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CITY COUNCIL MINUTES

City Council Chambers
April 5, 1977

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

Present on roll call: 8 - Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick, Mrs. Bichsel and Mayor Johnston. Absent: 1 - Hudson.

The Flag Salute was led by Mr. Schroeder.

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

Approval of the minutes of the meeting of March 29, 1977.

PETITIONS:

Garry Nichols requesting the rezoning of the property located on the east side of Pacific Avenue approximately 147 feet south of South 52nd Street from an "R-4-T" to a "C-1" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 24370

Setting Monday, April 25, 1977 at 4:00 p.m. as the date for hearing L.I.D. No. 3786 for construction of sanitary sewers in Brown's Point Boulevard from 33rd Street N.E. to Shorecliff Drive and in Shorecliff Drive from Brown's Point Boulevard south 1100 feet approximately.

Resolution No. 24371

Setting Tuesday, May 10, 1977 at 5:00 p.m. as the date for a public hearing on the City of Tacoma's application to the U.S. Department of Transportation for a Federal Urban Mass Transportation Operating Assistance Grant.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Board of Pierce County Commissioners meeting of March 28, 1977.
 - b. Minutes of Civil Service Board meeting of March 21, 1977.
 - c. Minutes of City Planning Commission meeting of March 21, 1977.
 - d. Minutes of Board of Administration of Tacoma Employees' Retirement System meeting of February 24, 1977.
 - e. Monthly report, Tacoma-Pierce County Humane Society, February, 1977.
 - f. Monthly report, Fire Department, February, 1977.
 - g. Public Works Department filing the Aging Schedule for various Urban Arterial Projects.
 - h. Monthly report, Police Department, February, 1977.
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- i. Monthly Towing Reports for January and February, 1977.
- j. Notice of Application for Certificate of Compliance filed with the Federal Communications Commission for Teleprompter of Tacoma.
- k. Minutes of Landmarks Preservation Commission meeting of March 16, 1977.

Mrs. Bichsel moved that all of the items listed on the Consent Agenda, including Resolutions 24370 and 24371 be approved. Seconded by Mr. Nelson. Voice vote was taken and carried. The items were declared approved.

Mayor Johnston moved to excuse Mr. Hudson from the meeting. Seconded by Mr. Sonntag. Voice vote was taken and carried.

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REGULAR AGENDA

COMMUNICATIONS:

Request from Municipal Court to waive residency requirement for a Court appointive employe.

Mr. Nelson moved to concur on the request of the Municipal Court judges. Seconded by Mr. Warnick. Roll call vote was taken, resulting in Ayes: 4 - Bichsel, Nelson, Warnick and Mayor Johnston. Nays: 4 - Nielsen, Schroeder, Sonntag and Strege. Absent: 1 - Hudson. The motion was declared failed.

Mr. Warnick changed his vote from aye to naye, in order to be on the prevailing side.

FINAL READING OF ORDINANCES:

Ordinance No. 20744

Vacating a portion of Bay Street and intersection alley between Puyallup Avenue and East 25th Street. (Dept. of Public Works)

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Hudson

The Ordinance was declared passed.

Ordinance No. 20816

Vacating the alley between 24th Street N.E. and 25th Street N.E. from 64th Avenue N.E. to 65th Avenue N.E. (Cary R. Sweet)

Roll call was taken, resulting as follows:

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

Nayes: 0

Absent: 1 - Hudson

The Ordinance was declared passed.

Ordinance No. 20975 (Continued from March 22nd)

Granting a nonexclusive franchise for CATV to Tribune Publishing Company d/b/a Cable TV Puget Sound Corporation.

Mr. Warnick moved to consider Revised Ordinance 20975. Seconded by Mr. Schroeder. Voice vote was taken and carried.

Richard Erwin, General Manager of Cable TV Puget Sound Corporation, asked for a thirty-day extension in order to have a study session with all people involved, as he felt the Substitute Ordinance was inconsistent with F.C.C. regulations. After discussion, Mr. Strege moved to continue Final Reading for four weeks. Seconded by Mr. Nelson. Voice vote was taken and carried.

The Final Reading of the Ordinance was continued to May 3, 1977.

