

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, August 15, 1967

Council met in regular session. Present on roll call 9: Bott, Cvitanich, Finnigan, Haley, Herrmann, Johnson, Murtland, Price and Mayor Tollefson. Absent: 0.

Mr. Haley moved that the minutes of the meeting of Aug. 1, 1967 be approved as submitted. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

Presentation of Suggestion awards:

Mr. Rowlands explained that Mr. Charles E. Ashworth and Mr. William Olson of the Public Works Dept. have each won an award of \$25.00 for their suggestion concerning the use of a pipe and chain pallet sling .

Mayor Tollefson presented Mr. Ashworth and Mr. Olson with their awards.

Mr. Rowlands explained that Mr. Lawrence E. Stahl, Sr. has again won a \$25.00 award for his suggestion concerning the installation of an exhaust and ventilation system in the equipment service Shop No. 2.

Mayor Tollefson presented Mr. Stahl with his award.

The participants were congratulated by Mayor Tollefson, Mr. Rowlands, City Manager, and members of the City Council.

COMMUNICATION:

Communication from the Civic Arts Commission advising they will give immediate consideration to the designs of the bus benches after they are received and will then submit them to the City Council for their final action.

Placed on file .

RESOLUTIONS:

Resolution No. 19307

Fixing Monday, Sept. 11, 1967 at 4:00 P. M. as the date for hearing on L I D 5445 for water mains in No. 11th from Highland to Pearl; No. 12th & 13th from Highland to Woodlawn; No. 11th to 13th and Woodlawn from Hunter to No. 13th.

Mr. Haley moved that the resolution be adopted. Seconded by Dr. Herrmann.

The Resolution was passed unanimously by voice vote.
Ayes 9; Nays 0; Absent 0.

Resolution No. 19308

Awarding contract to Tucci & Sons, Inc. for L I D 4809 on its bid of \$86,680.22.

Mr. Haley moved that the resolution be adopted. Seconded by Dr. Herrmann.

The Resolution was passed unanimously by voice vote.
Ayes 9; Nays 0; Absent 0.

Resolution No. 19309

Awarding contract to Lige Dickson Co. on its bid of \$9,248.25 for demolition of the buildings at 1523 Broadway and 1524 Commerce St.

Mr. Haley moved that the resolution be adopted. Seconded by Dr. Herrmann.

The Resolution was passed unanimously by voice vote.
Ayes 9; Nays 0; Absent 0.

Resolution No. 19310

Authorizing the proper officers of the City to fill the temporary positions which are necessary for the proper construction and completion of the Center, Fawcett and New Tacoma Urban Renewal Projects.

Mr. Haley moved that the resolution be adopted. Seconded by Mrs. Price.

Mr. Richmond, Urban Renewal Director, explained this resolution establishes certain classifications for temporary employees that are necessary for the proper construction and completion of the major independent urban renewal projects requiring independent urban renewal work.

The Resolution was passed by voice vote.
Ayes 8; Nays 1, Cvitanich; Absent 0.

Resolution No. 19311

Authorizing the execution of an agreement between the City and John A. Donaho & Associates, Inc. to conduct a study concerning the needs of the City for the development of electronic data processing and management information systems.

Mr. Haley moved that the resolution be adopted. Seconded by Mrs. Price.

Mr. Rowlands explained that John A. Donaho and Associates, Inc. have conducted a study relative to the needs of the City of Tacoma for the development of electronic data processing and management information systems. This firm has now submitted a proposed agreement for proceeding with the detailed survey including an administrative survey of the Dept. of Public Works, for an administrative survey of the Dept. of Finance and for recommendation on an over-all city organization. Mr. Rowlands added, it appears in the best interest of the City to have this survey performed.

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Mr. Donaho of John A. Donaho and Associates, Inc., explained that the plan they have been asked to develop for the City of Tacoma and Pierce County involves three plans; (1) analyses of work flows in both jurisdictions; (2) a pre-inventory of all possible applications; (3) a development of a plan for priorities. He added, his firm will submit a well-developed long-range plan. However, it is up to the City and the County whether they would engage in a joint effort.

Mr. Rowlands explained that the Pierce County Commissioners had already authorized the expenditure of \$9,800 as their share in the study.

Mr. Haley wondered why the Dept. of Utilities was not included in the proposal.

