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CITY COUNCIL MINUTES

City Council Chambers  
May 23, 1972

Mayor Johnston called the meeting to order at 7:00 p.m.

Present on roll call -9: Egan, Herrmann, Jarstad, Maule, Nalley, Moss, Schroeder, Sonntag and Mayor Johnston. Absent - 0.

The Flag Salute was led by Mr. Schroeder.

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C O N S E N T   A G E N D A

Approval of the minutes of May 16, 1972.

PETITIONS:

- a. Jerry Beardemphl requesting rezoning of the area south 60 feet of Lot 1 thru 4, Block 8, Brewertons Breezy Hill Annex, in the vicinity of 54th and McKinley, from an "R-2" District to an "R-3" District.
- b. Property Holding & Development, Inc. requesting rezoning of the area south of 58th Street South at Orchard and Huson Streets, from an "R-1" to an "R-3 PRD" District.

For referral to the Planning Commission.

RESOLUTIONS:

Resolution No. 21657 Fixing Monday, June 12, 1972 at 4:00 p.m. as the date for hearing L.I.D. 4994 for paving South 92nd Street from Alaska Street east approximately 630 feet.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Tacoma Public Library Board of Trustees meeting of April 18, 1972.
- b. Minutes of Board of Park Commissioners meeting of May 8, 1972.
- c. Minutes of Civil Service Board meeting of May 1, 1972.
- d. Minutes of Pierce County Planning Coalition.
- e. Dept. of Public Works filing Revised Schedule for Project Development, Project No. 8-1-128(16), 8-1-128(21), 8-1-128(26), 8-1-128(27), and 8-1-128(32).
- f. Dept. of Public Works filing Update Cost Estimate for Urban Arterial Project No. 8-1-128(24).

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- g. Monthly Report, Municipal Court - Traffic Violations & Court Cases, April, 1972.
- h. Monthly Report, Tacoma-Pierce County Humane Society, April, 1972.
- i. Monthly Report, Police Department, I & R Division, April, 1972.
- j. Monthly Report, Police Department, Traffic Division, April, 1972.
- k. Quarterly Report, Tacoma Model Cities, to HUD, April 7, 1972.

Mr. Nalley moved to adopt the items on the Consent Agenda with the exception of the Minutes of the meeting of May 16, 1972 and item "k. Quarterly Report, Tacoma Model Cities, to HUD, April 7, 1972", listed under items filed in the Office of the City Clerk. Seconded by Mr. Moss. Mr. Nalley requested that the Minutes of May 16, 1972 be amended on Page 12. He advised that the voice vote on Resolution No. 21650 should read Ayes - 7 Nays - 2: Nalley and Sonntag, instead of Ayes - 8 and Nays - 1: Sonntag.

With regard to the Model Cities Quarterly Report, on questions of Mr. Nalley, Mr. Russell, Model Cities Director, explained certain portions of the Report.

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REGULAR AGENDA

PRESENTATION: Suggestion Award to Sherrill J. Henderson.

A suggestion award in the sum of \$25 was presented to Sherrill J. Henderson.

The Annual Good Driver Awards were presented by Mayor Johnston, Councilwoman Egan, Councilman Moss, and Councilman Sonntag to Beatrice C. Jones, Carol F. Hart, Geraldine L. Staton, Russell C. Brownhill, Warren L. Hubbard and Samuel M. Wene, Jr.

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PUBLIC HEARINGS: a. This is the date set for hearing the request for the vacation of South 67th Street between Adams Street and the Burlington Northern Railroad right-of-way. (4-17-72 Planning Commission recommended approval 7-0, 2 absent) (Warland Wight)

Mr. Russell Buehler, Planning Department Director, reviewed the Planning Commission's reasons for recommending approval of the vacation.

Dr. Herrmann moved to concur in the recommendation of the Planning Commission. Seconded by Mr. Sonntag. Voice vote carried.

- b. This is the date set for a public hearing regarding the application of the City of Tacoma for a Mass Transportation Facilities Grant under the Urban Mass Transportation Act of 1964.

Mr. Robert Hamilton, City Attorney, advised council members that the Public Hearing is pursuant to the requirements of 49 U.S.C.A. Section 1602.D and pursuant to the rules and regulations promulgated under authority of said section by the Department of Transportation of the United States of America. He also advised that proper notice of the hearing had been given as required by law in the local newspapers. He reviewed for council the material and exhibits that had been forwarded to them in their agenda material covering the subject of the application for the mass transportation facility, and further pointed out that in accordance with Section 13.C of the Urban Mass Transportation Act of 1964 an agreement has been executed by the Local Division 758 of the Amalgamated Transit Union that the project, if allowed, will be carried on in such a manner that it will not adversely affect employees represented by the Union.

