

CITY COUNCIL MINUTES

City Council Chambers  
September 4, 1973

The meeting was called to order at 7:06 p.m.

Present on roll call: 7 - Egan, Jarstad, Moss, Nalley, Schuur, Sonntag and Mayor Johnston. Absent: 1 - Herrmann. (One Council Vacancy). Dr. Herrmann arrived at 7:14 p.m.

The Flag Salute was led by Councilman Schuur.

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CONSENT AGENDA

Approval of the minutes of the special meeting of August 27th and regular meeting of August 28, 1973.

PETITIONS: COMMERCE SAVINGS & LOAN ASSOCIATION requesting the rezoning of the property located on the northeast corner of South 72nd and "D" Streets from an "R-4-LT" to a "C-1" District.  
For referral to the Planning Commission.

RESOLUTIONS:  
Resolution No. 22370 Fixing Tuesday, October 2, 1973 at 7:00 p.m. as the date for hearing the vacation of North 14th Street from Lawrence to Alder Streets. (University of Puget Sound)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:  
a. Minutes of Tacoma Public Library Board of Trustees regular meeting of July 17th and special meeting of July 31, 1973.  
b. Minutes of Metropolitan Development Council Board of Trustees meeting of August 14, 1973.  
c. Monthly report, July, 1973, Director of Finance.

Mrs. Egan moved that all of the items listed on the Consent Agenda, including Resolution No. 22370, be approved. Seconded by Mr. Schuur. Voice vote was taken and carried. The items were declared approved.

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REGULAR AGENDA

COMMUNICATIONS:

City Planning Commission recommending dismissal of 1968 petition of Forrester Realty Company and Alvin Lindstrom for rezoning of area near South 12th and Orchard Streets and vacation of certain streets therein.

Mrs. Egan moved to concur in the recommendation of the Planning Commission. Seconded by Mr. Sonntag. Voice vote was taken and carried.

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FINAL READING OF ORDINANCES:

Ordinance No. 19897 Vacating alley between South 10th and South 12th Streets and between South Vassault and South Whitman Streets. (Harold Wick, et al)

Roll call was taken, resulting as follows:

Ayes: 7 - Egan, Jarstad, Moss, Nalley, Schuur, Sonntag, and Mayor Johnston

Nays: 0

Absent: 1 - Herrmann (One Council Vacancy)

The Ordinance was declared passed.

Ordinance No. 19898 Appropriating the sum of \$238,924.82 or so much thereof as may be necessary from the 1973 Federal Shared Revenue Fund for the establishing and operation of a Senior Citizen System program to be administered by the Department of Human Development.

Mr. Schuur made a motion, seconded by Mr. Nalley, that the out of town travel and subsistence expense be removed from the budget as it pertains to the project coordinator and project specialist with the understanding that said travel allowance could come out of contingency funds. Voice vote was taken and failed. The Mayor declared the motion lost.

Following additional lengthy discussion, roll call was taken, resulting as follows:

Ayes: 8 - Egan, Herrmann, Jarstad, Moss, Nalley, Schuur, Sonntag and Mayor Johnston

Nays: 0 (One Council Vacancy)

The Ordinance was declared passed.

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At 8:30 p.m., Mayor Johnston requested the Council's indulgence and presented a proclamation to Mr. L. H. Pedersen, Secretary of the Central Labor Council, setting aside the week of September 3 through September 9, 1973 as "Union Labor Week."

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Ordinance No. 19899      Appropriating the sum of \$149,106.00 or so much thereof as may be necessary from the 1973 Federal Shared Revenue Fund for the establishing and operation of a Youth Services Bureau to be administered by the Dept. of Human Development.

Roll call was taken, resulting as follows:

Ayes: 8 - Egan, Herrmann, Jarstad, Moss, Nalley, Schuur, Sonntag and Mayor Johnston

Nays: 0      (One Council Vacancy)

The Ordinance was declared passed.

Ordinance No. 19900      Repealing and reenacting Chapter 8.32 of the Official Code relative to obscene films, publications, performances and matter.

Mayor Johnston announced that petitions bearing 229 signatures were filed in the City Clerk's Office this afternoon under the title of "Petition Against Imposed Censorship" with relation to the proposed ordinance.

Following a brief discussion, roll call vote was taken, resulting as follows:

Ayes: 6 - Egan, Jarstad, Moss, Nalley, Schuur and Mayor Johnston

Nays: 1 - Dr. Herrmann

Abstaining: 1 - Sonntag      (One Council Vacancy)

The Ordinance was declared passed.