Mr. Rowlands felt the physical situation with the County and City governments in one building lends itself better to the program. He added, that the Utilities Dept. could be include later if it appeared desirable.

Mr. Donaho hoped the study would be completed by Dec. 15th so the City and County could start acquiring the necessary equipment.

Mr. Finnigan also asked why the Utilities Dept. was not included in the study and why the cost for the City is twice as much as the County.

Mr. Rowlands said the County's operation is small and would have only limited need for use of the computers.

Mr. Johnson stated, it seems to be the desire of the Council to bring the Utilities Dept. into this program if it will be of any benefit to them. It seems perhaps, they are carrying on very satisfactorily with the equipment they have at the moment, but as their growth develops they may need more and better equipment. If this resolution is passed, he would like to have it understood that as soon as possible the Council will meet with the Utility Board to determine why they should not join in with this program now.

Mayor Tollefson felt the concensus of the Council was they wished all branches of the City government to be involved in this program.

The Resolution was passed by voice vote.
Ayes 8; Nays 1, Finnigan; Absent 0.

Resolution No. 19312

Appropriating the sum of \$19,600 or so much thereof as may be necessary from the Cumulative Reserve Fund for Capital Outlay & M & O for the purpose of hiring John A. Donaho & Associates, Inc. for a survey and study of the electronic data processing system of the City.

Dr. Herrmann moved that the resolution be adopted. Seconded by Mrs. Price.

The Resolution was passed by voice vote.
Ayes 8; Nays 1, Finnigan; Absent 0.

FIRST READING OF ORDINANCES:

Ordinance No. 18362 (on for 1st reading again due to a change in the title)

Amending Chapter 11.10 of the official code by adding two new sections 11.10.175 and 11.16.015 to include new regulations governing motorcycles.

The ordinance was placed in order of final reading.

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Ordinance No. 18364

Amending Chapter 1.06 of the official code and repealing Sec. 1.06.246 to bring the City code into conformity with Chapter 101 of the 1967 Extraordinary Session which repealed the 5% preference provision for local bidders previously in the State Law.

The ordinance was placed in order of final reading.

Ordinance No. 18365

Amending Section 1.06.470 of the official code relative to Pension benefits of the Police & Fire departments.

Mr. McCormick, City Attorney, suggested that this ordinance be removed from the agenda as State Law governs the Police and Fire Pension Systems.

Mr. Haley moved that Ordinance No. 18365 be removed from the agenda. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

Ordinance No. 18366

Vacating Union Avenue and an adjoining 20 foot strip of right-of-way between So. 47th and 48th St. extended. (petition of Public Works Dept.)

The ordinance was placed in order of final reading.

Ordinance No. 18367

Vacating the west side of Jackson Avenue at No. 23rd St. (petition of Roy Quinn & A. F. Swanson)

The ordinance was placed in order of final reading.

Ordinance No. 18368

Amending Subsection C of Section 1.24.420 and 780 of the official code relating to administration and personnel rules.

The ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 18360

Vacating the alley east of Mullen St. between So. 49th and So. 50th St. extended. (petition of Lawrence A. Musick)

Roll call was taken on the ordinance, resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was declared passed by the Chairman.

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Ordinance No. 18361 (as amended)

Amending Title 9 of the official code of the City by adding a new chapter 9.17 whereby abutting property owners will be responsible for injuries and damages arising out of defective and dangerous conditions relative to sidewalks, etc.

Mr. McCormick, City Attorney, explained that this ordinance does not change the liability of anyone, however, it does provide an impetus for citizens to notify the city of defects and may reduce the number of damage claims against the city for sidewalk accidents.

Mr. Bott suggested that the words, "more than thirty days" on the first line of the last page be deleted. He added, if the city caused the hazard, it would still have to pay, and if the property owner caused the hazard, he would probably end up paying the damages. He felt the thirty day clause was not necessary.

Mr. McCormick said there is usually a joint responsibility in these cases and while it is true the liability relationships are not changed, the ordinance does solidify it and makes it easier to prove in court.

Mayor Tollefson said he would like the people in the City to have more knowledge of the ordinance and suggested a two week's postponement of the ordinance.

He added, in regard to the language on Page 3, he suggested that the word "verification" on the 4th line be changed to the word "statement".

