

CITY COUNCIL MINUTES

City Council Chambers
March 15, 1977

The meeting was called to order at 5:07 p.m.

Present on roll call: 8 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Strege, Warnick and Mayor Johnston. Absent: 1 - Sonntag. Mr. Sonntag arrived at 5:10 p.m.

The Flag Salute was led by Mr. Hudson.

Mayor Johnston announced that the first order of business would be the agenda of March 8, 1977.

PROCLAMATIONS:

Mayor Johnston proclaimed the period of March 19 through 26, 1977 as the "Week of the Young Child" in the City of Tacoma.

Mayor Johnston also proclaimed March 17, 1977 as "St. Patrick's Day" in the City of Tacoma.

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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 1, 1977.

ASSESSMENT ROLLS:

The Director of Public Works presents the assessment roll for the following:

L.I.D. 8108 - permanent paving on East 63rd from East "I" to East "J" Street; East "L" from East 63rd to East 64th Street; East 90th from East "D" to East "E" Street; also storm drain line in East "D" from East 90th to East 91st Street.

Fixing Monday, April 11, 1977 at 4:00 p.m. as the date for hearing.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Board of Pierce County Commissioners meetings of February 28 and March 1, 1977.
- b. Minutes of Civil Service Board meeting of February 28, 1977.
- c. Minutes of City Planning Commission meeting of February 23, 1977.
- d. Minutes of Tacoma-Pierce County Civic Arts Commission meeting of February 17, 1977.
- e. Minutes of Landmarks Preservation Commission meeting of February 16, 1977.
- f. Minutes of Affirmative Action Evaluation Committee meetings of February 2, January 5, 1977, special meeting of December 15, December 1, November 3, October 6 and September 1, 1976.

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- g. Minutes of Board of Trustees of Tacoma Public Library meeting of January 25, 1977.
- h. Monthly report, purchases and sales of investments during February, 1977, Tacoma Employees' Retirement System.
- i. Monthly report, January, 1977, Fire Department.

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.

FINAL READING OF ORDINANCES:

Ordinance No. 21010

Amending Chapter 6.34 of the Official Code pertaining to peddling activities in the "B" Business District.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hudson, Nielsen, Schroeder, Strege, Warnick, Mayor Johnston

Nays: 2 - Nelson and Sonntag

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 21011

Amending Chapter 13.06 of the Official Code to reclassify the East side of Warner Street, approximately 150 feet north of South 43rd Street from an "R-3" to an "R-4-L" District. (Gary Davis and Mike Williams)

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

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.

Lewis Despain and Alan Prebilsky spoke and urged approval of the franchise.

The Ordinance was set over for final reading to April 5, 1977.

Ordinance No. 21013

Appropriating the sum of \$43,188.82 from the General Fund to the Police Relief & Pension Fund No. 612, and appropriating the sum of \$63,677.24 from said Fund No. 612 for the purpose of meeting the City's mandatory obligations for the year 1976 and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 21014

Appropriating the sum of \$1,262.98 from the General Fund to the Firemen's Relief and Pension Fund No. 615, and appropriating the sum of \$3,180.10 from said Fund No. 615, for the purpose of meeting the City's mandatory obligations for year 1976 and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 21015

Appropriating the sum of \$32,450.00, or so much thereof as may be necessary, from the Equipment Rental Fund No. 540 to cover costs for year 1976 and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 21016

Appropriating the sum of \$17,300.00 from the Library Fund to provide a portion of the funds to purchase a computerized library circulation control system and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 21017

Appropriating \$2,500.00, or so much thereof as may be necessary, from the General Fund for the purpose of commissioning a mural for the south exterior wall of the Bank of California Building at 11th & "A" Street and declaring an emergency making necessary the passage of this ordinance.

Arthur Brown, speaking for the Director of El Commite, advised that it is the feeling of the director that the \$2,500.00 should be spent for people services rather than a mural on a bank.

The Ordinance was set over for final reading next week.

Ordinance No. 21018

Appropriating the sum of \$22,000.00, or so much thereof as may be necessary, from the City Street Fund No. 104 to cover costs of calendar year 1976 and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 24327

Awarding contracts to: (1) Woodworth & Company, Inc. on its bid of \$61,348.45 for L.I.D. 8146-residential street paving; (2) Hanson Excavating Co. on its basic bid of \$28,928.93 and supplemental bid of \$2,831.39 for L.I.D. 3773-sanitary sewers and (3) R.W. Rhine, Inc. on its bid of \$7,041.70 for Contract No. CD 13001-demolition and site clean up in the 16th & "K" Street project area.

