

CITY COUNCIL MINUTES

City Council Chambers
August 3, 1971

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

Present on roll call 7: Corsi, Egan, Finnigan, Maule, Moss, Schroeder and Mayor Johnston. Absent 2: Herrmann and Jarstad.

The Flag Salute was led by Councilman Corsi.

Mayor Johnston requested the Clerk to read Resolution No. 20364, passed August 26, 1969, which formally adopted the policy of preventing a candidate for public office from speaking before the Council on matters of general interest. He also requested City Manager Donaldson to send copies of the resolution to all candidates who had recently filed for City positions.

Mayor Johnston asked if there were any corrections or additions to the minutes being submitted for July 13th. Mr. Corsi moved to approve the minutes as submitted. Seconded by Mr. Schroeder. Voice vote was taken and carried.

HEARINGS & APPEALS

- a. Continued hearing on the alternate plans for the construction of Urban Arterial Project No. 8-1-128(21), Sixth and Sprague Avenue Intersection.

Mr. G. M. Schuster, Public Works Director, reported that a meeting among the Fire and the Police Chiefs, Mr. Kosai, Traffic Engineer, and representatives of CRAM was held. Their conclusions were that a six week test should be made by barricading Sprague Avenue on the north side of Sixth Avenue (Alternate Scheme III).

After discussion, a motion was made by Mrs. Egan that the City test Scheme III of the alternate schemes (Looping No. 6th Street with No. Sprague) for a period of six weeks. This test is to start after the Nalley Valley Viaduct (connection from F.A.I. 5 to Sprague Avenue) is completed. Seconded by Mr. Schroeder. Voice vote taken, and carried.

- b. This is the date set for hearing for the rezoning of South 82nd to South 84th Streets between South "D" and South "C" Streets extended, from an "R-2" to an "R-4-L" District. (Leo B. Seiwerath)

(Mr. Jarstad arrived at 7:40 P.M.)

Mr. Russ Buehler, Planning Director, described the area to the City Council. After discussion, Mr. Finnigan moved to concur with the recommendation of the Planning Commission, plus one additional condition that a screening fence approximately 8 ft. in height be installed along the west property line of the site. Seconded by Mr. Moss. Voice vote was taken and carried.

PETITIONS

- a. Pacific National Bank of Washington, as trustee, requesting rezoning of the northwest corner of South 9th and Kay Streets from a "C-1" to a "C-2" District.
- b. Fred R. Roberson requesting rezoning of the east side of Steele Street between South 56th and Railroad Streets from an "R-2" to an "R-4-L" District.
- c. David V. Sheean & Associates requesting rezoning of the northerly side of F.A.I. #5 Freeway between East "E" and East "F" Streets from an "R-4" to an "M-1" District.

Mayor Johnston referred all three petitions to the Planning Commission.

COMMUNICATIONS

Communication from TelePrompter of Tacoma advising the City of its progress on Cable TV construction.

Mayor Johnston commented that the letter had indicated that since the start of the sales program on July 27th, 1971 there had been 65 installations in the City.

RESOLUTIONS

Resolution No. 21267

Authorizing the sale of scrap items of salvage to various bidders.

Mr. Finnigan moved to adopt the resolution. Seconded by Mr. Corsi.

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

Ayes 8: Corsi, Egan, Finnigan, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.
Nays 0 Absent 1: Herrmann.
The Resolution was declared adopted.

Resolution No. 21268

Confirming the appointment of Wilbur F. Rieck as a Commissioner of the Tacoma Housing Authority for a five-year term expiring August 16, 1975.

Mr. Finnigan moved to adopt the resolution. Seconded by Mrs. Egan.

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

Ayes 8: Corsi, Egan, Finnigan, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.
Nays 0. Absent 1: Herrmann.
The Resolution was declared adopted.

Resolution No. 21269

Authorizing the proper officers of the City to submit an application for a federal grant to the Department of Labor for funds to participate in the Cooperative Area Manpower Planning System.

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

Mrs. Regina Glenn, Civil Service League Coordinator, explained that the purpose of the grant would be to pay the salary of the Manpower Planner, the clerical assistants and for project facilities. It is to be part of the civil service coordination under the CAMPS program.

Mr. Fred VanCamp, business representative of the Civil Service League, questioned whether the federal grant would only bring more federal guidelines into being, thereby forcing the City to adopt a position which might be contrary to the civil service system in the City.

Mr. Finnigan commented that the Council does everything possible to prevent the deterioration of the civil service system in Tacoma, but that the City would be remiss in not taking advantage of the availability of obtaining the federal funds.

On direction of the Mayor, the Clerk read the resolution in full.

Mr. Donaldson, City Manager, explained that in the case of combining the Health Departments of the City and the County, a number of employees had been placed under civil service at the request of a federal grant program. He advised that under the grant in question, the CAMPS funds would allow the existence of a staff to work with other community groups such as the Labor Unions and the State Employment Security Dept. to bring together all of the projects now underway in the City in order that there would not be a duplication of effort and activities. The resolution would, in effect, be providing a Federal Fund Coordinator in the area of manpower planning. The administrative control would be by the City Manager's office and the Civil Service Board. The employee hired would be a City employee, not an employee of the local area office in Seattle.

