

CITY COUNCIL MINUTES

City Council Chambers
January 23, 1973

The meeting was called to order at 7 p.m. by Mayor Johnston.

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

The Flag Salute was led by Councilman Sonntag.

CONSENT AGENDA

PETITIONS:

Weyerhaeuser Real Estate Company requesting the rezoning of Mildred Street between South 15th Street and South 17th Street from an "R-P" to a "P-3-PD" District.

For referral to the Planning Commission.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the Public Hearing of the Charter Review Committee meeting of January 10, 1973.
- b. Minutes of the Board of Park Commissioners meeting of January 8, 1973.
- c. Minutes of the Citizens Arterial Committee meeting of December 18, 1972.
- d. Minutes of the Tacoma Public Library Board of Trustees meeting of December 19, 1972.
- e. Monthly report, Traffic Violations & Court Cases, Municipal Court, December, 1972.
- f. Monthly Report, Tacoma-Pierce County Humane Society, December, 1972.
- g. Dept. of Urban Renewal filing Labor Standards Enforcement Report for period ending December 31, 1972.
- h. Dept. of Urban Renewal filing Financial Statements for Center Street, Wash. R-1, Fawcett Street, Wash. R-3, and New Tacoma, Wash. R-14 for semi-annual period ending December 31, 1972.
- i. Program Management System Preliminary Second Year Application for a Comprehensive Planning Assistance Grant (CPM 6041.1A) -- Planning Department.
- j. Emergency Services Department filing Personnel and Administrative Claim #606-73-6(41).

Mr. Schroeder moved that all of the items listed on the Consent Agenda be approved. Seconded by Mrs. Egan. Voice vote was taken and carried. The items were declared approved.

REGULAR AGENDA

COMMUNICATIONS: Shoreline Management Permit Application--Concrete Technology Corporation.

Mr. Nalley inquired of the Planning Department if they had any reports on the tests being conducted as to whether or not dumping in salt tidal waters is harmful to marine life. He also asked the Planning Department to obtain the expiration date of the one year trial period of dumping and to provide a report on July 1, 1973 showing the total of all materials dumped into Commencement Bay for the first six calendar months of 1973 and from information and requests, an estimate of material to be dumped into Commencement Bay for the last six months.

The communication was placed on file.

FINAL READING OF ORDINANCES:

Substitute Ordinance No. 19688 Amending the Official Code by repealing Chapters 1.29 and 8.80 and reenacting Chapter 1.29 relative to creation of a Human Rights Council.

Mrs. Egan moved to amend the ordinance in the second paragraph of subsection 1.29.080 F by striking the following words in lines 8 and 9: "or before any committee of the City Council appointed by the Mayor for such purpose". Seconded by Mr. Sonntag. Voice vote was taken and carried.

Mrs. Egan moved to amend Section 1.29.100 A by adding the words "marital status" in subsections 1 through 8. Seconded by Mr. Sonntag. Voice vote was taken and carried.

Mrs. Egan moved to amend Subsection 1.29.100 K on page 13 by striking the word "Sex" on the fifth line and adding the following at the end of the sentence: "provided that any public or private school or training center affiliated with a bonafide religious institution may give preference to members of the religious faith or denomination associated with said institution in selecting of students". Seconded by Mr. Sonntag. Voice vote was taken and carried, with Mr. Nalley abstaining.

Mr. Sonntag moved to make the following amendments: Page 3, Item L, line 3, place a period after the word "practice" and strike the rest of the paragraph. Page 4, third paragraph, add the words "all regular and special meetings of the commission shall be open to the public and press". Subsection 1.29.070 A, fifth line, strike everything after the word "birth". Page 5, subsection D, add the following sentence: "Also any organization directed by the Council and Mayor" Subsection E, second and third line, strike the words "and City department directors". Subsection G, third line, strike the words "or on behalf of" and the words "or by a member of the commission". Subsection 1.29.080 A, second line, strike the words "or commissioner". On Page 8, strike subsection G. Section 1.29.110, fourth line, after the word "be" add the words "charged with the breach of the peace", and strike the rest of the paragraph. Seconded by Dr. Herrmann. Voice vote was taken and the motion on the amendments was declared failed.

