

CITY COUNCIL MINUTES

City Council Chambers  
Tuesday, January 4th, 1972.

Deputy Mayor Jarstad called the meeting to order at 7:00 P.M. in the Council Chambers in the absence of the Mayor.

Present on roll call - 8: Egan, Herrmann, Jarstad, Maule, Moss, Nalley and Schroeder. Absent 1: Mayor Johnston (temporarily).

The Flag Salute was led by Councilman Herrmann.

\*\*\*\*\*

Deputy Mayor Jarstad announced that the Pacific Northwest Pollution Control Association had recently presented an award to Mr. Lyman Ketcham of the Sewer Utilities Division of the Public Works Department for his outstanding work in the field of waste water collection system maintenance and operation. Mr. Ketcham had been solely responsible for developing interest in the sewer maintenance programming for the Association in recent years. Hereafter the Association's annual award will be known as the Lyman Ketcham Award.

Mr. Jarstad also announced that Mr. John Bronow, Chief, Utility Services, Division of the Public Works Department, has been awarded the Samuel Greeley Service Award by the American Public Works Association and elected President of the Pacific Northwest Chapter of the Governmental Refuse Collection and Disposal Association. Mr. Bronow was presented with a plaque from the City of Tacoma.

It was also announced that Mr. Bronow's department had been given a Safety Award for 1971 for having had the most consecutive manhours of work without an injury. A plaque was also given for this accomplishment.

HEARINGS & APPEALS:

(a) This is the date set for hearing the request for rezoning the west side of Oakes Street between North 19th and 21st Streets from an "R-3" and a "C-1" to an "R-4-L" District. (10-18-71 Planning Commission recommended approval 7-0, 2 absent) (W. Towne Collins & John Pavlic)

Mr. Buehler, Planning Director, reviewed for the Council the Planning Commission's reasons for recommending approval of this rezone.

Speaking in favor of the rezone was Tom Swayze, attorney for the petitioner, who explained they plan to build apartments.

Speaking against the rezone were: Thomas Oldfield, attorney representing residents who are against the rezone, Don Glabe, 1724 No. Oakes, Jan Hudak, 1509 North 5th, Hugh Tudor, 2202 North Lawrence, Nancy Kroening, 2919 North Alder.

Mayor Johnston arrived at 7:50 P. M.

After discussion, Mr. Maule moved to concur in the recommendation of the Planning Commission. Seconded by Mr. Schroeder. Voice vote carried with one dissenting vote, Mr. Moss.

\*\*\*\*\*

(b) This is the date set for hearing the request for rezoning the east side of Oakes Street between North 19th and 21st Streets from an "R-3" and a "C-1" to an "R-4-L" District. (10-18-71 Planning Commission recommended approval 7-0, 2 absent) (W. Towne Collins & John Pavlic)

Discussion and comments on this rezone were heard together with the preceding request.

Mr. Maule moved to concur in the recommendation of the Planning Commission. Seconded by Mr. Schroeder. Voice vote carried with one dissenting vote, Mr. Moss.

(c) This is the date set for hearing the request for vacation of the east and west 10 feet of Oakes Street from North 19th to 21st Streets. (10-18-71 Planning Commission recommended approval 7-0, 2 absent (W. Towne Collins & John Pavlic)

Mr. Buehler advised that the street is now paved 24 feet wide. There is now an 80-foot street right-of-way. The requested 10-foot vacation on each side would reduce the street right-of-way to 60 feet.

After discussion, Mr. Schroeder moved to concur in the recommendation of the Planning Commission to vacate the 10-foot strips of street right-of-way. Seconded by Mr. Maule. Voice vote carried.

\* \* \* \* \*

(d) This is the date set for hearing the appeal filed by University of Puget Sound on the Planning Commission's denial of a Special Use Permit on the south side of North 16th Street between Alder and Lawrence Street (3210 North 16th Street) (11-15-71) Planning Commission recommended denial 6-2, 1 absent)

Mr. Buehler reviewed for the Council the Planning Commission's reasons for denying the request for a special use permit to use a house in the residential area for offices.

