

CITY COUNCIL MINUTES

City Council Chambers
Tuesday, August 10th, 1971.

The meeting was called to order by Mayor Johnston at 7:00 P.M.

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

The Flag Salute was led by Councilwoman Egan.

Mayor Johnston introduced Mr. Doug Howard, leader and coordinator of the Tacoma Cheney Studs' soccer team which had gone to England to play in the annual tournament. Mr. Howard conveyed greetings to citizens of Tacoma from the Lord Mayors and the Sheriffs of several British cities. He stated that many benefits for the City had been gained from the trip and the members of the team had established many favorable relations with the people of England.

Mr. Moss moved to approve the minutes of July 20th as submitted. Seconded by Mr. Corsi. Voice vote was taken and carried.

HEARINGS & APPEALS:

(a) This is the date set for rehearing on rezoning of the south side of 6th Avenue between Pearl Street and Vassault Street extended from an "R-2" to a "C-2" District. (NW Petroleum & Car Wash)

Jim Hanna, in reviewing the request for the rezone, pointed out that patrons would come in to get their cars washed and may purchase gasoline. They will not be coming in just to purchase gas. The facility will not lube cars, repair tires or provide other services characteristic of gasoline stations. Gasoline stations are parallel to the road. This car wash facility will be perpendicular to the road. They plan to landscape and they meet all acoustical standards.

Jim Johennas reported that it could be expected that one car every two and one-half minutes would be entering the facility. He showed a film of a Hanna car wash facility in Portland so the Council could see how cars would be entering and exiting a car wash of this design.

John Hanna reported that there was no increase in the insurance on the properties adjoining the Portland facility. However, there were no living quarters near the Portland facility. John Hanna stated it was not known whether the proposed facility would affect the insurance rates on adjoining property on 6th Avenue. He also said he could not and would not limit the operation to either a gas station or a car wash. It had to be both.

Mr. Schuster, Public Works Director, advised that there would be a left turn lane into the facility.

Mr. Buchler, Planning Director, did not feel a precedent would be set by this

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rezoning as the item before the Council is the rezone of 5 to be used as a turning area and not the variance, as the variance had not been appealed.

Mr. Maule moved to concur in the recommendation of the Planning Commission to approve the rezoning requested. Seconded by Mr. Corsi. Voice vote was taken resulting as follows: Ayes 7: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule and Moss. Nays 2: Schroeder and Mayor Johnston. Motion carried.

(b) Notice from Robert S. Williams, Lester M. Johnson and Jack L. Essman appealing decision of the Planning Commission to grant a Special Use Permit for property between South 88th and 90th Streets extended and between Pacific Avenue and "A" Streets. (William C. Marcum)

Last date to file an appeal was August 2nd and appeal was filed July 29th, 1971.

Suggested date for hearing is September 21, 1971.

Motion made by Dr. Herrmann that September 21st at 7:00 P.M. be set as the date for hearing. Seconded by Mrs. Egan. Motion carried.

RESOLUTIONS:

Resolution No. 21279

Authorizing settlement of claim of Clayton W. Baker for property damages in the sum of \$648.23.

Mr. Corsi moved the resolution be adopted. Seconded by Dr. Herrmann.

Voice vote was taken, resulting as follows:

Ayes 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

Nays 0.

The Resolution was declared adopted.

Resolution No. 21280

Authorizing the execution of a rental agreement with Carl and Lenora Hooper for a house at the Tacoma Industrial Airport.

Dr. Herrmann moved the resolution be adopted. Seconded by Mr. Jarstad.

Mr. A. V. Barney, Airport Manager, said that it was decided to rent the house in order to eliminate vandalism.

Voice vote was taken, resulting as follows:

Ayes 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

Nays 0.

The Resolution was declared adopted.

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Resolution No. 21281

Awarding contract to American Rubber Manufacturing Company on its bid of \$2,469.60 for annual supply of fire hose.

Dr. Herrmann moved the resolution be adopted. Seconded by Mrs. Egan.

Fire Chief Reiser advised that of the four bids received, the third highest bid had been accepted as the two lower bids had not met the specifications.

Voice vote was taken on the resolution, resulting as follows:

Ayes 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

Nays 0.

The Resolution was declared adopted.

Resolution No. 21282

Awarding contract to Woodworth & Company, Inc. on its bid of \$334,827.36 for Improvement No. 4928, Unit "A".

Mrs. Egan moved the resolution be adopted. Seconded by Dr. Herrmann.

Mr. Schuster, Public Works Director, advised that this project had been discussed by the Council several times previously. as it applied to other contracts, and that the whole project was a combination effort of the City and the State Departments. He reviewed a number of aspects, stating it would involve two urban arterials: The Pine St.-Cedar St. Transition and Center Street at "M" intersection. The proposed section will pass under the SR 16 structure.