Mayor Johnston moved to amend the Ordinance by adding Section 1.29.121 as follows: "One year from the adoption of this amended ordinance, the City Council shall review this ordinance with particular attention being given to the manner in which the Human Rights Commission has conducted this important aspect of our City life". Seconded by Mr. Moss. Voice vote was taken and carried, with Mr. Nalley dissenting.

Mr. Sonntag moved to continue the amended substitute ordinance 19688 to February 27, 1973. Seconded by Mr. Moss.

Roll call was taken, resulting as follows:

Ayes: 5 - Jarstad, Moss, Nalley, Sonntag, Mayor Johnston

Nays: 3 - Egan, Herrmann, Schroeder

Absent: 1 - Maule

The amended Substitute Ordinance was continued to February 27, 1973.

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FIRST READING OF ORDINANCES:

Ordinance No. 19746 Creating and establishing the Street and Local Improvement Fund--1973 and authorizing a temporary loan of \$1,000,000 from Local Improvement Guaranty Fund to the General Fund to be the cost of City participation and declaring an emergency for its passage.

Earl Mittelstaedt, Finance Director, explained the City's proposed participation in street oiling and the L.I D. programs. The new proposal would raise the City's participation to approximately 40 percent as opposed to 22 percent in previous years. He also explained the sources of the one million dollars.

The Ordinance was set over for final reading next week.

Ordinance No. 19747 Appropriating the sum of \$8,662.00 from the General Fund to the Fire Department for increased costs of personnel and authorizing transfer of said sum from the Contingency Fund to the General Fund and declaring an emergency.

Fire Chief Reiser reviewed for Council the present organization and the proposed Fire Department organization, pointing out that while the change would require an immediate appropriation of \$8,662.00 there will shortly be a savings of \$9,335.00 and ultimately the cost will balance off to relatively the present level of cost.

The Ordinance was set over for final reading next week.

Ordinance No. 19748 Authorizing the execution of an agreement with the State of Washington Planning and Community Affairs Agency in the sum of \$7,981.60 creating and establishing the Community Development Training Fund No. 567, and providing for a temporary loan from the General Fund in the sum of \$7,981.60.

Mel Jackson, Administrative Assistant to the City Manager, explained that this Ordinance would be for college training of present employees of the Model Cities Department.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Resolution No. 22036 Authorizing the proper officer of the City to submit grant application to Maritime Administration for the purpose of obtaining a grant award in the amount of \$53,600 to conduct a Harbor Service Craft Requirements Study.
(Second Reading)

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

Resolution No. 22038 Awarding contract to the American Rubber Manufacturing Company on its bid of \$4,648.71 for furnishing fire hose for the Fire and Utility Services Departments.

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

Resolution No. 22039 Authorizing purchase of real property from Cloverdale Community Improvement Association in the amount of \$16,100 to be used for recreation and other community related activities.

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

Resolution No. 22040 Authorizing the settlement of claim of Mr. & Mrs. Jay W. Norton, Sr. in the amount of \$650.00.

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

Resolution No. 22041 Designating certain Model City employees as temporary and interim employees of the City and authorizing appropriate compensation for services.

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

Resolution No. 22042 Endorsing the provisions of Senate Bill No. 2022 relating to repeal of the hitchhiking law.

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

Police Chief Smith reviewed Police Department reports advising that as a result of the State Legislature's hitchhiking law passed last year, crimes in the City have increased, with eight directly related to hitchhiking.

After discussion by council members, Mayor Johnston moved that the Resolution be tabled. Seconded by Mr. Jarstad. Voice vote was taken and carried. The Resolution was tabled.

Mr. Jarstad moved to suspend the rules to consider the street vacation request of George Economou which had been referred to the Planning Commission on January 16, 1973. Seconded by Mr. Sonntag. Mayor Johnston announced he would not participate in voting on the matter due to possible conflict of interest. Voice vote was taken and carried.

Mr. Jarstad then moved to continue the hearing on George Economou's request for vacation of Hosmer, Ash, South 40th and South 39th Street from easterly r/o/w line of Interstate #5 to the west line of alley between Ash and Wilkeson Street to Tuesday, March 6, 1973 at 7 p.m. Seconded by Dr. Herrmann. Voice vote was taken and carried.

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Resolution No. 22043 Authorizing the proper officers of the City to enter into an agreement with the Tacoma Pierce County Health Department for the Homemaker Project of Second Year Comprehensive Development Plan of the Model Cities Department.