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

Resolution No. 24328

Authorizing execution of an amendment to agreement with the Metropolitan Park District dated August 12, 1976 to change the project proposal from construction of parking facilities and road relocation to tennis courts at Stewart Heights Park.

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

Resolution No. 24329

Authorizing the transfer of \$20,000.00 from the Nondepartmental Account No. 373 to Account No. 631 for the purpose of constructing a proto-type street light system.

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. 24330

Authorizing temporary loans in the aggregate amount of \$850,573.00 from the General Fund to working funds of certain grant projects.

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. 24331

Authorizing temporary loans in the aggregate sum of \$1,624,677.61 from the General Fund to various operating funds.

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

Resolution No. 24331 completed the agenda for March 8, 1977. The next order of business was the agenda of March 15, 1977.

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

Approval of the minutes of the meeting of March 8, 1977.

RESOLUTION:

Resolution No. 24332

Setting Tuesday, March 22, 1977 at 5:00 p.m. as the date for hearing application of William W. Haire for an Open Space Current Use Assessment.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Public Utility Board meeting of February 23, 1977.
- b. Minutes of Board of Park Commissioners meeting of February 28, 1977.
- c. Minutes of Board of Pierce County Commissioners meetings of March 7 and 8, 1977.
- d. Annual Financial Report, December, 1976, Light Division, Water Division and Belt Line Railway Division.
- e. Monthly report, December, 1976, Personnel Department.
- f. Monthly report, January, 1977, Police Department.
- g. Grantee Performance Report Second Year Community Development Activities, March 1, 1977, Community Development Department.
- h. Sixth Year Application for a 701 Comprehensive Planning Assistance Grant - Planning Department.
- i. Annual Audit - City of Tacoma, January 1, 1975 to December 31, 1975 by Washington State Auditor.
- j. City Beautification letter regarding City-Wide Coordinated Litter Cleanup Day and Arbor Day Tree Planting.

Mr. Schroeder moved that all of the items listed on the Consent Agenda, including Resolution No. 24332, be approved. Seconded by Mr. Nielsen. Voice vote was taken and carried. The items were declared approved.

COMMUNICATIONS:

Hearings Examiner recommending denial of Rezone Request No. 120.780 - Charles M. & Georgimay Weick - for the reclassification of an "R-1" to an "R-3" District on the easterly side of Brown's Point Bouievard approximately 250 feet north of 55th Street N.E. extended easterly.

Robert Backstein, Hearings Examiner, asked that this be removed from the agenda as he intends to have a rehearing on the matter.

Mr. Sonntag moved that the communication be removed from the agenda. Seconded by Mr. Warnick. Voice vote was taken and carried.

FINAL READING OF ORDINANCES:

Ordinance No. 20644

Vacating South 52nd Street from 150 feet west of Alaska Street to Freeway I-5 and South Wilkeson from South 52nd Street to 128 feet south. (Rainier Mortgage Company)

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. 20947

Amending Chapter 13.06 of the Official Code to reclassify the west side of Bell Street beginning approximately 125 feet south of South 82nd Street from an "R-2" to an "R-3" District. (W.B. Byrns Company)

Roll call was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

Ordinance No. 21019

Providing for the improvement of L.I.D. 5569 for constructing water mains in Shaw Road East from 122nd Street East north to approximately 630 feet south of 112th Street east.

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. 21020

Providing for the improvement of L.I.D. 8175 for permanent paving on East 55th from Portland Avenue to East "N"; East "D" from East 80th to East 82nd; East 80th from East "D" to East "F" and storm drains in East 80th from East "B" to East "D" Street.

Ron Button, Director of Public Works advised that at the L.I.D. Hearing there was a 50.7 percent remonstrance against the portion of East "D" and East 80th Street. Presently, the remonstrance is 51.7 percent and the L.I.D. Committee has passed the L.I.D. to Council for their review and decision.

Speaking in favor of the Ordinance were: Shirley Dubis, 419 East 80th; Rex Foreman, 8012 East "E" Street; Mel Orse, 8036 East "D"; Bernice West, 8012 East "D".

Speaking against the Ordinance were: Nick Yost, 8044 East "D"; A.R. Meenk, 401 East 82nd; John Sidorski, 8011 East "D"; Norman Martin, 4025 East 80th; Marion Grace, 401 East 80th; Mrs. Curry, 509 East 82nd; Linda Grooms, 424 East 80th.