Mr. Gerla, Planning Commission member, spoke against the special use permit pointing out that the Commission has in the past asked the University to submit a comprehensive plan for their future needs in the area.

Mr. Frederick, Planning Commission member, also gave information on reasons for recommending denial of the special use permit.

Speaking in favor of the special use permit was Dr. Richard D. Smith, Vice President of the University.

Speaking against the special use permit were: Mrs. Alfred Olson, 1520 North Alder; Grant Williams, 3211 North 17th and Ted Amell, 422 Tacoma Avenue South.

After discussion Mr. Sonntag moved to overrule the recommendation of the Planning Commission and grant the special use permit. Seconded by Mr. Moss.

Mrs. Egan moved to place a time limit of 5 years on the special use permit. Seconded by Mr. Moss.

Voice vote on the motion to place a time limit approved with 2 dissenting votes, Herrmann and Nalley.

Voice vote on the motion to overrule the Planning Commission's recommendation to deny the special use permit was approved with two dissenting votes, Maule and Nalley.

The special use permit was granted with the 5-year time limit.

\* \* \* \* \*

Dr. Herrmann moved for a 10-minute recess. Seconded by Mr. Maule. Voice vote approved.

Council reconvened at 10:25 P.M.

\* \* \* \* \*

PETITIONS:

William J. Edwards requesting rezoning of approximately 130 feet south of 6th Avenue between Pearl Street and Vassault Street extended from an "R-2" to a "C-2" District.

Referred to Planning Commission.

RESOLUTIONS:

Resolution No. 21462

Consenting to the sale by Tacoma Cable Company (CATV franchise holder) of its assets to Teleprompter Corporation for not more than \$150,000.

Mr. Donaldson, City Manager, reported that the City government has formed a joint management team to supervise coordination in construction of cable television in the City. The team consists of A. J. Benedetti, Assistant Director of Utilities; G. M. Schuster, Director of Public Works; and R. R. Hamilton, City Attorney.

Mr. Benedetti advised the Council that the committee has worked to provide an orderly construction of CATV and avoid duplication of efforts. They have set guidelines and rules. He further advised that the committee is not recommending the sale of Tacoma Cable to Teleprompter; however, the committee feels that it would not be to the detriment of the City to allow this sale.

Mr. Fred ~~RAAT~~ attorney representing Tacoma Cable Company, answered questions of the Council regarding their reasons for wishing to sell.

Mr. Nels Nelson, attorney representing Teleprompter, advised that they are dealing at arms length and plan to pay only for physical assets.

He advised that they plan to wire the entire City. There was concern on the part of several Councilmen that this would for all practical purposes amount to an exclusive franchise. Mr. Nelson pointed out that the Council is not prevented from granting another franchise.

Mr. Meek of Potelco, Inc. spoke in favor of the resolution.

After discussion Mayor Johnston moved that the resolution be adopted. Seconded by Mr. Sonntag. Voice vote: Ayes - 9. Nays - 0. The Resolution was declared adopted.

Resolution No. 21463

Terminating any and all interest of the D. W. Equipment Corporation in the Agreement of Sale dated the 19th of January, 1971, in connection with certain real property located within the New Tacoma Wash. R-14 Project.

Dr. Herrmann moved that the resolution be adopted. Seconded by Mrs. Egan. Voice vote: Ayes - 9. Nays - 0. The Resolution was declared adopted.

Resolution No. 21464

Awarding contract to Union Oil Company on its bid for furnishing motor oil requirements for the calendar year 1972.

Mr. Jarstad moved that the resolution be adopted. Seconded by Dr. Herrmann. Voice vote: Ayes - 9. Nays - 0. The Resolution was declared adopted.

Resolution No. 21465

Awarding contract to Mobil Oil Company on its bid for furnishing automotive diesel fuel requirements for the calendar year 1972.

Mr. Schroeder moved that the resolution be adopted. Seconded by Mr. Sonntag. Voice vote: Ayes - 9. Nays - 0. The Resolution was declared adopted.