Mr. Doug Hendry, Transit Department Director, introduced Mr. Muldoon, of the Transit Department who advised that the project consists of the purchase of 32 new 45 passenger buses, a base radio station with 91 remote radio units in the buses. The new buses will replace the existing ones which are over 24 years old. He reported that it is not anticipated that the project will have any significant impact on the environment and that the new buses will meet federal air pollution standards with regard to exhaust emissions.

Mr. Alfred Anderson, 5231 South M, spoke against the project, specifically in regard to the radio communications.

Speaking in favor of the mass transportation project were Ted Amell, 422 Tacoma Avenue South; Bill Hull 3206 6th Avenue, business representative for the Transit Employees Motorcoach Division 758; and John C. Frai, 1423 South 43rd.

In reply to questions of the council, Mr. Hendry advised that the City buses operate in Fircrest, University Place and Spanaway only because this operation was in existence when the City purchased the bus system. The City council could stop that operation tomorrow if it so desired. He also advised that there is nothing in the federal grant that requires the City to operate beyond the City limits.

After further discussion, Dr. Herrmann moved that the proper officers of the City proceed with the grant application. Seconded by Mr. Sonntag.

Voice vote: Ayes - 8 Nays - 1: Nalley. Motion carried.

Mrs. Egan moved to suspend the rules to consider Resolution No. 21663. Seconded by Mr. Sonntag. Voice vote carried.

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Resolution No. 21663 Authorizing the execution of an application by the City of Tacoma for a Mass Transportation Facilities Grant under the Urban Mass Transportation Act of 1964.

Mrs. Egan moved that the Resolution be adopted. Seconded by Dr. Herrmann.  
Voice vote: Ayes - 8 Nays - 1: Nalley  
The Resolution was declared adopted.

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FINAL READING OF ORDINANCES:

Ordinance No. 19574 Amending Chapter 13.06 of the Official Code to add the south side of South 72nd Street between Ash and Alaska Streets from an "R-2" to an "R-4-L" and "C-2" District. (Edwin C. Brenden)

Roll call was taken, resulting as follows:

Ayes: 8 Herrmann, Jarstad, Maule, Nalley, Moss, Schroeder, Sonntag, and Mayor Johnston.

Nays: 1 - Egan

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 19583 Vacating a portion of Stadium Way between North 1st and North "E" Street. (F.H. Lucien and Morley Studios, Inc. et al)

Mr. Buehler, Planning Department Director, advised that Council has held a hearing on this and the petitioner has met all the conditions set forth by the Planning Commission.

The Ordinance was set over for final reading next week.

Ordinance No. 19584 Amending the Pay and Compensation Plan.

Mr. Stanley Bixel, Personnel Director, advised that this is chiefly a housekeeping ordinance to bring the City's laws in conformance with the State law, especially in regard to the recent changes in the State Compensation Law.

After discussion, the Ordinance was set over for final reading next week.

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Ordinance No. 19585 Amending Chapter 11.30.160 of the Official Code relating to hitchhiking.

Police Chief, Lyle Smith, advised that this Ordinance will bring the City's laws in conformance with the State laws as the State Law governing hitchhiking becomes effective this date.

A request was made for a report on the manpower required for the enforcement of this law. Chief Smith advised that the State of Washington will be performing a study on this and when the study is made it will be submitted to Council.

Speaking in favor of the Ordinance was Mr. Al Anderson, 5231 South M.

Speaking against the Ordinance was Mr. Ted Amell, 422 Tacoma Avenue South.

The Ordinance was set over for final reading next week.

Ordinance No. 19586 Repealing and reenacting Chapter 6.29 of the Official Code relating to Merchant Patrols, Security and Detective Agencies and amending certain sections relating to Special Officers.

Police Chief, Lyle Smith, reviewed for Council the Ordinance and the changes reflected in the existing Ordinance. Discussion disclosed that the Ordinance has been in effect for some years and there were some minor changes being made at this time. There was also discussion regarding the infringement on free enterprise because of the fact the Ordinance requires a Resolution dividing the City into districts for merchant patrols.

Mr. Hugh Judd, Assistant City Attorney, advised that the Ordinance does infringe on free enterprise but this can be justified and it is legal.

Chief Smith advised that the districting of the City is a convenience and time saver for the Police Department.

Speaking against the Ordinance was Mr. Bob White, owner of the Puget Sound Security.

Mr. Maule made a motion to delete Section 6.29.040. Seconded by Mr. Moss.

After discussion, Mr. Maule and Mr. Moss withdrew their motion.

Mr. Hal Murtland, Attorney representing the Tacoma Merchant Police Association, spoke in favor of the Ordinance and urged its passage.

