

CITY COUNCIL MINUTES

City Council Chambers
Tuesday, November 24th, 1970

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

Present on roll call 8: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Schroeder and Mayor Johnston. Absent 1: Moss (excused).

The Flag Salute was led by Mr. Maule.

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Mayor Johnston asked if there were any corrections or omissions to the minutes being submitted for the meeting of November 4th.

Mr. Schroeder moved that the minutes of November 4th be approved as submitted. Seconded by Mr. Corsi. Voice vote was taken and carried unanimously.

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Mayor Johnston read a Proclamation declaring the week of November 23rd through November 29th as Consumer Protection Week, and remarked the people of Tacoma have enjoyed the security of consumer protection laws enforced through the State Attorney General's office and other local attorneys. He added this program is sponsored by the Junior Women's Club of Tacoma, which organization has helped to alert all citizens to be aware of the protections available to safeguard their own properties.

The Proclamation was presented to Mrs. Richard Healy.

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HEARINGS & APPEALS:

This is the date set for hearing for vacation of a portion of the alley between Yakima & "I" Sts. between So. 16th & 17th Sts. (High Twelve Corp.)

Mr. Russ Buehler, Planning Director, explained this alley had been dedicated as a 40-foot alley, but only 20 feet had been developed. The petitioner is requesting the vacation of the east 10 feet and the west 10 feet in order to provide off-street parking. It is recommended that an easement be retained over the westerly 10 feet for the telephone lines and utilities facilities. He added 75% of the property owners had signed the petition in favor and also pointed out that the width varies because of a large rock pile.

Mr. Finnigan asked who owns the High Twelve Corporation.

Mr. Buehler replied he thought it was part of the Black Masons who have an apartment house on the corner, which is low-income housing.

Mr. Finnigan moved to concur in the recommendation of the Planning Commission to approve the vacation. Seconded by Mr. Schroeder. Voice vote was taken and carried unanimously.

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PETITIONS:

Fred Roberson requesting rezoning of Wapato Hills Addition near 57th and Ferry from an "R-2" to an "R-2-T" District.

Referred to the City Planning Commission.

RESOLUTIONS:

Resolution No. 20963

Approving the plat of Pamela Mayer's Third Addition located on both sides of proposed East 78th Street between East F and East D Street.

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

Mr. Buehler explained this final plat meets all of the conditions and is ready for acceptance by the City Council.

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

Ayes 8: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Schroeder and Mayor Johnston.

Nays 0. Absent 1: Moss.

The Resolution was declared passed by the Chairman.

Resolution No. 20964

Awarding contract to Howard-Cooper Corporation on its bid of \$3,844.84 for the furnishing of one heavy duty air compressor.

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

Mr. Schuster, Director of Public Works, explained the compressor the City formerly had was struck by a truck that ran out of control which was demolished and this bid is for a replacement.

Mr. Corsi asked if the City was taking advantage of the discount listed. He also asked why doesn't the City receive discounts on other equipment.

Mr. Schuster replied that all companies do not give discounts and discounts are only given on equipment. The reason why this bid was accepted was due to the discount which made a low bid.

Mr. Maule said he noticed that the claim hasn't been settled by the insurance company yet. He asked if the funds would be applied to reduce the cost of the compressor when received.

Mr. Schuster said he had been advised by the City attorney that approximately \$2,200 would be received and it would be applied on the cost of the compressor. That piece of equipment was purchased in 1957 and the value would have depreciated.

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

Ayes 8: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Schroeder and Mayor Johnston.

Nays 0. Absent 1: Moss.

The Resolution was declared passed by the Chairman.

Resolution No. 20965

Awarding contract to Woodworth & Co., Inc. on its bid of \$51,229.50 for W. O. No. 74082.

Mr. Finnigan moved that the resolution be adopted. Seconded by Dr. Herrmann.

Mr. Schuster explained this contract would be for stockpiling aggregate material for street maintenance for the coming year. The City formerly had its own crushing operation, but had run out of material about four years ago and sold the crusher as it was an old piece of equipment. Since that time the contractors have been asked to furnish the material, crush it and stockpile it at the location of the City stockpile at Center and Pine Sts. He added there is no discount on this type of contract.

Mayor Johnston asked if any comparison has been made in costs of having a City operation or contracting this out.

Mr. Schuster said the comparison would probably be fairly close, but if the City had to buy a gravel pit now and buy a new crusher as well, it would come under capital outlay.

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

Ayes 8: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Schroeder and Mayor Johnston.

