

CITY COUNCIL MINUTES

City Council Chambers
September 6, 1977

The meeting was called to order at 5:03 p.m.

Present on roll call: 8 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege and Mayor Johnston. Absent: 1 - Warnick. Mr. Warnick arrived at 5:05 p.m.

The Flag Salute was led by Mr. Strege.

CONSENT AGENDA

Approval of the minutes of the special and regular meetings of August 30, 1977

PETITIONS:

- a. John Sparks requesting the rezoning of the property located on the north side of South 56th Street between South Ferdinand and Mullen Streets extended from an "R-2" to an "R-4-L" District.
- b. Hemmen, Chohoe, Klavano & Bottiger requesting the rezoning of the property located on the east side of Pacific Avenue between South 88th and 90th Street extended (8849 Pacific Avenue) from and "R-2" to a "C-1" District.
- c. Dennis A. O'Donnell requesting the rezoning of the property located on the south side of South 11th Street at Pierce Street extended south (4108 So. 11th Street) from an "R-2" to an "R-3" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 24613

Setting Monday, September 26, 1977 at 4:00 P.M. as the date for hearing L.I.D. 8188 for permanent paving on East "B" Street from Division Lane to 37th Street.

278

APPEALS:

Ken W. Johnson appealing the Hearings Examiner's recommendation to deny his request for reclassification of the Southwest corner of South 47th and Alaska Street from and "R-2" to an "R-4-L" District.

Suggested date for hearing is Wednesday, September 21, 1977.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Tacoma Planning Commission meeting of August 15, 1977.
- b. Minutes of Board of Pierce County Commissioners meetings of August 23, 30 and 31, 1977.
- c. Minutes of Tacoma Employees' Retirement System meeting of July 28, 1977.
- d. Minutes of Board of Park Commissioners meeting of August 22, 1977.
- e. Monthly report of purchases and sales of investments during August, 1977 - Tacoma Employees' Retirement System.
- f. Minutes of City Beautification Committee meetings of July 12, 21, and August 11, 1977.
- g. Minutes of Natural Systems Citizens' Committee meeting of August 8, 1977.
- h. Annual report of The Municipal Authority dated, October, 1976.
- i. Monthly report, July 31, 1977, Director of Finance.

Upon the request of Bob Backstein, Hearings Examiner, Mr. Sonntag moved to include in the Consent Agenda, under petitions, the petition of Ken Johnson, Jr., requesting the rezoning of the southwest corner of 68th and Park Avenue from an "R-2" to an "R-4-L" District. Seconded by Mrs. Bichsel. Voice vote was taken and carried.

Mr. Schroeder moved to further amend the Consent Agenda by changing the hearing date of the appeal, under Item 8, to Thursday, September 22, 1977. Seconded by Mr. Nielsen. Voice vote was taken and carried.

Mr. Schroeder moved to approve the Consent Agenda, including Resolution No. 24613 as amended. Seconded by Mr. Nelson. Voice vote was taken and carried. The Consent Agenda as amended was approved.

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

FINAL READING OF ORDINANCES:

Ordinance No. 21042 (continued from the meeting of August 30)

Vacating "E" Street between North 1st and North 3rd Streets and a portion of Stadium Way at North 3rd Street (Dept. of Public Works)

Mayor Johnston moved to consider substitute Ordinance No. 21042. Seconded by Mr. Sonntag. Voice vote was taken and carried.

279

Roll call vote was taken, resulting as follows:

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

Nays: 0

The substitute Ordinance was declared passed.

Ordinance No. 21145

Amending Chapter 13.06 of the Official Code to reclassify the southwest corner of South 56th and "I" Streets from an "R-2" to a "C-1" District. (Hugh M. Askren)

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. 21150

Amending Chapter 13.06 of the Official Code to reclassify the area between North 29th Street and Schuster Parkway and approximately 150 feet east of Starr Street from an "R-2" to an "R-3" District. (Tricorp)

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, and Warnick.

Nays: 2 - Strege and Mayor Johnston.

The Ordinance was declared passed.

Ordinance No. 21154

Creating a new fund to be known as the Central District Energy Research and Development Fund and appropriating the sum of \$168,479.00 from said fund for the purpose of conducting an economic and feasibility study for the Central District Heating, Cooling, Refuse, Fixed Combustor/Steam Generator Project.

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.

FIRST READING OF ORDINANCES:

Vacating certain streets and alleys between South 39th and South 42nd Streets and between Pine and Fife Street.
(U.S. Postal Service)

Ron Button, Director of Public Works, brought the Council up to date on the lengthy proceedings leading up to this Ordinance. He recommended waiver of the payment of one half of the assessed value of the streets and alleys.

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

RESOLUTIONS:

Resolution No. 24614

Appointing Elodie K. Vandever and Florence I. Wilson to the Civic Arts Commission of Tacoma-Pierce County for terms expiring September 6, 1981.

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

Resolution No. 24615

Appointing Don Hunt and Ann Carter to Hearings Tribunals of the Human Relations Commission.

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

Resolution No. 24616

Appointing Christine Poneroy, Jenny M. Allen, Laura L. Jaeger, William McKenzie and Robert Backstein to Hearings Tribunals of the Human Relations Commission.

