

CITY COUNCIL MINUTES

City Council Chambers
July 6, 1976

The meeting was called to order at 5:05 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. Hudson.

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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 June 29, 1976.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Landmark Preservation Commission meeting of June 23, 1976.
- b. Minutes of Planning Commission meeting of June 21, 1976.
- c. Minutes of City Beautification Committee meetings of April 22, May 13, May 27 and June 3, 1976.
- d. Minutes of Public Utility Board meeting of June 9, 1976.
- e. Minutes of Board of Administration of Tacoma Employees' Retirement System meeting of May 27, 1976.
- f. Minutes of Pierce County Commissioners meeting of June 22, 1976.
- g. Monthly report, May, 1976, Tacoma-Pierce County Humane Society & SPCA.
- h. Department of Public Works filing Aging Schedule for various Urban Arterial Projects.

Mr. Hudson 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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PROCLAMATION

Mayor Johnston presented a proclamation to Lynn Schartow for having been selected for participation in the "Up With People" program, a non-profit organization emphasizing personal growth and incentive for leadership for the youth of the world.

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REGULAR AGENDA

COMMUNICATIONS:

- a. Hearings Examiner submitting Shoreline Management Permit Application No. 141.127 - St. Regis Paper Company - to install an enlarged vanillin black liquor handling system at 801 Portland Ave. North.

Mr. Hudson moved to concur in the recommendation of the Hearings Examiner. Seconded by Mr. Nelson. Roll call vote, resulted in Ayes: 9-Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick and Mayor Johnston. Nays: 0. Motion carried.

- b. Hearings Examiner recommending denial of Rezone Request No. 120.752 of George W. & Olga Holtz for the reclassification of the northwest corner of South 56th and Portland Avenue from a "C-1" and a "R-2" to a "C-2" District. (Appeal filed by George W. Holtz)

Mr. Backstein reviewed the request for Council and outlined his reasons for denial of the reclassification.

Helen Sarka, 7611 Pacific Avenue, representing Mr. Holtz, called attention to the letter of appeal and asked that the reclassification be granted.

Mr. Nelson moved to concur in the recommendation of the hearings examiner. Seconded by Mr. Sonntag. Voice vote was taken and carried.

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FINAL READING OF ORDINANCES:

Ordinance No. 20787 Appropriating the sum of \$2,459,000.00, or so much thereof as may be necessary, from the Community Development Block Grant Fund No. 144, for the purpose of implementing certain programs in the Second Year Block Grant Agreement, and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

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. 20788 Amending Chapter 1.34 of the Official Code to add Section 1.34.360 establishing a working fund for the Bicentennial Pavilion Manager.

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.

196

Ordinance No. 20789 Accepting the sum of \$9,808.72 from the State of Washington Interagency Committee and appropriating said funds from the Model Cities Action Fund No. 132 for construction of the Mini-Park at 25th and Sheridan Streets.

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. 20790 Appropriating the sum of \$23,307.06, or so much thereof as may be necessary, from the Federal Shared Revenue Fund for operation of the Senior's Hot Meals Program, 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. 20791 Amending Chapter 1.12 of the Official Code to add Sections 1.12.920, 1.12.930, 1.12.940 and 1.12.950 relating to liability protection for City employees, and declaring an emergency, making necessary the passage of this ordinance and its taking effect immediately upon publication.

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. 20792 Amending Section 1.06.229 of the Official Code to increase the claim settlement authority of certain City officials.

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. 20793 Appropriating the sum of \$17,281.00, or so much thereof as may be necessary from the Federal Shared Revenue Fund for the purpose of continuing the Human Development Department's Transportation Program for Seniors and handicapped 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. 20795 Amending Title 13 of the Official Code to establish two new zoning districts to be known as the "PDB" Planned Business Development District and the "PDI" Planned Industrial Development District, and amendments to the off-street parking and loading regulations.

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. 20796 Providing for the improvement of L.I.D. 8118 for asphalt pavement in the alley between South Thompson Avenue and South "J" from South 43rd to South 45th Street.

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. 20797 Providing for the improvement of L.I.D. 8121 for permanent paving on North Mason from North 12th to North 13th; North 33rd from North Gove to Mullen; and alley between North Winnifred and Highland from North 14th to North 18th Street.

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. 20798 Providing for the improvement of L.I.D. 8122 for permanent paving on East 65th from Portland Avenue to East "N" and storm drains only in East 65th from East "N" to East "M" Street.

