

CITY COUNCIL MINUTES

City Council Chambers
November 23, 1976

The meeting was called to order at 5:04 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 Mr. Warnick.

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

Approval of the minutes of the special meeting and regular meeting of November 16, 1976.

PETITIONS:

Martin J. Boyle requesting the rezoning of the west side of Alaska Street between South 80th and South 82nd Streets from an "R-2" to an "R-3-PRD" District.

For referral to the Hearings Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Human Relations Commission meeting of October 28, 1976.
- b. Minutes of Board of Park Commissioners meeting of November 8, 1976.
- c. Minutes of Civil Service Board meeting of November 1, 1976.
- d. Minutes of Public Utility Board meeting of October 27, 1976.
- e. Minutes of Pierce County Commissioners meetings of November 8, 9 and 15, 1976.
- f. Monthly report, October, 1976, Municipal Court.
- g. Monthly report, September, 1976, Personnel Department.
- h. Monthly Financial Report, Belt Line Railway, Light and Water Division, September, 1976.

Mr. Nelson moved that all of the items listed on the Consent Agenda 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

FINAL READING OF ORDINANCES:

Ordinance No. 20817 Vacating a portion of South 52nd Street at Alaska Street.
(Church of Jesus Christ of Latter Day Saints)

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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. 20844 Vacating North 50th Street between Lexington and Mildred Streets.
(Hubert P. Shaner)

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. 20860 Amending Chapter 13.06 of the Official Code to reclassify the northwest corner of South 38th and "L" Streets from an "R-3" to a "C-2" District. (Ray H. Lowden)

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. 20912 Approving and confirming the assessment roll for SCF 75-1, repair of sidewalk and construction of a protective guard rail on the east side of Fawcett from a point 302.5 south of South 19th south 37.5.

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. 20914 Authorizing the transfer of \$28,000 from the Contingency Fund to the General Fund, City Clerk/General Services, Legislative Division Account No. 429, appropriating the sum of \$28,000.00, or so much thereof as may be necessary for the purpose of paying the City's share of costs of the September 21st and November 2nd elections and declaring an emergency making necessary the passage of this ordinance.

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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. 20915

Authorizing the transfer of the sum of \$30,000.00 from the Contingency Fund to the General Fund, Non-departmental accounts, appropriating \$30,000.00 or so much thereof as may be necessary for the purpose of paying the City's share of the cost of improvement of South 37th Street and declaring an emergency making necessary the passage of this ordinance.

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. 20916

Authorizing the issuance and sale of Local Improvement District Bonds Issue No. 5.

At the suggestion of City Attorney, Robert Hamilton, Mr. Sonntag proposed the following amendment: That on line 27, page 2 of the Ordinance, insert the number "16" in the first blank and in the second blank, "7%". In addition, on page 3, line 1, the number "17" be inserted in the blank, and on line 2, the percent of "6.40" be inserted. Seconded by Mr. Nielsen. Voice vote was taken and carried.

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

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

Nays: 0

The Ordinance, as amended, was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 20913

(Continued from the meeting of November 16)
Authorizing execution of a grant award contract in the amount of \$454,468.00 with the Washington State Office of Community Development, establishing a new fund to be known as the "Law and Justice - TASC Fund" and appropriating the sum of \$295,102.00 from said fund for the purpose of implementing a project entitled Treatment Alternatives to Street Crime.

John Rieber, Human Development Department, gave a brief resume of the intent of the Ordinance.

Speaking in favor of its passage were Mr. Dennis Flannigan of the Tacoma/Pierce County Drug Alliance and Mr. Ted Wiesman.

Following a brief discussion, the Ordinance was set over for final reading next week.

Ordinance No. 20917 Amending Section 6.22.060 of the Official Code relative to exemption for pest control application.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Resolution No. 24152 Appointing Patricia K. Schafer as a member of the Planning Commission for a term expiring on June 30, 1979.

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. 24153 Appointing Arthur Ching-li Wang and Re. J. Andrew Boles, Sr., as members of the Human Relations Commission for terms expiring on November 23, 1979.

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

Resolution No. 24154 Authorizing execution of a Lease/Option agreement with Robert P. and Roxana E. Goodwin for surplus City property at the southwest corner of South 12th and Union Avenue.

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. 24155 Authorizing the proper officers to execute documents in order to acquire certain real property from Tacoma Boat Company, Inc. for the sum of \$119,100.00.

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

Resolution No. 24156 Authorizing execution of Supplement No. 2 to Agreement No. GC-3459 with the State of Washington to clarify the intent and wording of Supplement No. 1 relating to retroactive reimbursement for City work on SR 509 planning study.

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. 24157 Authorizing the release of portion of Water Division Easement No. E-312 between South 74th and South 76th Streets.

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

Resolution No. 24158 Authorizing exchange of property with Roy J. and Emma L. Moore for property in vicinity of Water Division flume line right of way.