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

281

Resolution No. 24620

Awarding contracts to: (1) Lige Dickson Company on its bid of \$39,119.50 for Improvement 3138; (2) Woodworth & Company, Inc. on its bid of \$144,539.62 for L.I.D. 8175 and W.O. 91535 and rejecting all bids on Imp 8137 as they exceed the engineer's estimate.

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

Resolution No. 24608

Authorizing application to the U.S. Dept. of Labor for a grant in the sum of \$1,391,331.00 for comprehensive employment and training services for eligible City residents.

Al Starr, Assistant Director of Comprehensive Employment, asked that the Resolution be continued for two weeks.

Mr. Nelson moved to continue the resolution for two weeks. Seconded by Mr. Strege. Voice vote was taken and carried. The Resolution was continued to Thursday, September 22, 1977.

Resolution No. 24617

Authorizing the purchase of influenza vaccine from Wyeth Laboratories and Merck Sharp & Dohme and waiving the requirement for competitive bidding.

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. 24618

Approving the corridor recommended by the State Highway Department for SR 509.

They moved to adopt the revised Resolution No. 24618.

Mr. Warnick moved to amend Page 2, Line 22, to change the word "should" which follows the word design to read "shall". Seconded by Mr. Nielsen.

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

Ayes: 7 - Hudson, Nelson, Nielsen, Schroeder, Strege, Warnick and Mayor Johnston.

Nays: 2 - Bichsel and Sonntag.

The motion was declared passed.

Voice vote was taken on the amended, revised Resolution and carried.

The amended, revised Resolution was declared adopted.

Resolution No. 24619

Authorizing preparation of plans and specifications and obtaining of bids for the construction of Puget Mini Park, a Community Development project.

Ron Button, Director of Public Works briefly reviewed the project as was discussed at the last Council Meeting. The project presented at that time was the compromise wherein the Big Toy play area was moved away from the corner of the park.

Speaking to the resolution were: Frederick B. Hayes, 3402 North 31st, who asked for a design change and presented a petition with 539 signatures; Laurie Johnson, 3912 North 31st; Natalie Baarsma, 3709 North Madison; Jim Caraher, 3601 North Union; Ruth Johnson, 3912 North 31st; Donna Hogaboam, 3714 North 38th.

After discussion Mr. Schroeder moved to adopt the plan as originally proposed with the play area up on the street level. Seconded by Mr. Warnick.

After further discussion Mr. Schroeder and Mr. Warnick withdrew their motion to yield to a motion to be made by Mayor Johnston.

Mayor Johnston moved to amend the resolution, the last paragraph, on line 17 after the word "directed" to insert the words "to retain professional consultants" and delete the rest of the paragraph and add the words "and specifications necessary to obtain construction bids for the Puget Mini Park in accordance with the original plans and program scope." Seconded by Mr. Strege. Voice vote was taken and carried.

Also speaking for the resolution were: Mr. Rolf Rollefson of 3734 North 31st and Mrs. Fred Mullen of 2117 North 29th Street.

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

Resolution No. 24621

Approving the final plat of Centennial Park Div. No. 2 in the vicinity of the northside of 33rd St. N.E. between 49th Avenue N. E. and 53rd Avenue N.E.

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

APPEALS:

This is the date set for hearing the appeal of Rovai, McGoffin, Turner & Mason, Attorneys at Law, for MBRM Investors, on the Hearings Examiner's decision to allow continued use of an off-street parking area in an "R-5-T" District and waiver of off-street parking area development standards to allow an existing parking area to remain

unpaved at the southwesterly corner of South 8th and Yakima Avenue. (Continued from the meeting of August 23rd)

Mr. Backstein reported that Attorney McGoffin has asked that this be continued for two weeks.

Mr. Hudson moved that the hearing on the appeal be continued for two weeks. Seconded by Mr. Nelson. Voice vote was taken and carried. The appeal was continued to Thursday, September 22, 1977.

REPORTS BY CITY MANAGER:

Erling Mork, City Manager, introduced Lynnett Baugh, the newly appointed Director of the Office of Intergovernmental Affairs. He also asked approval of \$1,600 for moving expenses for her.

Mr. Hudson moved that the \$1,600 moving expenses be approved. Seconded by Mr. Schroeder. Voice vote was taken and carried.


Mr. Mork advised that Bob Hamilton, City Attorney, has a report. Mr. Hamilton advised Council of a claim for the wrongful conversion of an automobile by the Police Department, who was acting under a State statute which the Supreme Court held to be unconstitutional. The sum of the compromise is \$3,000 for full settlement of the claim. He also advised that concurrence in the settlement is recommended by the City Attorney's office.

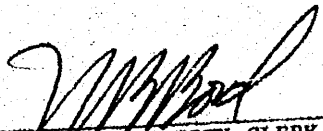
Mayor Johnston moved to approve the settlement of the claim as presented. Seconded by Mr. Warnick. Voice vote was taken and carried.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Mayor Johnston commented that Tuesday, September 20, 1977, being the day of the primary elections, according to Council Rules the regular Council meeting would normally be on Wednesday, September 21, 1977, however, Wednesday the 21st being Tacoma Day at the Fair, he moved that the regular City Council meeting be scheduled for Thursday, September 22, 1977. Seconded by Mr. Strege. Voice vote was taken and carried.

On proper motion the meeting adjourned at 7:30 P.M.


GORDON N. JOHNSTON - MAYOR

ATTEST: 
H. B. BOND - CITY CLERK