Mr. Ted Huntley of 4908 No. 13th wanted the ordinance explained.

Mr. Ed Snell of 4201 So. Puget Sound Ave., reported defective sidewalks at his residence.

Mr. Snell remarked that sidewalks were cracked by roots and trees at his property. He contacted a contractor of his choosing and the price was too high. He then contacted Mr. McPhail of the Public Works Dept. and asked if it were possible for the City to do the work but the situation is still status quo. He still does not know who is responsible and does not understand why at the property owner's request the City does not have the full responsibility.

Mr. McCormick stated there is a constitutional provision in the State Law which makes it illegal for a department of the City to lend aid to a private individual with the exception of an L I D.

Mr. Snell remarked, it was too late now as everybody else fixed their sidewalks in his block.

Mr. Murtland asked who has the ultimate responsibility. He felt that if Mr. Snell had caused the defect, then giving notice to the City would be of no avail, and he would still have to have it repaired. However, if the land or something underneath the sidewalk caused the defect, he would be absolved of any responsibility.

Mr. Finnigan stated, as of now, Mr. Snell has notified the City that there is a problem of a defect in a sidewalk at his property.

Mr. McCormick felt if this ordinance passes, Mr. Snell should notify the City in writing about the defect.

Mayor Tollefson felt an official notice should be published in the paper to give citizens adequate notice of this change.

Mayor Tollefson moved that the word "verification" on page three, line four, be changed to "statement". Seconded by Mr. Haley. Voice vote taken. Motion carried.

Mr. Bott moved to delete the words, "more than thirty days" in the first line of Page 3. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

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Mr. Cvitanich moved for a postponement of the ordinance until Tuesday, Aug. 29, 1967 at 4:00 P. M. Secconded by Mr. Haley. Voice vote taken. Motion carried.

Ordinance No. 18363

Vacating East 55th St. and the alley immediately south between Portland Ave. and East N St. (petition of Hillcrest Investment Co., Inc.)

Roll call was taken on the ordinance, resulting as follows:

Ayes 8; Nays 1, Cvitanich; Absent 0.
The Ordinance was declared passed by the Chairman.

UNFINISHED BUSINESS:

The Director of Public Works presents the following Assessments for the cost of L I D 4803 for paving of alley between Ea. 60th & Ea. 62nd Sts. from East K to East L.

L I D 6876 for street lighting on Fife St. from So. 48th to So. 56th St.

Mrs. Price moved that Monday, Sept. 25, 1967 at 4:00 P. M. be set as the date for bearing on L I D 4803 and 6876. Secconded by Mr. Haley. Voice vote taken. Motion carried.

Mr. Johnson asked to be excused from the next two meetings, Aug. 22nd and Aug. 29th, 1967.

Mr. Haley moved that Mr. Johnson be excused from the meetings of Aug. 22nd and Aug. 29th, 1967. Secconded by Mr. Cvitanich. Voice vote taken. Motion carried.

REPORTS:

MC 494 -- Annual Training Program.

MC 496 -- Effect of Key Ordinance upon incidence of Auto Theft.

This MC was also submitted by Mr. Rowlands which indicated that there has been a definite decrease in auto theft due to the effect of the passage of the key ordinance.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Report from the City Planning Dept. for the month of July 1967.
- b. Report from the Municipal Court for the month of July 1966 & 1967.
- c. Police Dept. report for the month of July 1967.
- d. Traffic Division report for the month of June 1967.

COMMENTS:

Mr. Rowlands reminded the City Council that the next Band Concert would be held on Sunday, Aug. 20th at 2:00 P. M. at Pt. Defiance Park.

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Mr. Rowlands stated that on Wednesday, Sept. 13th, from 10 A. M. to 4 P. M. the First Class cities will hold a one day session in Vancouver, Wash. A number of Legislators will be in attendance. He asked that Councilmen who wish to attend, please notify his office.

Mr. Rowlands submitted the Monthly Activity Report of July 1967 from the Board of Directors of the Puget Sound Air Pollution Control Agency.

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Mayor Tollefson submitted a letter from the National Association for the Advancement of Colored People, dated Aug. 10, 1967. The context of the letter was read by Mayor Tollefson, which asked that a meeting be called with members of the City staff, poverty officials, police officials, church organizations, grass roots people and any other necessary persons and groups, for the purpose of discussing specific problems that minority persons experience daily in Tacoma. Mentioned were 16 items to be discussed.