Mrs. Weydt, 715 East 37th, and Amos Wilson, 3639 McKinley Avenue, requested that East 37th from McKinley Avenue to East "D" and East 37th from East "D" to East "E" Street be reinstated into the L.I.D.

Ron Button, Director of Public Works, advised Council that the School District is the largest property owner on the street and they remained neutral on the L.I.D. Therefore, as the largest property owner, the percentage in favor of the L.I.D. was only 41 percent.

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. 20799 Providing for the improvement of L.I.D. 8124 for permanent paving on South "D" from South 78th to South 80th Street.

Mr. H. A. Riedle, 240 South 78th Street, advised that there were two additional protests that he carried to the Public Works Department this date and asked if these had been added to the percentage of protests on the L.I.D.

Ron Button advised that these two protests would not raise the percentage significantly as prior to counting them the remonstrance was 39 percent. These two additional protests would increase it very little, and it would still fall far short of the 50 percent.

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. 20800 Approving and confirming the assessment roll for L.I.D. 5555 for constructing water mains in East 32nd from East "T" to Roosevelt Avenue and in Roosevelt Avenue from East 32nd to Wright Avenue.

Roll call was taken, resulting as follows:

Ayes: 8 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Mayor Johnston

Nays: 0

Absent: 1 - Warnick

The Ordinance was declared passed.

Ordinance No. 20801 Approving and confirming the assessment roll for L.I.D. 5556 for constructing water mains in South 83rd from Sheridan Avenue to 350 feet east.

Roll call was taken, resulting as follows:

Ayes: 8 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Mayor Johnston

Nays: 0

Absent: 1 - Warnick

The Ordinance was declared passed.

Ordinance No. 20802 Approving and confirming the assessment roll for L.I.D. 6944 for ornamental street lighting on South Fawcett from South 45th to South 46th Street.

Roll call was taken, resulting as follows:

Ayes: 8 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Mayor Johnston

Nays: 0

Absent: 1 - Warnick

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 20803 Amending Section 9.22.090 of the Official Code relative to street vacations.

The Ordinance was set over for final reading next week.

Ordinance No. 20804 Amending Section 11.34.130 of the Official Code relating to Arterial Streets designation.

The Ordinance was set over for final reading next week.

Ordinance No. 20805 Amending Chapter 6.35 of the Official Code relating to picture machines by adding a new section to be known as 6.35.035, accessibility of viewing areas.

The Ordinance was set over for final reading next week.

Ordinance No. 20806 Amending the Official Code by repealing and reenacting Sections 1.42.050 through 1.42.080 and by adding thereto a new Chapter consisting of ten sections to be known as Chapter 13.07, relative to historic landmarks.

Patty Sias, Historic Preservation Officer, explained the Ordinance to Council and answered questions.

Dr. Hruza, Chairman of the Landmarks Preservation Commission answered questions of Council.

Art Sholnik, State Conservator, State Historic Preservation Officer and Executive Director of the State Advisory Council on Historic Preservation, answered questions of Council regarding the current use assessment on the different properties and other related tax laws on historic properties.

The Ordinance was set over for final reading next week.

Ordinance No. 20807 Repealing and reenacting Chapter 1.29 of the Official Code relating to Human Relations Commission.

Mayor Johnston announced that as a result of the Study Session, he would move to remove the ordinance from the agenda. Seconded by Mr. Nielsen. Voice vote was taken and carried. The Ordinance was removed from the agenda.

Ordinance No. 20808 Amending Section 12.06.290 of the Official Code relative to street lighting and traffic signal rate, Schedule H-1.

The Ordinance was set over for final reading next week.

Ordinance No. 20809 Amending Chapter 13 of the Official Code by creating a new Chapter to be known as Chapter 13.12 "Environmental Code" and declaring an emergency making necessary the passage of this Ordinance and its taking effect immediately upon publication.

The Ordinance was set over for final reading next week.

Ordinance No. 20810 Amending the Pay and Compensation Plan relative to holidays and changes in rates of pay for certain classifications.

The Ordinance was set over for final reading next week.

Ordinance No. 20811 Authorizing amendment to the Grant Agreement with the National Science Foundation to accept the sum of \$40,000.00 and appropriating said funds for the purpose of continuing the Totem One Project through May 31, 1977.