Mrs. Nancy Koenig, 2919 No. Alder, expressed concern that this will be a main arterial from South Tacoma to the tideflats and the quality of her neighborhood would be impaired. She inquired regarding future projections of the area of 6th Avenue to North 30th and Alder. Mayor Johnston recommended that her group discuss the matter with the Public Works Department.

Mr. Schuster stated that the widening and straightening of the streets would not generate additional traffic, but would only help to serve the traffic already in the area.

Voice vote was taken on the resolution, resulting as follows:

Ayes 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

Nays 0.

The Resolution was declared adopted.

Resolution No. 21283

Awarding contract to Morris Construction, Inc. on its bid of \$36,001.89 and supplemental bid of \$3,007.20 for L.I.D. No. 3718.

Dr. Herrmann moved the resolution be adopted. Seconded by Mr. Maule.

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Mr. Schuster explained this contract would cover sewers in the east end of Tacoma and the low bidder is about \$8,000 under the estimate for the project.

Voice vote was taken on the resolution, resulting as follows:

Ayes 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

Nays 0.

The Resolution was declared adopted.

Resolution No. 21284

Fixing Tuesday, August 24, 1971, at 7:00 P.M. as the date for hearing the request for rezoning the north side of South 96th Street between South Steele and South Hosmer Streets from an "R-4-L PRD" to a "C-P-N" District. (Property Holding & Development, Inc.)

Mr. Maule moved the resolution be adopted. Seconded by Mr. Moss.

Voice vote was taken, resulting as follows:

Ayes 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

Nays 0.

The Resolution was declared adopted.

Resolution No. 21285

Fixing Tuesday, August 24, 1971, at 7:00 P.M. as the date for hearing the request for annexation of the east side of Custer Road between South 56th and South 62nd Streets extended. (Richard H. Shaw, et al)

Mr. Maule moved the resolution be adopted. Seconded by Mr. Moss.

Voice vote was taken, resulting as follows:

Ayes 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

Nays 0.

The Resolution was declared adopted.

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Mr. Finnigan moved to suspend the rules to consider Resolution No. 21261. Seconded by Dr. Herrmann. Voice vote was taken and motion carried.

(Council introduced a new resolution, No. 21286, identical to No. 21261 which was removed from the agenda July 27th)

Resolution No. 21286

Authorizing the extension of tenure of employment of C. A. Erdahl, Director of Utilities, for a period not exceeding 6 months commencing September 1, 1971.

Mayor Johnston moved the resolution be adopted. Seconded by Mr. Finnigan.

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Mayor Johnston advised that Mr. Aldo Benedetti, Assistant Director of Utilities, has informed him that the extension would assist him with labor negotiations now underway.

Voice vote was taken on the resolution, resulting as follows:

Ayes 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

Nays 0.

The Resolution was declared adopted.

FIRST READING OF ORDINANCES:

Ordinance No. 19411 (Continued from the meeting of July 27th)

Amending Chapter 6.15 of the Official Code relative to licenses and taxation.

Mr. Finnigan moved to substitute the ordinance in hand for the ordinance originally introduced. Seconded by Dr. Herrmann. Voice vote was taken and carried.

Mr. Dave McLennan, Director of Tax and Licenses, advised this ordinance relating to taxes for non-profit organization, has been on the City's books since 1933. Subsequently new classifications were added to the Code in 1963. The proposed language change will eliminate some points of controversy and the ordinance could then be enforced on a more uniform basis.

The ordinance was placed in order for final reading.

Ordinance No. 19419

Amending Chapter 1.30 of the Official Code relative to Employee's Retirement System by adding a new section 1.30.662 to coordinate member's retirement allowance with benefits receivable from federal system.

Mrs. Esther Campbell advised that the amendment had been suggested by the consulting actuaries and approved by the City Retirement Board in May. There would be no additional expense to the City.

The ordinance was placed in order for final reading.

Ordinance No. 19420

Amending Section 6.12.060 of the Official Code relative to qualifications of bondsmen.

Mr. Hamilton, City Attorney, advised that the two municipal court judges had recommended the amendment to the ordinance.

The ordinance was placed in order for final reading.

Ordinance No. 19421

Amending Chapter 13.06 of the Official Code to include the south side of 6th Avenue approximately 1,000 feet east of Mildred Street from an "R-2" to a "C-2" District. (Jess E. Miller)

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Mr. Buehler advised that the necessary hearings had all been held on the petition and that all the required conditions had been met by the developer and the matter was ready for final approval.

The ordinance was placed in order for final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 19415

Amending Chapter 13.06 of the Official Code by adding a new section 13.06.065(98) to include the south side of South 12th between Oakes & Pine Streets from an "R-3" to an "R-4-L" District. (Robert L. Hess)

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

Ayes 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

Nays 0.

The Ordinance was declared passed.

Ordinance No. 19416

Vacating South 43rd between Pine and Fife Streets. (Center Offices, Inc.)

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

Ayes 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

Nays 0.

The Ordinance was declared passed.