Nays 0. Absent 1: Moss.

The Resolution was declared passed by the Chairman.

Resolution No. 20966

Authorizing the proper officers of the City to execute an agreement with the State of Washington to purchase right-of-way for Urban Arterial construction for the Pine-Cedar-Alder Sts. transition.

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

Mr. Schuster advised the project in question is concerned with land acquisition which will form a transition from Pine St. to Cedar St. in connection with the urban arterial improvement for SR 16. He explained, 90% of the costs of such projects comes from the gasoline tax and 10% from a bond issue which the City has passed for this purpose. This section will cut across property owned by the Lundberg Pipe Company and continue from the vicinity of the Elks Club over to South Tacoma Way to be part of SR 16, which will come from Center Street and go out to the Narrows Bridge. The present plan is for the State to acquire the property and then the City will pay the State for its proportionate share for the transition area. The City property will provide an 80-foot right-of-way for the urban arterial with slope easements on both sides.

Mr. Maule asked what the City plans to do with its gravel storage pile now on Pine and Center Streets.

Mr. Schuster remarked there will no longer be a stockpile at that location.

Mr. Finnigan asked what is the total acreage to be acquired by the State and the City. He thought the price was exceptionally high. He asked if legal action was required inasmuch as the appraisal cost had been \$790,000; whereas the settlement figure had been approximately \$850,000.

Mr. Schuster said there had been a number of appraisals. He added the matter had been settled out of court. The City would be paying approximately \$.70 per square foot for the right-of-way.

Mr. Finnigan asked if the City planned to cut through the high hill in that area and if any of the Elks Club property had to be purchased.

Mr. Schuster explained the City urban arterial would be underneath the freeway and part would come from the Elks Club property, but would not disturb the golf course. This part has not yet been purchased. The present project will run from So. 74th over to 6th Avenue and a future project will go north, which would give another good cross-town street for the City. He added that the City has already acquired the property where the Tacoma Box Company is located and the route will be improved with construction going on next spring.

Mayor Johnston asked if SR 16 would be an elevated highway in that area and commented that if there is going to be a good north-south arterial, the hazardous railroad crossing across Pine Street should be improved and the railroad signal light corrected.

Mr. Schuster said some of the dirt taken from the hill will be used for fill in other places. He added there will be new bridges coming from the Sprague Ave. interchange at an elevated level. The City arterial will be underneath that. Regarding the train signal, some trains stopping only a short distance from the signal have activated it improperly and the Public Works Dept. plans to investigate the matter.

Mr. Schroeder asked what the State's schedule was for construction on that part of the freeway and if there was to be an interchange at Union Avenue, so that traffic can come from Interstate 5 across Nalley Valley as far as Union Ave.

Mr. Schuster said that was correct and the State funds for this biennium include construction up to Union Avenue. He said the design work is now being done.

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

Ayes 8: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Schroeder and Mayor Johnston.

Nays 0. Absent 1: Moss.

The Resolution was declared passed by the Chairman.

Resolution No. 20967

Fixing Tuesday, December 22nd at 7:00 P.M. as the date for hearing for the vacation of So. 43rd between Pine and Fife Streets. (Center Offices, Inc.)

Mr. Finnigan moved that the resolution be adopted. Seconded by Dr. Herrmann.

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

Ayes 8: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Schroeder and Mayor Johnston.

Nays 0. Absent 1: Moss

The Resolution was declared passed by the Chairman.

Resolution No. 20968

Fixing Tuesday, December 22nd at 7 P.M. as the date for hearing for rezoning of the area between Pine & Fife Sts. from So. 42nd & 43rd Sts. extended from an "R-2" & "R-3" to a "C-3" District. (Business Centers, Inc. & Center Offices, Inc.)

Mr. Finnigan moved that the resolution be adopted. Seconded by Dr. Herrmann.

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

Ayes 8: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Schroeder and Mayor Johnston.

Nays 0. Absent 1: Moss.

The Resolution was declared passed by the Chairman.

Resolution No. 20969

Fixing Monday, December 28th at 4 P.M. as the date for hearing on L I D 4960 for paving on East 54th from McKinley Ave. to Portland Avenue.

Mr. Finnigan moved that the resolution be adopted. Seconded by Dr. Herrmann.

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

Ayes 8: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Schroeder and Mayor Johnston.

Nays 0. Absent 1: Moss

The Resolution was declared passed by the Chairman.

FIRST READING OF ORDINANCES:

Ordinance No. 19251

Adopting the 1970 edition of the Uniform Plumbing Code.