Dr. Herrmann moved that the Resolution be adopted. Seconded by Mr. Moss. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 22044 Authorizing the proper officers of the City of Tacoma to solicit an appropriate consultant firm to analyze the Tacoma Model Cities Program and its relationship to the City of Tacoma.

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

Resolution No. 22045 Appointing the following to the Human Relations Commission: Matt F. Jenkins for a term expiring September 30, 1974 and Herbert L. Pollock, Condordia B. Ebreo, Patricia E. Pitzon, and Rodger C. Vandegrift to terms expiring September 30, 1975.

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

Resolution No. 22046 Authorizing the City of Tacoma to extend its sewer system to these properties owned and controlled by the Port of Tacoma.

Mr. Jarstad moved that the Resolution be adopted. Seconded by Dr. Herrmann.

Robert Copeland, Port Commissioner, urged adoption of the Resolution. He advised that it is the feeling of the Port that this would be in the best interests of the City and the County, as it would permit increased services to world wide trade. On inquiry of the Council, he commented that he felt the other Commissioners, Dr. Smith and Mr. Early would join him in sitting down to a meeting with the City Council at a mutually agreed date to discuss the future of the Port area and the subject of annexation.

Donald Hanson, 660 North Fernside Drive, spoke in favor of the resolution.

After further discussion, voice vote was taken and carried, with Mr. Moss dissenting. The Resolution was declared adopted.

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REPORTS BY CITY MANAGER:

Mr. Mork, Assistant City Manager, advised that Mr. Hamilton would like to speak on Senate Bill 2028.

Robert Hamilton, City Attorney, advised that a hearing will be held in Olympia on this Bill Wednesday morning at 8 a.m. and if Council concurs in the staff's recommendations it will not be necessary for any Council member to be present at the hearing.

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Dr. Herrmann moved to concur with staff recommendations that Council provide a "do not pass" recommendation with reference to Senate Bill 2028. Seconded by Mr. Nalley. Voice vote was taken and carried.

COMMENTS BY MEMBERS OF THE CITY COUNCIL:

Mayor Johnston moved to excuse Mr. Maule from this evening's meeting. Seconded by Mr. Sonntag. Voice vote was taken and carried.

Mayor Johnston paid tribute to President Johnson who passed away on January 22, 1973 and requested the City Manager direct the City employees to pay tribute to former President Johnson on Thursday, the day set aside for his funeral, in the same manner that tribute was given to former President Truman.

Mr. Nalley commented on the American Tuna boats, many built in Tacoma, recently impounded by foreign countries. He urged that a Pan American off-shore agreement be backed and that Equador practice diplomacy and cease piracy.

Mr. Sonntag moved that the City Council endorse provisions of Senate Bill No. 2022 relating to the repeal of the hitchhiking laws. Seconded by Mr. Jarstad. Voice vote was taken and carried.

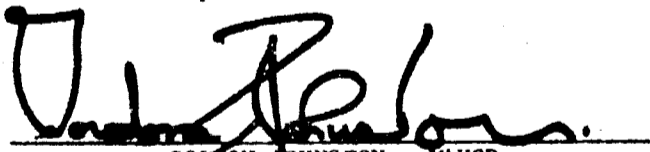
CITIZENS REQUEST TO BE HEARD:

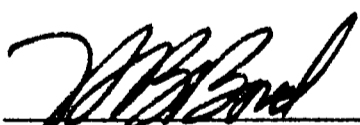
Thomas F. Wells wishing to speak before the City Council regarding proposed Ordinance No. 19688.

Dr. Herrmann called the Mayor's attention to the Council rules where it is provided that citizens comments on Final Reading of Ordinances shall not be permitted and Ordinance No. 19688 was on final reading this date. He asked for a ruling of the Chair. Mayor Johnston ruled that Mr. Well's request was out of order and advised Mr. Wells that he would not be allowed to speak on the ordinance.

Mr. Sonntag moved to challenge the ruling of the Chair. Seconded by Dr. Herrmann. Voice vote was taken and failed. The ruling of the Chair was upheld.

On proper motion, the meeting adjourned at 9:50 p.m.


GORDON JOHNSTON - MAYOR

ATTEST: 
K. B. BOND - CITY CLERK