Ordinance No. 21012

Authorizing assignment of the Franchise issued to Dr. Lewis G. Despain and Beverly L. Despain, d/b/a Stellar Industries, to E. Alan Prebilsky, d/b/a Today Outdoor Advertising.

Roll call was taken, resulting as follows:

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

Nayes: 0

Absent: 1 - Hudson

The Ordinance was declared passed.

Ordinance No. 21033

Amending the Pay & Compensation Plan for certain classes through Collective Bargaining with Locals #38 and #483, effective January 1, 1977.

Roll call was taken, resulting as follows:

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

Nayes: 0

Absent: 1 - Hudson

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The Ordinance was declared passed.

Ordinance No. 21034

Authorizing execution of a grant award agreement in the sum of \$26,250.00 with the Equal Employment Opportunity Commission and appropriating said sum, or so much thereof as may be necessary, from Fund No. 175 for the purpose of investigating cases of discrimination.

Roll call was taken, resulting as follows:

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

Nayes: 0

Absent: 1 - Hudson

The Ordinance was declared passed.

Ordinance No. 21035

Repealing and reenacting Chapter 9.08 of the Official Code relative to regulating the private use of public rights-of-way.

Roll call was taken, resulting as follows:

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

Nayes: 0

Absent: 1 - Hudson

The Ordinance was declared passed.

Ordinance No. 21036

Providing for the improvement of L.I.D. 8178 for permanent paving on South "L" from South 45th to South 46th and South 46 from South "L" to "M".

Roll call was taken, resulting as follows:

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

Nayes: 0

Absent: 1 - Hudson

The Ordinance was declared passed.

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Ordinance No. 21037

Approving and confirming the assessment roll for L.I.D. 3766 for sanitary sewer construction in South 82nd from Alaska Street west 400 feet.

Roll call was taken, resulting as follows:

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

Nayes: 0

Absent: 1 - Hudson

The Ordinance was declared passed.

Ordinance No. 21038

Approving and confirming the assessment roll for L.I.D. 8110 for permanent paving on "A" Street from East 37th to East 38th and "A" Street from East 40th to East 43rd Street.

Roll call was taken, resulting as follows:

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

Nayes: 0

Absent: 1 - Hudson

The Ordinance was declared passed.

Ordinance No. 21039

Approving and confirming the assessment roll for L.I.D. 8112 for permanent paving on South 79th from Pacific Avenue to South "D" Street; South "G" from South 58th to South 59th; South 76th from South "J" to 400 feet west; and storm drain line in South "D" from South 78th to South 79th Street.

Roll call was taken, resulting as follows:

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

Nayes: 0

Absent: 1 - Hudson

The Ordinance was declared passed.

Ordinance No. 21040

Approving and confirming the assessment roll for L.I.D. 8122 for permanent

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paving on East 65th from East "N" to Portland Avenue and storm drains in East 65th from East "M" to East "N" Street.

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Hudson

The Ordinance was declared passed.

Ordinance No. 21041

Approving and confirming the assessment roll for L.I.D. 8124 for permanent paving on South "D" from South 78th to South 80th Street.

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Hudson

The Ordinance was declared passes.

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FIRST READING OF ORDINANCES:

Ordinance No. 21042

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

The Hearings Examiner reviewed the request for Council and explained the street vacation is necessary for reconstruction of Stadium Bowl. He also explained that the reconstruction is dependent upon a grant from the Federal Government. He reviewed the other conditions that were placed on the request.

Mr. Sonntag moved to allow citizens to speak on the Ordinance, Seconded by Mr. Strege. Voice vote was taken and carried.

Speaking against the street vacation was Ed Richards, of 505 North Stadium Way; Robert Hess, 401 North Stadium Way; Ken Drech, of 705 North Stadium Way; Mrs. Harry Allen, 509 North Tacoma Avenue; Joe Celmer, 409 North "E".

Speaking in favor of the street vacation was Bob Cecarelli, of 1128 North Fife

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Street; Joe Wheeler, Student Body President of Stadium High School; Rowland Vincent, 601 North "C" Street; Janine Vincent, 601 North "C"; and Nancy Hill, 609 North 11th.