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. 24159 Authorizing the proper officers of the City to acquire real property at 1113 South 17th Street for the South 16th & "K" Community Center.

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. 24160 Authorizing the execution of two contracts in connection with Title I CETA Work Experience and its Youth-Home Repair component.

Mr. Nielsen moved that the Resolution be adopted. Seconded by Mr. Sonntag.

Bob Hamilton, City Attorney, advised that the Resolution contains space for insertion of the names of the contractors. The names of the contractors of Al Hoffner and Clifford Spenst.

Mr. Sonntag moved that the Resolution be amended by inserting the names provided by Mr. Hamilton. Seconded by Mr. Strege. Voice vote was taken and carried.

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

Mayor Johnston moved to suspend the rules to reconsider Resolution 24141. Seconded by Mr. Schroeder. Voice vote was taken and carried.

Resolution No. 24141 Authorizing execution of a lease agreement with the University of Puget Sound and the Tacoma Amateur Rowing Association for property at 1109 Dock Street.

Mayor Johnston moved to amend the Resolution to change the figure \$100 wherever it appears, to \$10 per month.

Speaking in favor of the amendment was Bill Kalenius, Rowing Coach, U.P.S. Also speaking were Bob McKae, of Coast Iron and Machine Works, who offered to negotiate arrangements with the Rowing Club for use of certain of his parking stalls for their access to the water, and Dr. Seth.

Voice vote was taken on the motion to amend and carried.

Roll call vote was taken on the Resolution, as amended, resulting in Ayes: 6 - Bichsel, Hudson, Nelson, Schroeder, Warnick and Mayor Johnston. Nays: 3 - Nielsen, Sonntag and Strege. The Resolution as amended was declared adopted.

Mr. Schroeder moved to suspend the rules to consider a request by the Bicentennial Commission. Seconded by Mr. Sonntag. Voice vote was taken and carried.

Mr. Schroeder commented on the closing programs of the Bicentennial Commission which would be free to the public. However, funds will be necessary in order to carry out these programs. He also commented he understood there were monies appropriated for an administrative position in the legislative budget which had not been used. He therefore moved to transfer \$750 from the Council Legislative Budget to the Bicentennial Commission. Seconded by Mrs. Bichsel. Voice vote was taken and carried.

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UNFINISHED BUSINESS:

Mayor Johnston advised that the Council would now review staff suggestions concerning proposed amendments to the Tacoma Master Program for Shoreline Development, which was compiled after reviewing the input received at the two public hearings and letters from property owners and business operators along the shoreline.

The Clerk read the seven proposed amendments.

E. K. Murray, Attorney, inquired as to the source of the amendments. He was referred to the preceding paragraph.

Mr. Sonntag commented he could not find in the proposed amendments where City lease tenants would be receiving the same protection as private property owners. He asked that amendments be made to cover this. He was advised that lease tenants were governed by policy in the form of a Resolution, but that the problems of the lease tenants would be investigated and if these problems are of a regulation nature, amendments would be incorporated.

Mr. Sonntag asked that if the request of Mr. McRae did not apply to the Ordinance that the appropriate separate legislation be brought to Council at the same time as the Ordinance.

Mayor Johnston asked that an Ordinance including the amendments be brought to Council for first reading in two weeks. (December 7, 1976)

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REPORTS BY THE CITY MANAGER:

Mr. Mork referred to Resolution No. 24144, which last week set the date for hearing on a grant application for 25 buses. He asked that the Resolution be reconsidered and an amendment be made to cover 33 buses.

Mr. Sonntag moved to suspend the rules to reconsider Resolution No. 24144. Seconded by Mr. Warnick. Voice vote was taken and carried.

Resolution No. 24144 Setting Tuesday, January 4, 1977 at 5:00 p.m. as the date for a public hearing for the purpose of considering a proposed capital grant application to the Urban Mass Transportation Administration for the purchase of 25 buses and other capital purchases.

Mr. Sonntag moved to amend the Resolution to change the figure "25" to "33". Seconded by Mr. Warnick. Voice vote was taken and carried.

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

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COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:


Mayor Johnston acknowledged receipt of a nomination for one of the three at large memberships to the Housing and Community Development Citizens Advisory Committee. He advised it would be considered at the next Council meeting.

Mr. Schroeder read a prepared statement dealing with procedures and conduct of Council members, which drew a response from Council members.

Mayor Johnston noted that the hour was 7 p.m. and that the budget hearings were scheduled to reconvene at that time. However, he asked that the budget hearing be reconvened at 7:15 p.m.

Mr. Strege moved to reconvene the budget hearing at 7:15 p.m. Seconded by Mr. Sonntag. Voice vote was taken and carried.

On proper motion the Council meeting adjourned at 7 p.m.


GORDON JOHNSTON - MAYOR

ATTEST: 
H. B. BOND - CITY CLERK