Resolution No. 21466

Fixing Tuesday, February 1, 1972 at 7:00 P.M. as the date for hearing the request for rezoning of the area bounded by South 72nd Street, Pacific Avenue, South 75th Street extended and South "D" Street from an "R-2", "R-4-L" and "C-P-N" to a "C-P-C" District. (Roundup Company, Inc., d/b/a Fred Meyer)

Mrs. Egan moved that the resolution be adopted. Seconded by Mr. Jarstad. Voice vote: Ayes - 9. Nays - 0. The Resolution was declared adopted.

Resolution No. 21467

Fixing Tuesday, February 1, 1972 at 7:00 P.M. as the date for hearing the request for the vacation of South 74th Street between South "D" and Pacific Avenue. (Roundup Company, Inc., d/b/a Fred Meyer)

Mrs. Egan moved that the resolution be adopted. Seconded by Mr. Jarstad. Voice vote: Ayes - 9. Nays - 0. The Resolution was declared adopted.

FIRST READING OF ORDINANCES:

Ordinance No. 19496

Authorizing the condemnation of necessary rights-of-way, easements and construction permits for Improvement No. 4908 - Orchard Street.

Mr. Schuster, Director of Public Works, advised that negotiations are in progress with owners of all properties concerned with the right-of-way easements. Condemnation action will only be taken on those properties on which negotiations fail.

The ordinance was set over to next week for final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 19495

Amending Ordinance No. 15928 relative to rates in the Equipment Rental Fund.

Roll call vote was taken, resulting as follows:

Ayes 9: Egan, Herrmann, Jarstad, Maulic, Moss, Nalley, Schroeder, Sonntag and Mayor Johnston.

Nays 0.

The Ordinance was declared passed.

Ordinance No. 19497

Providing for the improvement of L.I.D. 5512 for water mains and fire hydrants in Marino View Drive from East 11th Street northwesterly approximately 6600 feet.

Mr. Nalley moved to amend the second to the motion made on the L.I.D. minutes of the hearing held on December 27, 1971. The minutes show that Dr. Herrmann seconded Mr. Nalley's motion to create the district. Instead of Dr. Herrmann it should be Mr. Jarstad. Mr. Nalley moved that this correction be made. Seconded by Mr. Jarstad. Voice vote - motion carried.

City Council Minutes - Page 5 - January 4th, 1972.

Roll call vote was taken on the ordinance as follows:

Ayes 9: Egan, Herrmann, Jarstad, Maule, Moss, Nalley, Schroeder, Sonntag and Mayor Johnston.

Nays 0.

The Ordinance was declared passed.

Ordinance No. 19498

Approving and confirming the Assessment Roll for L.I.D. 4885 for concrete sidewalks on both sides of Mason Avenue from South 69th Street to Reade Street.

Roll call vote was taken, resulting as follows:

Ayes 9: Egan, Herrmann, Jarstad, Maule, Moss, Nalley, Schroeder, Sonntag and Mayor Johnston.

Nays 0.

The Ordinance was declared passed.

Ordinance No. 19499

Approving and confirming the Assessment Roll for L.I.D. 4933 for permanent paving on South Shirley Street from 6th Avenue to South 8th Street (36'); South Monroe Street from 6th Avenue to South 7th Street; South Verde Street from South 10th Street to South 11th Street.

Roll call vote was taken, resulting as follows:

Ayes 9: Egan, Herrmann, Jarstad, Maule, Moss, Nalley, Schroeder, Sonntag and Mayor Johnston.

Nays 0.

The Ordinance was declared passed.

Ordinance No. 19500

Approving and confirming the Assessment Roll for L.I.D. 6918 for installation of street lighting along North Park Avenue from Pearl Street to Bristol Street.

Roll call vote was taken, resulting as follows:

Ayes 9: Egan, Herrmann, Jarstad, Maule, Moss, Nalley, Schroeder, Sonntag and Mayor Johnston.

Nays 0.

The Ordinance was declared passed.