The Ordinance was set over for final reading next week.

Ordinance No. 20812 Vacating a portion of Tyler Street and the alley north of South 30th Street. (Norman E. Wall)

Robert Backstein, Hearings Examiner, requested that under his recommendations, conclusion number 4.a., that it be amended to read as follows: "Easements shall be retained for now existing sewer and power lines in the area, as well as an existing water line and fire hydrant to be placed upon the construction of the apartments".

Mr. Schroeder moved that the amendment be made. Seconded by Mr. Warnick. Voice vote was taken and carried.

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

Ordinance No. 20813 Amending Chapter 13.06 of the Official Code to reclassify the west side of South Tyler between South 30th Street and SR-16 from an "R-3" to an "R-4-L" District. (Jacobson & Wall, Architects)

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

Ordinance No. 20814 Amending Chapter 13.06 of the Official Code to reclassify the property from Karl Johan Avenue to the Tacoma Narrows and between Olympic Boulevard and Sixth Avenue from an "R-1" to an "R-3-PRD" District. (Property Holding & Development, Inc.)

Mr. Backstein reviewed the area of the request and explained the different types of units to be built upon the property. He advised there would be a total of 550 units initially, and another 550 units would be built after 10 years. The first year there would be 110 units built. He answered questions of Council members and reported that no appeal had been filed.

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

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Mr. Nelson moved to suspend the rules to consider item (e) under communications of June 29 1976, where the Hearings Examiner recommended that the Street Vacation Request No. 124.534 of the City of Tacoma Community Development Department for vacation of a portion of Pacific Avenue and South 12th Street be denied. Seconded by Mr. Warnick. Roll call vote was taken on the motion, resulting in Ayes: 5 - Hudson, Nelson, Schroeder, Warnick, and Mayor Johnston. Nays: 3 - Bichsel, Nielsen, Strege. Absent: 1 - Sonntag. The motion carried.

Mr. Nelson moved to reconsider the street vacation and to overrule the recommendation of the Hearings Examiner and grant the street vacation. Seconded by Mr. Warnick. Roll call vote was taken, resulting in Ayes: 5 - Hudson, Nelson, Schroeder, Warnick and Mayor Johnston. Nays: 4 - Bichsel, Nielsen, Sonntag, Strege. The motion carried.

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RESOLUTIONS:

Resolution No. 23981 Appointing F. W. Hennings, M.D., Dave Lowman, Augustus C. Barnett, Robert Evans and Carol Gorsuch as members of the City Beautification Committee.

Mayor Johnston announced that Council had not received the back up material on the resolution and moved that the resolution be continued for one week. Seconded by Mr. Hudson. Voice vote was taken and carried. The Resolution was continued to July 13, 1976.

Purchase Resolution No. 23982 Awarding contracts to (1) Claude C. Purvis Co., Inc. on its bid of \$16,225.34 for W.O. 74288-alterations to Fire Station #11, 3802 McKinley Avenue; (2) Tonnesen Construction Company on its bid of \$32,678.22 for L.I.D. 3767 - sanitary sewers.

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

Resolution No. 23983 Approving collective bargaining timetable for 1977 negotiating year.

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. 23984 Authorizing execution of a lease agreement with Continental Ventures for 2,600 square feet of space for Comprehensive Employment Services at 819 South "K" Street.

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

Resolution No. 23985 Authorizing a lease agreement with M B R M Investors for office space for the Utility Services Division of the Public Works Department at 818 South Yakima Avenue.

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. 23986 Authorizing implementation of the Old Town Beach Park Project.

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

Resolution No. 23987 Authorizing execution of an agreement with the Tacoma Public Library for restoration of the Carnegie Library Building.

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

Mr. Sullivan, Director of Community Development, asked that a correction be made on the first line of the Resolution where the number \$23,976 appears, that it read \$23,434

Mayor Johnston moved that the correction be made. Seconded by Mr. Hudson. Voice vote was taken and carried.

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

Resolution No. 23988 Authorizing execution of an agreement with the Metropolitan Park District for restoration of the Seymour Botanical Conservatory and Oakland Playground.

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

Resolution No. 23989 Authorizing the execution of an agreement between the Community Development and the Public Works Departments for riprapping City-owned property along Ruston Way and restoration of oilmat and gravel streets.

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

Resolution No. 23990 Authorizing execution on an agreement with Pacific First Federal Savings and Loan Association for payment of cost of construction of certain public improvements over the escalade.