Mr. Schuster explained that a new edition of the Code is issued every three years, which is submitted for approval by the Council. He added the code has been reviewed with a number of interested parties and only received comments from the Home Builders Association and from some Washington State Professional Engineers in private practice. He said they have every reason to believe that all are in agreement with the Code as they had been asked to reply if they had any comment.

The Board consists of a master plumber, journeyman plumber, licensed sewer contractor, architect, home builder, chemical engineer and an engineer from Tacoma Water Dept. They have all reviewed the Code and are in agreement.

Mayor Johnston asked when the last fee change was made. He also inquired about the test methods proposed, especially on factory made plumbing.

Mr. Schuster said the last fee change was made in 1964. Since the building trade is now buying modular sections made by various concerns which are shipped to Tacoma from other cities, or vice versa, and there is strong possibilities that plumbing connections can be broken. Mr. Schuster said the tests proposed utilize a peppermint material at the connections and if there are any leaks, the inspector can detect it. He said this works out quite satisfactorily.

The ordinance was placed in order of final reading.

Ordinance No. 19252

Amending Chapter 13.06 of the Official Code by adding Section 13.06.130-47 to include property on the east side of Park Ave. approximately 100' north of So. 38th St. from an "R-3" to a "C-2" District. (Robert R. Warren)

The ordinance was placed in order of final reading.

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Ordinance No. 19253

Appropriating the sum of \$60,000.00 or so much as may be necessary from the General Fund for the purpose of purchasing certain property on Ruston Way, declaring the immediate passing of the ordinance and to take effect immediately upon publication.

Mr. Hamilton, Acting City Attorney, stated whenever there is an emergency appropriation, the State statutes require at least five days between the introduction of the ordinance and the adoption, which necessitates two readings.

The City Clerk explained this ordinance was placed on the agenda inadvertently as a final reading, but should be only for first reading.

Mayor Johnston said there was a question about the exact amount being \$70,000 or \$60,000.

Mr. Hamilton said the resolution was for \$60,000 which would be only a temporary loan from the General Fund. The present ordinance is the next step and would appropriate the money which has been authorized. He added \$70,000 was the amount to be paid for the Dillingham Tract, but there had been some money left from the funds that had not been expended and the \$60,000 together with the money still on deposit should be more than adequate for the purchase.

The ordinance was placed in order of final reading.

UNFINISHED BUSINESS:

Mr. Finnigan pointed out that the City has retained a membership in the United States Conference of Mayors and had recently received a statement for its dues.

Dr. Herrmann asked if this amount had been budgeted.

Mayor Johnston explained the matter of various dues had been set aside for discussion by the former Finance, Audit and Investigating Committee, and inasmuch as the committee has been dissolved, the matter was now before the Council.

Dr. Herrmann said the former Mayor had felt it was important to belong to this group and asked for Mayor Johnston's opinion as he had attended some of the conferences.

Mayor Johnston said he had attended the one in Denver last summer and the material presented was significant, but the discussions with Mayors of other cities is of more benefit.

Mr. Finnigan moved that \$500 be appropriated to pay the dues. Seconded by Mr. Schroeder. Voice vote was taken. Motion carried.

REPORTS BY CITY MANAGER:

Mr. Marshall McCormick, Acting City Manager, reported that during the heavy rains recently in the vicinity of North 28th and Carr Sts., there had been a break in the water drain sewer. He remarked this is one of the oldest sections of the City and the drain had apparently crumbled from age. He said emergency action should be taken in replacing the sewers.

Mr. Schuster explained there is an old 21-inch clay storm drain going from Tacoma Avenue down to North 30th St. which was installed in 1910. The break occurred in the pavement in that area. The sanitary sewer is 69 years old and suggested that both the storm and the sanitary sewer lines be replaced. He added the streets in that area will also need reconstruction. Some bond funds are available from a previous sewer bond program which can be used for replacement or enlargement to a 24-inch line. The estimated cost of the total project would be \$152,000.00 he added.

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Mr. Jarstad asked how many storm drain sewer lines are there in the City which are that old and would be obsolete.

Mr. Schuster said it depends on the grade of the line and the quality of the pipe. The pipe in the area in question can practically be broken by hand. In the Design for Progress Report which was made, there had been approximately \$1½ million allowed for storm drain replacements.

