

CITY COUNCIL MINUTES

City Council Chambers
August 31, 1976

The meeting was called to order at 5:12 p.m.

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

The Flag Salute was led by Mr. Warnick.

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PROCLAMATION

Mayor Johnston proclaimed September 1, 1976 as "Disabled American Veterans Forget-Me-Not Day." Officers of Harmony Lodge introduced Committee Chairmen.

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CONSENT AGENDA

Approval of the minutes of the meeting of August 24, 1976.

PETITION: William G. Scannell requesting rezoning of the property located approximately 150 feet west of Starr Street between North 29th Street extended and Schuster Parkway from an "M-2" and "R-2" to an "R-4" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 24053 Setting Tuesday, September 28, 1976 at 1:30 p.m. as the date for hearing by the Hearings Examiner the request for vacation of a portion of South 36th Street west of Mason Avenue. (Public Works Department)

Resolution No. 24054 Setting Tuesday, September 28, 1976 at 1:30 p.m. as the date for hearing by the Hearings Examiner the request for vacation of utilities and access easement over the east 30 feet of Lots 1 through 9 in Block "A" of the Sprague Addition in the vicinity of 66th and Sprague Streets. (David M. Johnson, et al)

ASSESSMENT ROLLS: The Director of Public Works presents the assessment rolls for the following:

L.I.D. 8096 - permanent paving on South Alder from South 8th to 9th Street; South 8th from South Alder to South Lawrence Street; alley between North 7th and North 8th from Lawrence to Warner St.

L.I.D. 8098 - permanent paving on Tacoma Avenue South from South 76th to South 78th; South "K" from South 70th to South 72nd; South 74th from South "D" to South Fawcett Avenue; also storm drain only in South 78th from Tacoma Avenue South to South Winnetka Street.

Fixing Monday, September 27, 1976 at 4:00 p.m. as the date for hearing.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Board of Park Commissioners meeting of August 9, 1976.
- b. Minutes of Public Utility Board meeting of August 11, 1976.
- c. Minutes of Natural Systems Citizens' Committee meeting of August 16, 1976.
- d. Minutes of Board of Pierce County Commissioners meeting of August 17, 1976.
- e. Monthly report, July 1976, Fire Department.
- f. Monthly report, July 1976, Personnel Department.
- g. Minutes of the Board of Administration of the Tacoma Employees' Retirement System meeting of July 29, 1976.
- h. Monthly report of purchases and sales of investments during the month of August 1976 - Tacoma Employees' Retirement System.

Mr. Schroeder moved that all of the items listed on the Consent Agenda, including Resolutions 24053 and 24054 be approved. Seconded by Mr. Nielsen. 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

COMMUNICATIONS: Hearings Examiner submitting Shoreline Management Permit Application No. 141.117 Hugh Barden - marina, floating walkway, tire breakwater, improvement to the pier platform and denying his application for boat building and repair and provisions for permanent parking.
(Continued from the meeting of June 1, 1976.)

On question of Mr. Schroeder as to whether the Ruston Way Plan has been completed by the Planning Commission, Erling Mork, City Manager, advised there will be a joint City Council/Planning Commission Study Session September 14th to discuss the Planning Commission recommendations for a plan.

Mr. Schroeder moved to continue the application for 60 days. Seconded by Mr. Nielsen. Voice vote was taken and carried. The item was continued to Wednesday, November 3, 1976.

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FINAL READING OF ORDINANCES:

Ordinance No. 20794 Vacating "G" Street and the alley to the east from South 81st Street to South 82nd Street. (Marguerite Sands)

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Bichsel

The Ordinance was declared passed.

Ordinance No. 20854 Authorizing acceptance of a donation of two lawn mowers from the Sixth Avenue Ernst Hardware Store for use in the Department of Human Development's Home Repair Program.

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Bichsel

The Ordinance was declared passed.

Ordinance No. 20855 Amending Chapters 6.43 and 6.44 of the Official Code relative to transient stocks and secondhand merchandise.

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Bichsel

The Ordinance was declared passed.

Ordinance No. 20857 Approving and confirming the assessment roll for L.I.D. 5557 for constructing water mains and fire hydrants in Orchard Street from South 56th to South 58th Street.

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Bichsel

The Ordinance was declared passed.

Ordinance No. 20858 Approving and confirming the assessment roll for L.I.D. 3763 for constructing sanitary sewers in South Mason Avenue (extended) from South 38th to the alley between South 41st and 42nd Street.

Roll call was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Bichsel

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 20856 (Continued from the meeting of August 24th)
Authorizing acceptance of the fifth year grant award from the Federal Department of Housing & Urban Development in the amount of \$44,000.00 for the purpose of continuing the City's 701 Comprehensive Planning Assistance Program.

The Ordinance was set over for final reading next week.

Ordinance No. 20859 Amending the Pay and Compensation Plan to change certain salaries in the Controller Division and Building Maintenance Division.

Odd A. Lund, Personnel Director, advised that the salary changes are the result of Labor negotiations.

John C. Frai, 1423 South 23rd, spoke against the Ordinance.

The Ordinance was set over for final reading next week.

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)

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

Ordinance No. 20861 Appropriating the sum of \$1,942,000.00 from the Light Division Current Fund No. 470 for the purpose of paying additional Capital Outlay Costs of the Light Division for 1976 and declaring an emergency making necessary the passage of this Ordinance and its taking effect immediately after publication.

