUESTS TO BE HEARD:

Mrs. Norene Mickelsen spoke to the Council members regarding a proposed through street on East "E" between 72nd and 75th Streets. She presented to Council a two page petition, a notice which was entitled a Notice of Appeal signed by 36 residents of the area. She advised that no notice had been given to the residents that the dedicated street was to be opened up. She also advised that the contractors bulldozing the street were causing dust in the area and the grade level of the street, she felt, was not proper. She asked that the City Council investigate the matter and that a report be made to the residents as to whether any violations have occurred.

Mr. Sonntag asked that the City Manager investigate and report on the matter to Council at the Study Session next week, and that Mrs. Mickelsen be advised so that she may attend the Study Session and receive a verbal report on the matter.

On proper motion the meeting adjourned at 11:12 P.M.



JACK WARNICK - DEPUTY MAYOR

ATTEST: 

W. B. BOND - CITY CLERK