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

Resolution No. 23991 Awarding contract to Leegh on its basic bid of \$179,498.00 and alternate #2 of \$29,506.00 for construction of the Twelfth Street Mini-Park.

Mr. Schroeder moved that the Resolution be adopted. Seconded by Mr. Hudson.

Roll call vote was taken, resulting in Ayes: 5 - Hudson, Nelson, Schroeder, Warnick and Mayor Johnston. Nays: 4 - Bichsel, Nielsen, Sonntag and Strege. The motion was declared carried. The Resolution was declared adopted.

Resolution No. 23992 Authorizing the execution of an agreement between the City and Price Waterhouse & Co. for a financial and compliance audit of selected contractors for the City's Comprehensive Employment and Training Act programs.

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

Resolution No. 23993 Authorizing the City to enter into an affiliation agreement with the Comprehensive Mental Health Center of Tacoma-Pierce County for operation of the Southend Youth Services Bureau.

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

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HEARINGS & APPEALS: This is the date set for hearing the Amended Six-Year Comprehensive Street Program for 1977 through 1982 and Amended Six-Year Program for Arterial Street Construction.

Ron Button, Director of Public Works, advised Council that the hearing had been advertised as required by law. Mr. Button reviewed the Six-Year program and answered questions of Council members.

Members of the public speaking were: Arlene Gainer, speaking for Mrs. Anna Munoz, 912 South 92nd Street. Mrs. Gainer read a statement written by Mrs. Munoz which requested that the 84th Street arterial from Alaska to Yakima be improved sooner than the planned date of 1981. She pointed out the traffic hazard to pedestrian school children along the road.

Also speaking was Mrs. Rose Poore, 764 South 93rd Street, who urged the 84th Street arterial be improved prior to 1981.

No other citizens appeared to speak at the hearing. Mr. Sonntag moved that the Plan be adopted. Seconded by Mr. Strege. Roll call vote was taken, resulting in Ayes: 9 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick and Mayor Johnston. Nays: 0. The Hearing was declared closed.

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UNFINISHED BUSINESS:

- a. L.I.D. Committee recommending that L.I.D. 5564 for constructing water mains in Bell Street from South 43rd to South 50th; South 50th from Bell to "A" and South 45th from Pacific Avenue to "A" Street not be created.

Mayor Johnston moved to concur in the recommendation of the L.I.D. Committee and remove the item from the agenda. Seconded by Mr. Sonntag. Voice vote was taken and carried.

- b. L.I.D. Committee recommending that L.I.D. 3768 for constructing sanitary sewers in Shorecliff Drive from Brown's Pt. Blvd. northeasterly approximately 1550 feet not be created.

Mayor Johnston moved to concur in the recommendation of the L.I.D. Committee and remove the item from the agenda. Seconded by Mr. Sonntag. Voice vote was taken and carried.

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REPORTS BY CITY MANAGER:

Erling Mork advised that he would be bringing back to Council Alternate No. 1 on Resolution 23991, which is on the 12th Street Mini-Park. He also reported that the Cheney Foundation recently awarded the City of Tacoma \$10,000 for the development of the exhibit in the Bicentennial Pavilion.

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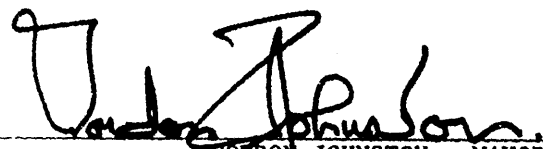
COMMENTS BY MEMBERS OF THE CITY COUNCIL:

Mayor Johnston appointed Deputy Mayor Warnick, Councilman Hudson and himself as members of the L.I.D. Committee for the months of July, August and September.

Mayor Johnston complimented Mr. Mork and his staff for the excellent manner in which they prepared the necessary details for the dedication of the Bicentennial Pavilion on Friday, July 2nd.

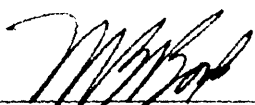
Mr. Sonntag called attention to Rule 7 of the Council Rules of Procedure regarding the filing of new matter and recommended that staff become familiar with this rule.

On proper motion, the meeting adjourned at 8:17 p.m.



 GORDON JOHNSTON - MAYOR

ATTEST:



 H. B. BOND - CITY CLERK