Mr. McCormick explained that the drains in that area were not very deep or the project would cost more. He added the plans are being drawn now and it is hoped the contract can be submitted by December 14th for approval by the Council. He said the bond money could be used in addition to the money budgeted for the sanitary sewers and would not require other funds.

Mr. Finnigan moved to authorize the City Manager to proceed with the improvement. Seconded by Dr. Herrmann. Voice vote was taken, resulting as follows: Ayes 7: Egan, Finnigan, Herrmann, Jarstad, Maule, Schroeder and Mayor Johnston. Nays 1: Corsi (abstaining). Absent 1: Moss. Motion carried.

COMMENTS BY MEMBERS OF THE COUNCIL:

Mayor Johnston read a Proclamation proclaiming the week of November 22nd through 29th as "350th Anniversary of the Pilgrims Week" and admonishing all citizens to suitably commemorate the event and the principles the Pilgrims stood for and pointing out that many citizens of Tacoma are directly related to the Pilgrims.

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Mr. Schroeder commented this year is the 350th Anniversary of the landing of the Pilgrims and suggested people be thankful they live in a country and in a State and a community where they are free to express their various opinions without fear of reprisal. He said on this occasion it would behoove all to recognize the blessings in this City.

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Mayor Johnston announced that members of the City Championship Football team would be traveling to Hawaii on Thanksgiving Day and said he hoped all who will accompany the team would take to the Islands the good will and hospitality that Councilman Schroeder had expressed in his remarks.

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Mr. Corsi said as he is a member of the Civic Arts Commission, he would like to read a brief letter from Dr. L. S. Baskin, president of the Civic Arts Commission, which requested the Council to give consideration to the regulating and removal of signs from the City streets, especially pertaining to election signs.

Mr. Jarstad asked if the Council had authority to prevent the signs being put up at all.

Mr. Hamilton advised that he doubted if the Council could prohibit the signs being put up, but he thought if a permit were to be required or a security deposit, that might insure the signs being taken down. He said he would investigate and report back to the Council.

Mr. Finnigan said the problem of location and disposition of signs had long been a problem on school campaigns, political campaigns, etc, and asked if any other communities had any experience in their control.

Mayor Johnston agreed a method of controlling the removal of signs would be important.

Mrs. Egan said she thought that each candidate should be responsible for his own signs.

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Mayor Johnston commented that the City still is a member of the Puget Sound Regional Conference. He then nominated Mrs. Egan and Mr. Schroeder as members of the Puget Sound Conference. Seconded by Mr. Finnigan. Voice vote was taken and carried unanimously.

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CITIZENS' COMMENTS:

Mayor Johnston called on Mr. Goe to speak and he was advised he was not present. Mayor Johnston said that he would be scheduled to speak at the following week.

Mr. Finnigan said he did not feel the Council should extend a citizen the courtesy of addressing the Council on the following week if he were not present. He felt if a person has requested to speak and does not appear that should end the matter. He suggested that he not be given permission to speak again for a month.

Mayor Johnston said the Council Rules would have to be changed in this regard.

Mrs. Egan said perhaps an exception could be made if a person called in and advised they could not appear and if not, he should lose his turn for thirty days.

Mr. Maule said he thought the Council Rules would have to be changed if they changed the procedure.

Mr. Jarstad thought it would not be proper to eliminate a person from talking for a month as he might be ill or have something important to bring before the Council. He thought they should be allowed to present another request.

Mayor Johnston said he thought the rules should be changed regarding this matter.

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Mr. William S. Buell commented on the appointment of one of the Council members to serve on the Civic Arts Commission.

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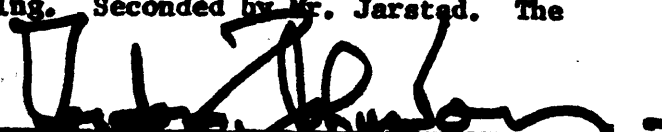
ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Board of Park Commissioners meeting of November 9, 1970.
- b. Minutes of Public Utility Board meeting of November 10, 1970.
- c. Monthly Report, October, 1970--Fire Department.
- d. Monthly Report, October, 1970--Police Department.
- e. Report of the First Class, 60th Examination-City of Tacoma-Pierce County, Wash. from January 1, 1969, to December 31, 1969, submitted by State Auditor and a communication submitted by Forrest W. Davis, State Examiner.

Placed on file.

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Dr. Herrmann moved to adjourn the meeting. Seconded by Mr. Jarstad. The meeting was adjourned at 9:45 P.M.



 Gordon N. Johnston - Mayor

Attest: Josephine Milton-City Clerk