After discussion, roll call vote was taken, resulting as follows:

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

Nays: 1 - Hudson

The Ordinance was declared passed.

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Ordinance No. 21021

Approving and confirming the assessment roll for L.I.D. 2433 for oil surface treatment on South 58th from South Pine to South Junett; East 31st from Portland Avenue to East "R" Street and other nearby 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. 21022

Approving and confirming the assessment roll for L.I.D. 2434 for oil surface treatment on East "E" from East 44th to East 45th; East 37th from McKinley Avenue west to alley; and other nearby streets.

Roll call was taken, resulting as follows:

Ayes: 6 - Bichsel, Hudson, Nielsen, Schroeder, Strege, Mayor Johnston

Nays: 0

Absent: 3 - Nelson, Sonntag, Warnick

The Ordinance was declared passed.

Ordinance No. 21023

Approving and confirming the assessment roll for L.I.D. 5560 for constructing water mains in Mason Avenue from South 37th to South 40th; South 40th from Mason Avenue to Manitou Way and in Manitou Way from South 40th to South 42nd Street.

Roll call was taken, resulting as follows:

Ayes: 5 - Bichsel, Hudson, Schroeder, Strege, Mayor Johnston

Nays: 0

Absent: 4 - Nelson, Nielsen, Sonntag, Warnick

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 21024

Vacating a portion of East "E" Street, East "F" Street, East 32nd Street and McKinley Way. (Department of Public Works)

Harry Maesner, 514 East 32nd, resident of the area, advised that the decision of the Hearings Examiner meets with his approval.

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

Ordinance No. 21025

Amending Chapter 2.05 of the Official Code relative to Political Signs.

Mr. Sonntag moved to amend the Ordinance to allow an increase in the square footage of the signs from eight square feet to sixteen square feet. Seconded by Mr. Nelson. Roll call vote was taken, resulting in Ayes: 3 - Nelson, Nielsen, Sonntag. Nays: 6 - Bichsel, Hudson, Schroeder, Strege, Warnick, Mayor Johnston. The motion was declared failed.

Mr. Sonntag moved to remove the Ordinance from the agenda. Seconded by Mr. Nielsen. Roll call vote was taken, resulting in Ayes: 3 - Nielsen, Sonntag, Warnick. Nays: 6 - Bichsel, Hudson, Nelson, Schroeder, Strege, Mayor Johnston. The motion was declared failed.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 24289 (Continued from February 15th)

Authorizing an agreement between the County of Pierce, Baseball Tacoma, Inc. and the City of Tacoma to extend agreement for 1977 baseball season for use of Cheney Stadium.

Bud Bond, City Clerk, asked that this Resolution be removed from the Agenda.

Mr. Hudson moved that it be removed from the Agenda. Seconded by Mr. Warnick. Voice vote was taken and carried. The Resolution was removed from the agenda.

Resolution No. 24290 (Continued from February 15th)

Authorizing an agreement with the Disabled American Veterans, Harmony Chapter No. 18 to operate the parking concession at Cheney Stadium Ballpark in 1977.

Mr. Bond asked that this Resolution be removed from the Agenda.

Mayor Johnston moved that it be removed from the Agenda. Seconded by Mr. Warnick. Voice vote was taken and carried. The Resolution was removed from the agenda.

Resolution No. 24314 (Continued from March 1st)

Adopting the renewed and revised Affirmative Action Plan for Equal Employment Opportunity.

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

James Walton, Director of the Human Relations Commission, reviewed the plan and the revisions made as it related to the 1973 Affirmative Action Plan.

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He answered questions of Council members.

Virgil Matthews, citizen, asked that minority contractors be included in the plan.

Alberta Canada, member of the Human Relations Commission, referred to the commission's recommendations and advised that some of them had not been incorporated in the plan. She asked that they be incorporated.

After discussion, Mr. Strege moved that recommendation number one from the Human Relations Commission be incorporated in the Affirmative Action Plan. Seconded by Mr. Sonntag. Voice vote was taken and carried.

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

Mayor Johnston asked that a Study Session be scheduled in order to review the items recommended by the Human Relations Commission.

Purchase Resolution No. 24333

Awarding contracts to: (1) E.J. Rody & Sons on its bid of \$21,803.00 for W.O. 91211 - sanitary sewer replacement; (2) Bill's Towing on its bid for towing service; and rejecting all bids on W.G. 91817 - remodeling and conversion of the Filtration Building at Central Treatment Plant.