Mr. Grant Anderson, Attorney representing Mr. Joe Laviola, spoke against the Ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 19587 Amending Chapter 3.02 of the Official Code relating to the Fire Prevention Code by adding new Sections to be known as "Supplementary Life Safety Code."

Fire Chief, James Reiser, advised that part of this Ordinance was formerly incorporated in the building code but has been removed from the building code and is now being made part of the fire code.

The Ordinance was set over for final reading next week.

Ordinance No. 19588 Adopting the Uniform Mechanical Code of 1970.

Mr. Ron Button, Chief of Buildings Division, advised that the Ordinance is updating of the code.

Mr. Bob Tomlinson, Attorney representing Washington Natural Gas Company, objected to three points in the ordinance: The journeyman licenses, the permit required for venting of water heaters, and requested that item 24 be deleted.

Mr. Ron Button explained the reasons for the journeyman licenses, the permits for venting of water heaters, and the location of equipment.

Mr. Ted Fox, representing the sheet metal workers, spoke in favor of the Ordinance.

After discussion, the Ordinance was set over for final reading next week.

Ordinance No. 19589 Amending Chapter 1.10 of the Official Code by changing the title of said Chapter from Civil Defense to "Emergency Services."

Mr. Carsten Carlson, Acting Director of Civil Defense, advised that the Ordinance is a housekeeping Ordinance to bring the City laws in conformance with the new State Laws.

The Ordinance was set over for final reading next week.

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Mr. Schroeder moved for a ten minute recess. Seconded by Mr. Jarstad. Voice vote carried.

The meeting reconvened at 10:45 p.m.

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RESOLUTIONS:

Resolution No. 21638 (Continued from the meeting of May 16th)  
Amending Rules 5 and 12 of the Rules of Procedure of the City Council.

Mrs. Egan moved to adopt the Resolution. Seconded by Mr. Moss.

Mrs. Egan moved to amend Rule 14 of the Rules of Procedure by adding at the end of Paragraph 2 the words "for a reasonable period of time". This pertains to the preserving and maintaining of electronic recordings. Seconded by Mr. Sonntag.

Mr. Maule moved to continue the Resolution for one week, including Mrs. Egan's amendment. Seconded by Mr. Jarstad.

Voice vote to continue the Resolution one week, including Mrs. Egan's amendment, resulted as follows:

Ayes - 8: Egan, Herrmann, Jarstad, Maule, Moss, Schroeder, Nalley and Mayor Johnston.

Nays - 1: Sonntag

The Resolution was continued for one week until May 30, 1972.

Mayor Johnston instructed the City Clerk to prepare next week's agenda in the present format of the Consent Agenda.

Resolution No. 21658 Authorizing the sale of certain surplus real property located at South 38th & Warner Streets to Saul Levy for the sum of \$25,000 cash.

Mr. Larry Bulling, representing Foster & Kleiser, advised Council that his previous offer of \$27,500 should be considered. It was the opinion of Mr. Hamilton, City Attorney, that according to the City Charter, the Council can negotiate with both parties, Mr. Saul Levy and Mr. Larry Bulling and arrive at a decision for the sale of this property.

Mr. Saul Levy requested that this be continued for one week and brought before the Council at next week's meeting so that he may be represented by his attorney.

Mr. Maule moved that the Resolution be removed from the agenda and Mr. Morse, Deputy Property Clerk, be instructed to negotiate the sale of this property. Seconded by Mr. Nalley.

Voice vote: Ayes - 8 Nays - 1: Sonntag. The Resolution was removed from the Agenda.

Resolution No. 21659 Awarding contract to Iversen Construction Company on its bid of \$34,720 for Demolition Contract No. UR-11668.

Dr. Herrmann moved to adopt the Resolution. Seconded by Mrs. Egan.

Voice vote: Ayes - 9 Nays - 0. The Resolution was declared adopted.

Resolution No. 21660 Awarding contract to Steven Motor Company on its bid of \$36,263.10 for 10 police cars.

Mrs. Egan moved to adopt the Resolution. Seconded by Mr. Schroeder.

Voice vote: Ayes -9. Nays - 0. The Resolution was declared adopted.

Resolution No. 21661 Awarding contract for annual supply of asphalt products from June 1, 1972 through May 31, 1973, to Refinery Sales Company as to Items #1 and #2 and to Chevron Asphalt Company as to Items #3 and #4.

Mrs. Egan moved to adopt the Resolution. Seconded by Mr. Jarstad.

Voice vote: Ayes - 9 Nays - 0. The Resolution was declared adopted.

Resolution No. 21662 Authorizing the execution of a lease between the City and U.S. of America to install and maintain an aircraft control tower at Tacoma Industrial Airport.