A. J. Benedetti, Director of Utilities, reviewed the Ordinance for the City Council and answered questions.

Speaking against the Ordinance were John C. Frai, 1423 South 43rd and Walter Severtson, 8447 South "D" Street.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Resolution No. 24055 Awarding contract to LEEGH on their alternate bid No. 1 in the sum of \$44,023.00 for construction of the pool/fountain at the 12th Street Mini-Park.

Mr. Warnick 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: 3 - Nielsen, Sonntag, Strege. Absent: 1 - Bichsel. The Resolution was declared adopted.

Resolution No. 24056 Awarding contracts to: 1) Lige Dickson Company on its bid of \$26,752.80 for L.I.D. 8111 - residential street paving, Alder Street; 2) Lige Dickson Company on its bid of \$111,068.44 for L.I.D.'s 8112 & 8124 and W.O. 91205 - paving and sanitary sewers; 3) Tucci & Sons, Inc. on its bid of \$9,509.90 for L.I.D. 8118 - asphalt concrete alley paving; 4) Lige Dickson Company on its bid of \$31,209.90 for L.I.D. 8122 - residential street paving; 5) Clifford of Vermont on its bid of \$5,685.91 for Conductor Cable and rejecting all bids on W.O. 91204 - sanitary sewer reline as they exceed the estimate by more than 10%.

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

Resolution No. 24057 Authorizing execution of a Collective Bargaining Agreement with I.B.E.W. Local 483, Controllers Division, to be effective January 1, 1976 through December 31, 1976.

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

Speaking against the Resolution were Walter C. Severtson, 8447 South "D" Street and Darlene Crawford, citizens.

Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 24058 Authorizing execution of a power supply contract with Union Carbide Corporation.

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. 24059 Authorizing cancellation of Local Improvement District real estate contract and reconveyance of certain real property located in the vicinity of 33rd Street N.E. and 53rd Avenue N.E. back to the City by Paul E. Reed and Barbara Reed.

254

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

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PUBLIC HEARINGS AND APPEALS: a. This is the date set for a meeting with the initiating parties for the proposed annexation of the area generally southeast of I-5, west of Hosmer Street extended and north of South 102nd Street. (KLS Associates, et al)

George Hoivik, of the Planning Department, reviewed the area of proposed annexation on a large map. In answer to questions of Council members, he advised the area comprises approximately 70 acres and would add approximately 500 to the City's population. The area is comprised of two large apartment complexes and single family dwellings with an assessed value in excess of \$4,800,000.

John Hausler, attorney for the Southeast Tacoma Mutual Water Company, advised that his client has served this area and desires to serve the area indefinitely, and since this would not be possible if the area were annexed by the City, he opposed the annexation.

Dick Shaw, representing the Petitioners, described the development of the area and advised that the primary reason for requesting annexation was for Police and Fire protection and City sewers. He urged approval of the annexation.

Mr. Sonntag moved that the Tacoma City Council establish the following principles relating to the proposed annexation: 1) The City Council will accept a 75% petition. 2) The City Council mandates that the annexed area will assume the City's bonded indebtedness. 3) That the City Council find that a comprehensive plan will not be necessary in connection with this 70 acre annexation. Seconded by Mr. Warnick. Voice vote was taken and carried.

Mr. Hoivik advised that the Resolution, based on the motion, will come before Council next week.

b. This is the date set for hearing the appeal of Daniel M. Caine, attorney, representing Puget Sound Truck Lines, Inc.; Puget Sound Trucking Company, Puget Sound Terminals, Inc. and Puget Sound Terminal Company appealing the Business and Occupation Tax assessment by the Tax & License Department.

Mr. Sonntag moved that inasmuch as the appellants and the Tax & License Department are asking for a continuance of the Hearing, he moved that the Hearing on the Appeal be continued for 60 days. Seconded by Mr. Schroeder. Voice vote taken and carried. The Hearing was continued to Wednesday, November 3, 1976.

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COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Mr. Sonntag asked that an Ordinance be brought to Council as soon as possible which would appropriate the funds to hire an additional person at the Humane Society

6

255

to provide the service to enforce the laws of the City. He asked that those figures, provided to Council in a Memo, be used excluding the purchase of a new truck.

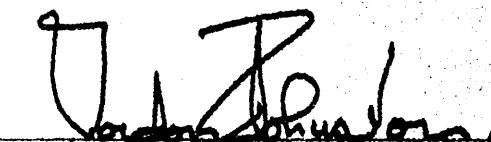
Mr. Nielsen advised he will soon be providing Council with an update of the status of the Shoreline Management Ordinance, with particular emphasis on the Ruston Way segment.

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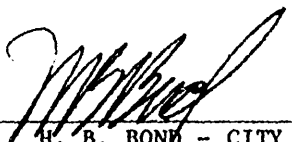
CITIZENS REQUEST TO BE HEARD: Sharle Osborne of Prospect, wishing to speak before the City Council regarding Prospect, a nonpublic educational alternative.

David Odie, identifying himself as one of the Directors of Prospect, received permission from Council to speak in the absence of Sharle Osborne who was unable to attend the meeting. Mr. Odie explained that Prospect was a nonprofit organization and described the concept of their program of teaching.

On proper motion, the meeting adjourned at 7:10 p.m.



GORDON JOHNSTON - MAYOR

ATTEST: 

H. B. BOND - CITY CLERK