Ordinance No. 19901      Providing for the improvement of L.I.D. 5534 for constructing water mains and fire hydrants in South "G" Street from South 92nd to South 94th Streets.

Roll call was taken, resulting as follows:

Ayes: 8 - Egan, Herrmann, Jarstad, Moss, Nalley, Schuur, Sonntag and Mayor Johnston

Nays: 0      (One Council Vacancy)

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 19902      Amending the pay and compensation plan to add the position of City EEO Officer.

Ron Skaggs, Assistant Director of Personnel, stated that the position, while it would not be filled at the present time, is a very integral part of the Affirmative Action Program. The establishment of the position is highly recommended by the Personnel Department.

The Ordinance was set over for final reading next week.

City Council Minutes - Page 4 - September 4, 1973

**Ordinance No. 19903** Appropriating the sum of \$37,500.00 or so much thereof as may be necessary from the Federal Shared Revenue Fund for the purpose of transferring same to Tacoma-Pierce County Health Department to provide for increased Homemaker Home Health Aid services.

Herb Kuzniczci, Budget and Personnel Supervisor of the Tacoma-Pierce County Health Department, stated that the general purpose of the program is to keep families together while the natural homemaker is incapacitated, to enable disabled individuals to remain in their homes as long as possible and to permit individuals to return home sooner from expensive institutions. He stated that the program, which will be matched by the County, will allow the department to increase its services by approximately 45 percent.

The Ordinance was set over for final reading next week.

**Ordinance No. 19904** Appropriating the sum of \$500,000.00 or so much thereof as may be necessary from the Federal Shared Revenue Fund for the purpose of establishing and operating the Local Improvement District Participation Program.

Bob Sparling, Public Works Department, reviewed the department's L.I.D. Participation Program, stating that the \$500,000 grant for L.I.D. participation would allow this very successful program to continue. He said the funds would process approximately half of the 77 valid petitions that are currently on file in the Public Works Department for paving.

The Ordinance was set over for final reading next week.

**Ordinance No. 19905** Appropriating the sum of \$55,000.00 or so much thereof as may be necessary from the Federal Shared Revenue Fund for the purpose of establishing and operating the Data Processing Software, Education, Research & Development Program.

Michael Mulcahy, Systems and Programming Officer of the Public Utilities Data Processing Division, informed Council that the objectives of the program are to purchase software systems to enhance the productivity of the Data Processing Division, to provide education and training for the Data Processing staff, increasing the level of operations and efficiency, and to provide expert services where necessary to develop a comprehensive foundation for an integrated management system and data base communications network.

The Ordinance was set over for final reading next week.

**Ordinance No. 19906** Appropriating the sum of \$20,700.00 or so much thereof as may be necessary from the Federal Shared Revenue Fund for the purpose of establishing and operating the Financial and Accounting Support Program to be administered by the Finance Department.

Finance Director, Earl Mittelstaedt, reviewed the purpose of the program, stating that the funds were necessary to immediately provide personnel to properly account, record, and report revenue sharing activity, provide general accounting support, and for improvement in supervision of the numerous expanded grant programs in the Finance Department.

In response to a question by Mr. Fred Van Camp, Secretary of the Civil Service League and Business Manager of Teamsters Local 461, Mr. Mittelstaedt said employees referred to in the program would be brought in under the regular City personnel program as permanent employees.

The Ordinance was set over for final reading next week.

Ordinance No. 19907 Appropriating the sum of \$115,181.00 or so much thereof as may be necessary from the Federal Shared Revenue Fund for the purpose of establishing and operating the 1973 Equipment Replacement Program to be administered by the Public Works Department.

Mr. John Bronow, Chief of Utility Services of the Public Works Department, explained that the funds requested will complete the amount of monies requested for the replacement of automotive equipment. He said the funds primarily are needed to replace heavy duty street repair maintenance equipment.

The Ordinance was set over for final reading next week.

Ordinance No. 19908 Creating a new fund to be known as both "Law and Justice Fund No. 1045" and "City Fund 570", appropriating \$52,340.00 or so much thereof as may be necessary from said fund to operate the Model Cities Public Defender Project and authorizing the execution of a contract with the Washington State Law and Justice Planning Office.

Model Cities Director, Keith Palmquist, said the funds requested will enable the project to operate for approximately the next seven months and that it will be necessary to seek additional funding to support the project beyond that time. He stated that it is conceivable that if the project is successful, additional LEAA funds may be available.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Resolution No. 22342 (Continued from the meeting of August 7, 1973)  
Authorizing a temporary loan in the amount of \$25,000 or so much thereof as may be necessary from the Arterial Street Fund to the Sidewalk Construction Fund for the construction of certain sidewalks.