Dr. Herrmann moved to adopt the Resolution. Seconded by Mr. Schroeder.

Voice vote: Ayes: 8 Nays: 1-Nalley. The Resolution was declared adopted.

Resolution No. 21664 Authorizing approval of the Model Cities Resident Employment Plan as amended.

Mayor Johnston moved to adopt the Resolution. Seconded by Mrs. Egan.

Mr. Sonntag, the Council's representative in negotiating the Model Cities Resident Employment Plan, reported that meetings were held between the Civil Service Board, The Civil Service League Representative, a representative of the Executive Board of the Model Cities Program and himself. They found that there were no major differences existing. There was only a misunderstanding of interpretations of wording. He pointed out that Section 4 details the philosophies and commitments, and he thanked the Civil Service Board; Mr. Fred Van Camp, Business Representative of the Civil Service League, and Mr. James Walton, Executive Board member of the Model Cities.

Mr. James Walton, member of the Model Cities Executive Board, advised Council that he felt the plan is one the Model Cities can live with as it reflects what they had in mind.

Mr. Fred Van Camp, Business Representative of the Civil Service League, advised that the League accepts the plan as presented.

Mr. John C. Frai and Mr. Ted Amell spoke in favor of the Resolution.

Voice vote: Ayes - 9 Nays - 0. The Resolution was declared adopted.



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**Resolution No. 21665** Approving certain projects designated by the Model Cities Executive Board to be submitted to the Department of Housing and Urban Development as part of the Reprogram Package utilizing the funds unexpended during the First Action Year.

Mayor Johnston and several of the Council members felt that the Resolution should not have contained 12 Model Cities Projects, but instead that each project should have been submitted in a separate resolution.

Mr. Russell, Model Cities Department Director, advised that this is a reprogram package on which there is a time limit and insufficient time remains in which to bring each individual project on a separate resolution next week. However, when projects for the Second Action Year are brought before the Council, the projects would be brought in on separate resolutions.

Mr. Russell then introduced the following members of the Executive Board who urged adoption of the Resolution:

William Middleton, Acting Chairman of the Executive Board  
Ella Mae Crawford, Secretary of the Executive Board  
Jim Josey, Executive Board Member  
Ruth Daniels, " " "  
Buelah Rankins, " " "

Discussion was held on each project separately beginning with Project Number One, "Property Rehabilitation Employment Program" and continued through Project Number 12.

Mr. Maule moved to remove Bellarmine High School and Charles Wright Academy from Project Number 3, "Scholarship Program." Seconded by Mrs. Egan.

Roll call on the motion:

Ayes: 4 - Egan, Jarstad, Maule and Sonntag

Nays: 4 - Herrmann, Moss, Schroeder, and Johnston

Absent: 1 - Nalley

The Motion was declared failed.

Mr. Maule moved to delete Project Number 5 "Cinematography" from the Resolution. Seconded by Mr. Schroeder. Voice vote carried with one dissenting vote, Herrmann, and one absent, Nalley. Project Number 5 "Cinematography" was removed from the Resolution.

Mr. Schroeder moved to delete item No. 11 and direct the Model Cities Board and Staff to use this money to provide summer recreation and education for more youth on a local basis. Seconded by Mr. Maule.

Ella Mae Crawford advised Council that in this project there is \$1,000 allocated for artifax and suggested that this be left in the Resolution so that

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the artifax could be brought back to Tacoma through Tacoma School District No. 10 as there is an international school in Lagos.

Mrs. Egan suggested that this item be brought to Council in another manner rather than under Project No. 11.

Voice vote to delete Project "Youth Overseas" resulted as follows:

Ayes: 7 - Egan, Jarstad, Maule, Moss, Schroeder, Sonntag, and Mayor Johnston.

Nays: 1 - Herrmann

Absent: 1 - Nalley

Voice vote carried and Project No. 11 "Youth Overseas" was removed from the Resolution.

After completion of the review of the 12 projects, voice vote was taken on the amended Resolution, resulting as follows:

Ayes: 8 - Egan, Herrmann, Jarstad, Maule, Moss, Schroeder, Sonntag, and Mayor Johnston.

Nays: 0

Absent: 1 - Nalley

The Resolution was declared adopted as amended.

Resolution No. 21666 Appointing Barbara Corsi as a member of the Civic Arts Commission.

Mr. Schroeder moved to adopt the Resolution. Seconded by Mrs. Egan.

Voice vote: Ayes - 8 Nays - 0. Absent - 1: Nalley

The Resolution was declared adopted.

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On proper motion the meeting was adjourned at 2:05 a.m., May 24, 1972.

ATTEST:

  
H.B. BOND - CITY CLERK

  
GORDON JOHNSTON - MAYOR