Ordinance No. 19501

Approving and confirming the Assessment Roll for L.I.D. 6930 for installation of street lights on ornamental standards with underground wiring along Prospect Street from South 74th to South 76th.

Roll call vote was taken, resulting as follows:

Ayes 9: Egan, Herrmann, Jarstad, Maule, Moss, Nalley, Schroeder, Sonntag and Mayor Johnston.

Nays 0.

The Ordinance was declared passed.

Ordinance No. 19502

Approving and confirming the Assessment Roll for L.I.D. 6932 for installation of street lights on ornamental standards with underground wiring along North Bennett Street from North 14th to North 18th Street.

Roll call vote was taken, resulting as follows:

Ayes 9: Egan, Herrmann, Jarstad, Maule, Moss, Nalley, Schroeder, Sonntag and Mayor Johnston.

Nays 0.

The Ordinance was declared passed.

COMMENTS BY MEMBERS OF THE COUNCIL:

Mr. Sonntag read a prepared statement in which he stated that he does not agree with the long-standing practice of purchasing materials and services from outside the City as was the case in the City's purchases of tires last week, especially in view of the current, unprecedented recession.

He felt that the City should maintain a policy of awarding contracts to local business if at all possible as this would be acting in the best interests of the local businessmen and working people of Tacoma. He stated that the contract awarded last week (to an outside bidder) had another facet which he felt should not be allowed to exist--the firm receiving the contract was a non-union firm.

\* \* \* \* \*

Mr. Moss announced that the Urban Coalition, along with the Planning Department, had now reviewed the Minimum Housing Code with the Legal Department and the City Manager. He requested that the City Manager be directed to bring in an ordinance to include the amendments.

\* \* \* \* \*

Mayor Johnston suggested that a Swearing In Ceremony be held at 11:00 A.M. on January 10th for the recently elected Council members whose term of office will begin on that date.

CITIZENS' COMMENTS:

Mr. John Zelenak, 5414 South "J" Street, said he would like to compliment the Council members for having been ready to stand up to the abuse which they were subjected to following the recall of five former Council members last year.

He quoted figures to show that less than half of the registered voters voted. He felt that all registered voters should vote or stop complaining about how things are run in the City.

\* \* \* \* \*

Mr. Dino Batali, 1740 Fernside Drive, attorney for the Teamsters Union, commented on the remarks made by Mr. Sonntag relative to the awarding of contracts.

He pointed out that according to the provisions of the City Charter a bid is to be awarded to the "lowest and best" bidder. He felt it would not be illegal to consider the local bidders as the "best" bids and preference should be given to the local businesses, especially in order to return the tax dollars to the people of Tacoma.

\* \* \* \* \*

7

City Council Minutes - Page 7 - January 4th, 1972.

Mr. Jarstad moved to reconsider the contract which had been awarded for the tires last week. Mr. Schroeder seconded the motion. Voice vote taken and carried.

It was felt the contract may have already been awarded and the tires delivered.

Mayor Johnston moved to continue the matter for one week in order to determine the status of the contract. Seconded by Mr. Schroeder. Voice vote and motion carried. Reconsideration of Resolution No. 21459 was continued for one week.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Tacoma Public Library Board of Trustees meeting of November 16, 1971.
- b. Minutes of Tacoma Employees' Retirement System Board of Administration meeting of November 24, 1971.
- c. Minutes of City Planning Commission meeting of December 20, 1971.
- d. Personnel Report, November, 1971.
- e. Tacoma Employees' Retirement System report of purchases and sales of investments during December, 1971.
- f. Department of Public Works filing "Request for Urban Arterial Board Approval of Revised Schedule for Project Development" for UAP No. 8-1-128(24) - South 56th Street and UAP No. 8-1-128(23) - Orchard Street.
- g. Department of Public Works filing copy of Aging Schedule for various Urban Arterial Projects.

Placed on file.

\* \* \* \* \*

Mr. Moss moved to adjourn. Seconded by Mrs. Egan. The meeting adjourned at 12:20 A.M.

  
GORDON N. JOHNSTON - MAYOR

ATTEST:

  
H. B. Bond - City Clerk