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. 24334

Authorizing purchase of fifteen 1977 Pontiac Police vehicles under State of Washington contract and waiving the requirement for competitive bidding.

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

Robert Richards, citizen, made inquiry as to the waiving of competitive biddings. The State purchase contract was explained to him.

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

Resolution No. 24335

Dedicating a triangular tract of Light Division Clement Substation property for sidewalk purposes.

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

Resolution No. 24336

Authorizing execution of a contract with the Tacoma Daily Index for the City's official printing for the year commencing March 1, 1977 through February 28, 1978 and waiving the requirement for competitive bidding.

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

Resolution No. 24337

Authorizing modification of agreement with Olympic Pipe Line Company for underground petroleum pipelines.

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

Resolution No. 24338

Authorizing the proper officers of the City to sign a Quit Claim of interest in the private Waterway known as Wheeler Osgood Waterway.

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

Resolution No. 24339

Granting an easement to Washington Natural Gas Company for a gas pipe line under City property at Center and Pine Streets.

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

Resolution No. 24340

Authorizing execution of an agreement with the State of Washington and the U.S. of American for grant funds for completion of design of new facilities for the Central Wastewater Treatment Plant System.

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

Resolution No. 24341

Authorizing execution of an agreement with the Metropolitan Park District for construction of certain improvements to the Puget Mini Park at 31st and Proctor Streets in accordance with the Community Development Plan of 1976-1977.

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. 24342

Authorizing execution of an agreement with the Tacoma Public Library to administer the Fern Hill Meeting Room Addition Project according to the Community Development Plan of 1976-1977.

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

Resolution No. 24343

Authorizing execution of a contract with the Tacoma Urban League for certain services in determining marketability, feasibility, financing and development of the economic and business development project and waiving the requirement for competitive bidding.

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

Keith Palmquist, Assistant Director of the Department of Community Development, asked that this Resolution be continued for one week.

Mr. Sonntag moved that the Resolution be continued for one week. Seconded by Mr. Hudson. Voice vote was taken and carried. The Resolution was continued to March 22, 1977.

Resolution No. 24344

Authorizing execution of an amendatory agreement with Real Estate Research Corporation for an economic feasibility and marketability study of certain properties and uses in the New Tacoma, Wash. R-14 Project.

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

Resolution No. 24345

Authorizing execution of an agreement with Arthur Young and Company for consulting services for the purpose of evaluating the "Treatment Alternatives to the Street Crime Program".

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

Resolution No. 24346

Authorizing execution of agreement with the Puget Sound Council of Governments relating to transportation planning and programming required by federal UMTA regulations.

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

Resolution No. 24347

Authorizing the proper officers of the City to submit an application to the Washington State Law and Justice Planning Office for a \$5,000.00 grant for the purpose of conducting a Law Enforcement Youth Camp during calendar year 1977.

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

Mr. Hudson moved to adopt corrected Resolution No. 24347, which changed the calendar year date to 1978. Seconded by Mr. Schroeder. Voice vote was taken and carried. The corrected Resolution was declared adopted.

Resolution No. 24348

Authorizing the proper officers of the City to submit a project prospectuses to the State of Washington for funds under the Federal Aid Safety Program.

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. 24349

Authorizing execution of an amendment to the proposed lease with DenMark, Inc. relative to certain Industrial Airport property.

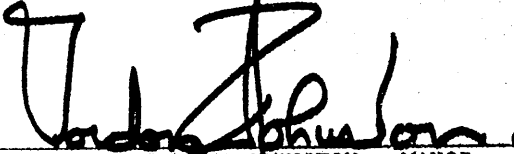
Mr. Nielsen moved that the Resolution be adopted. Seconded by Mr. Hudson. Voice vote was taken and carried. The Resolution was declared adopted.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Mayor Johnston advised that Mr. Hudson has been elected Vice President of the Pierce County Sub-Regional Council of the Puget Sound Council of Governments. He appointed Deputy Mayor Warnick to replace Mr. Hudson on the Council.

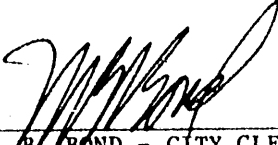
Mr. Hudson asked that he be supplied with the Land Use Policies and Objectives of the Planning Commission regarding major shopping centers.

On proper motion the meeting adjourned at 8:45 p.m.



GORDON JOHNSTON - MAYOR

ATTEST:



H. B. BOND - CITY CLERK