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Mayor Tollefson felt a round-table discussion should be held. He noted that this same concern has developed nationally in the N L C and meetings will also be held at that level.

He added, that a meeting in Tacoma should be held before Aug. 24th, which is the date that an assembly is going to be held in Washington, D. C. He hoped that he could attend that particular meeting.

Mr. Rowlands stated that within the last three weeks a number of meetings have been held with representatives from minority groups. Views on a number of conditions have been discussed and it is hoped that more effective programs will be established. He also noted that the ICMA is involved in the meeting on Aug. 24th in Washington, D. C.

Mr. Finnigan said he could not think of any matter more important at this time and urged that Mayor Tollefson and Mr. Rowlands attend this meeting.

Dr. Herrmann moved that Mayor Tollefson and City Manager, David Rowlands, attend the meeting in Washington, D. C. on Aug. 24th, 1967. Seconded by Mrs. Price. Voice vote taken. Motion carried.

Mr. Finnigan stated he has had numerous calls from people, stating a police car had been cruising in their neighborhoods and men in street clothes have stopped and asked that they be allowed to examine the houses. He said he would like to have an explanation on the matter.

Mr. Rowlands explained that several people working in the Public Works Dept. were going out updating the maps to coincide with the property, such as where the curbs, gutters, street light, etc. were located. However, a young man who was employed in the Public Works Dept. did make a couple of inspections which were entirely out of order.

Mr. Rowlands said he was reprimanded and is now working inside the office.

Mr. Finnigan felt these youngsters need more supervision, as they are employed by the City, and he felt this should be attend to immediately.

Mayor Tollefson and Dr. Herrmann left at 6:00 P. M. Mrs. Price resumed the Chair.

Mr. Finnigan stated his office had received information from the Air Pollution Control Agency, outlining rules and regulations, etc., and it seemed odd to him that industries would be receiving information such as this before the Council had been informed. He also wished to know the status of the air pollution tests made by the City. 404

Mr. Rowlands stated that all air pollution personnel working for Tacoma, Seattle, Everett and the three Counties were being hired by the regional agency at this time. 61-39

Mr. Rowlands stated copies of the document sent out by the Agency could be obtained. This proposed ordinance will not go into effect until Sept. 18th. It has been sent out to industries for any suggested changes.

Mr. Rowlands assured the Councilmen that the regional authority will do a good job in reducing air pollution, and none of the City's ordinances would be watered down by the agency. He felt government control of pollution will be accelerated rather than lessened. The City's share in the Multi-County Agency will be approximately \$14,000 for 1968 as the City did receive a grant from the federal government.

Mr. Haley said he was surprised that Tacoma no longer had anyone that was working directly on pollution in the tideflats.

A number of the Councilmen felt that the City should have someone that could answer questions posed by the public relative to air pollution and not have all employees delegated under the Agency.

Mr. Finnigan felt the Agency is getting off to a real poor start by not informing the Council of their activities properly, so they will be able to answer questions posed by industry. He felt this situation should be corrected right here and now.

Mayor Tollefson felt communication with the Council and the Mayor has been lacking. He noted, there is nothing in the law that says Tacoma could not keep its own Air Pollution Dept. and the Council should be notified of any changes well in advance.

Mr. Rowlands assured the Council that the Agency would not be dominated by Seattle as long as Tacoma and Pierce County representatives are present. He said the City would have a better program than in the past and he was dedicated to try and do something about this problem. He agreed that it was a mistake that the information sent out to industries should have been submitted to the Council members.

Mr. Bott inquired as to the status of the shopping center on 64th St. and Yakima Ave.

Mr. Rowlands stated this would be checked into.

Mr. Bott asked that the staff explore the possibility of allowing the City's Senior citizens to ride on the Transit buses at a reduced rate from 10 A M to 3 P M, off-peak hours. 309

Mr. Rowlands stated a representative of the Senior Citizen group was in his office last week and this possibility is under discussion. He said he would have a report on the matter next week. +

There being no further business, to come before the Council, upon motion duly seconded and passed the meeting adjourned at 7:00 P. M.

W. M. Jolley

Mayor of the City Council

Attest: *Jessamine Melton*

City Clerk