Ordinance No. 19417

Amending Chapter 13.06 of the Official Code by adding a new section 13.06.040(1) to include the area between Pine and Fife Streets from South 42nd to South 43rd Streets extended from an "R-2" and "R-3" to a "C-3" District. (Business Center, Inc. and Center Offices, Inc.)

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

Ayes: 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 19418

Appropriating \$10,000 from the General Fund for the purpose of carrying on and operating a recreational program for Senior Citizens and declaring an emergency.

Mr. Clar Gaisford, Finance Director, reported on the current status of the City's budget. The City would need to have funds in addition to those already included in the

current City budget to cover commitments for the firemen's and policemen's pensions because of recent legislation by the State government. The Library board and the Park Board have also asked for additional funds this year. In addition, an amount of \$30,000, which had been anticipated for the Transit System out of the motor vehicles excise tax, will not be forthcoming.

Mr. Robert Hamilton, City Attorney, advised that the ordinance should not be based on the status of the Senior Citizens Centers' budget or it might be unconstitutional. He further stated that if the City Manager is to administer the funds, he could have contractual arrangements with other persons or groups to administer any phase of the program and the Council could decide at a later date whether it wishes to authorize such contractual agreements.

Councilmembers in favor of the appropriation felt that the program is worthwhile for the many senior citizens who have been paying City taxes all of their lives. They felt that inasmuch as the resolution of intent had been passed, the matter should be consummated despite the fact that there is a difference of opinion on the priority of the activities to be carried on and the items to be included in the senior citizens' budget. The budget had been set up only as a guideline.

Members of the Council opposed to granting the appropriation commented that funds could be obtained from other sources such as the Council on Aging and that a practical budget for the Senior Citizens had not yet been presented to the Council inasmuch as the one that was drawn up had allocated 50% to the personnel salaries, 10.5% for office equipment and only the balance for actual activity expenses. However, the main objection was the fact the City did not have the funds to allocate to the Senior Centers and other groups which seek funding.

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

- Ayes 5: Corsi, Egan, Moss, Schroeder and Mayor Johnston.
 - Nays 4: Finnigan, Herrmann, Jarstad and Maule.
- The Ordinance was declared failed as an emergency ordinance requires six aye votes.

REPORTS BY CITY MANAGER:

Mr. Donaldson advised that he had received a request for additional funds for the Library Board and distributed copies of the communication to the Council.

He had also received a communication from a group of apartment house representatives requesting that they be allowed to attend a Council Study Session in order to discuss the sewer rates for their type of dwelling. The Council gave its approval for the Manager to arrange a meeting.

COMMENTS BY MEMBERS OF THE COUNCIL:

Mr. Maule reported that the City Clerk on July 16th deputized 26 citizens as voter registrars in various areas of the City and to date these registrars had registered approximately 1,000 citizens.

Mr. Jarstad stated that the Council had received a communication from a Mrs. Peterson questioning why the Council was allowing two pornographic movie houses and yet would not allow the older people to play bingo in Tacoma.

Mr. Donaldson advised that under the State laws it is difficult to determine what is pornographic and what is not. However, the City has made some investigations and obtained a considerable amount of evidence. This has been submitted to the

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Municipal Court Judge for an opinion as to whether or not it is pornographic material.

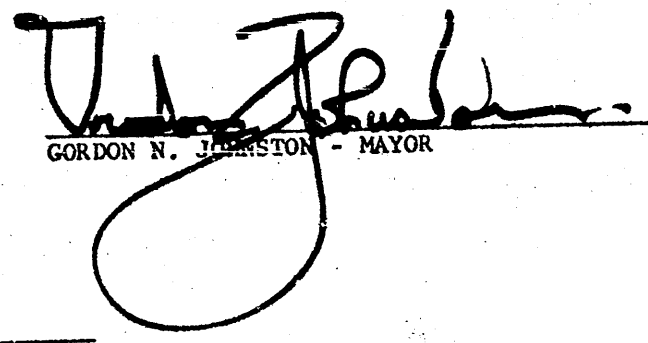
A number of men from the Police Dept. have been assigned to obtain additional evidence in the hope that some cases can be brought to court. He also advised that he has appointed a committee composed of the Chief of Police, City Attorney and Director of Licenses to prepare some guidelines so that there can be an amendment to the ordinance on bingo in order that this activity can be allowed.

ITEMS FILED IN THE OFFICE OF CITY CLERK:

- a. Minutes of City Planning Commission meeting of July 19, 1971.
- b. Monthly report, City Planning Department, July, 1971.
- c. Monthly report, Tacoma-Pierce County Humane Society, June, 1971.
- d. Dept. of Public Works filing Update Cost Estimate for Urban Arterial Project No. 8-1-128(28), Center Street - Washington to Alaska.

Placed on file.

There being no further business to come before the Council, the meeting was adjourned by proper motion at 10:05 P.M.



 GORDON N. JOHNSTON - MAYOR

ATTEST: 

 H. B. Bond - City Clerk