A previous motion for adoption was made by Dr. Herrmann. Seconded by Mr. Moss. Voice vote was taken on the motion and carried. The Resolution was declared adopted.

Resolution No. 22371 Authorizing the execution of a deed for the West 25 feet of Lots 11 and 12, Block 6, Midway Addition to Tacoma, W.T. to Matt E. Novak for the sum of \$300.

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

Resolution No. 22372 Authorizing the proper officers of the City to execute a deed to William J. Mihelich and Montana Mihelich on certain real property near 3109 South Puget Sound Avenue in exchange for certain street r/o/w.

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

Resolution No. 22373 Awarding contract to Eagle Signal Co. on its bid of \$10,732.47 for furnishing 149 signal heads and span-wire frameworks.

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

Resolution No. 22374 Authorizing the execution of an agreement with the Washington State Highway Commission for the purpose of providing for the installation of traffic signals at the intersection of SR-16, Bantz Blvd. and Center Street.

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

Resolution No. 22375 Directing that the proper City personnel install certain signalization at SR-16, Bantz Blvd. and Center Street at an estimated cost of \$69,000.

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

Resolution No. 22376 Authorizing the execution of an agreement with Pierce County Legal Assistance Foundation to operate the Public Defender Project of the Model Cities Department Second Year Comprehensive Development Plan.

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. 22377 Authorizing the proper officers to make application to the Washington State Planning and Community Affairs Agency for the sum of \$31,936.65 to be used for the Adult Outreach Project of the Model Cities Department during the Final Action Year of said program.

Mr. Moss moved that the Resolution be adopted. Seconded by Mr. Schuur.

The Resolution was set over for one additional week to comply with the Council procedures for two readings in matters involving applications to other agencies.

Resolution No. 22378 Authorizing the execution of an agreement with Mutual Properties, Inc. relative to sewer connections to certain property outside the City limits.

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

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COMMENTS BY MEMBERS OF THE CITY COUNCIL:

Mr. Sonntag stated he would like to have a Study Session in the very near future with Ken Swisher of the Association of Washington Cities, together with a representative of the Puget Sound Regional Governmental Council regarding State land planning.

Mr. Sonntag also asked for a report in the near future on whether or not the summer youth employment program was successful.

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Mayor Johnston read the following prepared statement: "In deciding that we should not fill the existing Council vacancy at this time, the majority was in no way suggesting that Mr. Hudson was not qualified for the position. Indeed we believe him to be well qualified, otherwise we would not have considered him for the appointment in the first place. Our concern is that the Council should not prejudice the elective process. Had Mr. Hudson not absented himself from Tacoma immediately after the Council agreed to name him, the question of his being seated would not have arisen. It should be pointed out that Mr. Hudson's application for the vacancy included the fact that he would be leaving the City. However, with only two weeks to the Primary, the majority feels it has no choice but to withhold the appointment. Again, let me emphasize that this is no reflection on Mr. Hudson, rather it is simply a matter of propriety and fair play."

Dr. Herrmann indicated, in the minority report, that he felt Council should have proceeded with the appointment of Mr. Hudson since the Council had already announced its intent to do so.

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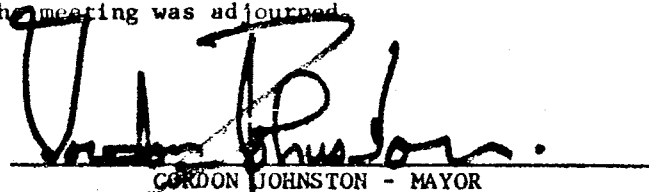
Mr. Sonntag made a motion, seconded by Mr. Nalley, that Council go into Executive Session to discuss the subject of the vacancy on the Council. Roll call was taken, resulting as follows:

Ayes: 7 - Egan, Jarstad, Moss, Nalley, Schuur, Sonntag and Mayor Johnston

Nays: 1 - Dr. Herrmann (One Council Vacancy)

The Council adjourned into Executive Session at 9:45 p.m.

The Council reconvened from Executive Session at 10:05 p.m., and upon motion by Mr. Sonntag, seconded by Mr. Moss, the meeting was adjourned.

  
GORDON JOHNSTON - MAYOR

ATTEST:   
H. B. BOND - CITY CLERK