The Ordinance was set over for Final Reading for a date to be determined.

Ordinance No. 21043

Appropriating the sum of \$19,548.00 from the General Fund for the purpose of completing the Automated Fire Hydrant Gate Valve Project and declaring an emergency making necessary the passage of this Ordinance.

The Ordinance was set over for Final Reading next week.

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RESOLUTIONS:

Purchase Resolution No. 24372

Awarding contracts: (1) American Energy Management Systems on its bid of \$47,273.98 for W.O. 71000 - Automated Self-Service Fuel Dispensing System; (2) Star Machinery Company on its bid of \$3,033.41 for one (1) Air Compressor; (3) Walker Chevrolet on its bid of \$7,499.36 for one (1) Dump Truck; (4) Shalberg Equipment, Inc. on its bid of \$34,755.65 for one (1) Vehicle with Sewer Television Equipment and; (5) extending the present contract with Lillyblad Petroleum through September 30, 1977 for automotive diesel.

Dennis Smith, representing Cues Incorporated, one of the bidders for Vehicle with Sewer Television Equipment, spoke against awarding the bid to Shalberg Equipment as he felt that this company did not have adequate opportunity to demonstrate their equipment.

Ron Button, Public Works Director, explained to Council members why there was a feeling of the members of the Awards Board and the Public Works Department that Shalberg's equipment was better suited for the jobs.

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

Resolution No. 24373

Authorizing execution of an Owner Participation Agreement and Owner and Security Holder Participation Agreement on Parcel 1106-3 in the New Tacoma Urban Renewal Project, Wash. R-14.

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. 24374

Authorizing the proper officers of the City to submit a project prospectus and execute an agreement for the McCarver Street Project under the Federal Aid Urban (FAM) Program.

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

Resolution No. 24375

Urging the Secretary of Transportation of the United States to establish a Coast Guard monitoring station within the harbor of the City of Tacoma.

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

Mr. Sonntag moved to continue the Resolution for five weeks. Seconded by Mr. Nielsen. Voice vote was taken and carried. The Resolution was continued to May 10, 1977.

Resolution No. 24376

Authorizing the proper officers of the City to acquire eight parcels of property from seven owners for the demolition of vacant and dangerous buildings.

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

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COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Mr. Warnick commented on the seaplane float in the City Waterway and asked for a report on its method of use.

Mr. Sonntag commented on the recent appearance of some citizens regarding the activities of the Women's Rights Division of the Human Relations Department, and said that unless a report on the activities of the Division proves misfeasance or malfeasance, his support of the Division will not change.

Mr. Sonntag advised that he had been in Olympia the past week regarding House Bill 910 and that the City took a position "against" the Bill. He asked that the City Attorney's Office solve the controversy regarding the Municipal Court requesting a residence waiver and that they outline the authority of the City Council in these matters.

Mrs. Bichsel said she attended the hearing by the Energy Task Force the previous evening and felt the citizens want to conserve energy if they knew how. She asked that the City Manager provide a plan that would relieve the senior citizens of paying the proposed electrical surcharge.

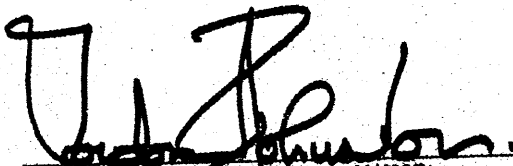
Mr. Nielsen said he disagreed with Mr. Sonntag's position regarding the Women's Rights Division.

Mr. Strege advised that he and Mayor Johnston attended the regular meeting of the Law & Justice Committee recently when a proposal was sent to the State for \$297,000 Law Enforcement Assistance Administrative Funds for use by Pierce County Sheriff and the Tacoma Police Department.

Mr. Nielsen moved that Mr. Sonntag be excused from next week's meeting.

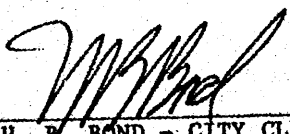
Seconded by Mr. Schroeder. Voice vote was taken and carried.

On proper motion, the meeting adjourned at 6:55 p.m.



GORDON JOHNSTON - MAYOR

ATTEST:



H. B. BOND - CITY CLERK