Voice vote was taken, resulting as follows:

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

Nays 0. Absent 1: Herrmann.

The Resolution was declared adopted.

Resolution No. 21270

Approving a schedule pertaining to negotiations for collective bargaining between the City of Tacoma and certain labor organizations.

Mr. Moss moved to adopt the resolution. Seconded by Mr. Schroeder.

Voice vote was taken, resulting as follows:

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

Nays 0. Absent 1: Herrmann.

The Resolution was declared adopted.

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Resolution No. 21271

Authorizing the proper officers of the City to execute a contract with Burke-Davis General Contractors, Inc., and Werner S. Storch & Associates, Inc. for the restoration and remodeling of the old City Hall.

Mr. Schroeder moved to adopt the resolution. Seconded by Mr. Moss.

Mr. Robert Hamilton, City Attorney, reviewed for the Council the purchase of the old City Hall by Ronald Martin Hunts on May 28, 1968 by contract, and the subsequent default and petition in bankruptcy. Mr. Hunts had assigned rights and title to Burke-Davis General Contractors, Inc. and Werner S. Storch & Associates, Inc., who now wish the City to enter into a contract approving this conveyance of title and the proposed rehabilitation of the building. The repairs and rehabilitation are to be completed within three years from the date of possession of the property. An extension of an additional three months was requested, but denied by the Council as it was felt the three years itself was too long a period of time.

Voice vote was taken, resulting as follows:

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

Nays 0. Absent 1: Herrmann.

The Resolution was declared adopted.

Resolution No. 21272

Authorizing the appropriate individuals to apply for the State Law and Justice funds for the Adult Outreach Project of the Model Cities Program.

Mr. Maule moved to adopt the resolution. Seconded by Mr. Jarstad.

Mr. Frank Russell, Model Cities Director, requested that Resolutions No. 21272, No. 21273 and No. 21274 be considered together.

Mr. Russell introduced Rev. E. S. Brazill, Advisory Board Chairman, who presented the following Executive Board Members who described their individual activities in the programs and urged the adoption of them: Maurice Alexander, James Walton, Al Bradley, Robert Botley, Ella Mae Crawford, Duke Franks and Clarence Edwards. Also speaking in favor of the resolutions were citizens John C. Frai and Jim Winstead.

Mr. Russell explained that Resolution No. 21272, the Adult Outreach Project, deals with rehabilitation, increased educational and vocational opportunities. The Central Employment Agency will be implementing the program.

The Council requested that a brief periodic report on this program be submitted and that it also indicate the number of people involved in the program.

Mr. Russell advised that Resolution No. 21273 authorizes the implementation of the following projects as part of the "reprogram package" which were not authorized initially: Minority Contractors Association Project, T. C. C. Tenant Education Project, Senior Citizens Project, Summer Recreation for Girls Project, Laymen's Education Program (LEP), Adult Outreach Project. These projects meet the criteria of the area office.

A motion was made by Mr. Finnigan to recess for five minutes. Seconded by Mr. Corsi. Motion failed on voice vote.

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Mr. Russell advised that Resolution No. 21274 authorizes the City to enter into contracts with third parties in order to implement the following programs: Youth Outreach Center, Information and Referral Project, Homemakers Project, Environmental Health Project, Mental Health Project and Transportation Project.

Mr. Donaldson, City Manager, advised the Council that these programs are all experimental and it is hoped they will help the people in the Model Neighborhood and in turn improve the entire City. They are well designed and there is a good system of accounting and auditing. Therefore, he endorsed the programs.

Voice vote was taken on Resolution 21272, resulting as follows:

Ayes 8: Corsi, Egan, Finnigan, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.
Nays 0. Absent 1: Herrmann.
The Resolution was declared adopted.

Resolution No. 21273

Approving certain new First Year Action projects for the Model Cities Department and authorizing the appropriate agents to submit such projects to the Department of HUD.

Mr. Moss moved to adopt the resolution. Seconded by Mr. Corsi.

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

Ayes 7: Corsi, Egan, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.
Nays 0. Absent 2: Finnigan (temporarily) and Herrmann.
The Resolution was declared adopted.

Resolution No. 21274

Approving third party contracts relative to six Model Cities projects for implementation in the First Action Year.

Mr. Moss moved to adopt the resolution. Seconded by Mr. Maule.

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

Ayes 7: Corsi, Egan, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.
Nays 0. Absent 2: Finnigan (temporarily) and Herrmann.
The Resolution was declared adopted.

A motion was made by Mayor Johnston to recess for five minutes. Seconded by Mr. Jarstad. Voice vote was taken and carried.

Resolution No. 21275

Rejecting all bids on W. O. No. 91151 for sewer replacement in Wright Avenue from East "T" Street to approximately 260 feet west.

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

Mr. Schuster, Public Works Director, advised that all bids exceed the Engineer's estimate by more than 10% and recommended that the bids be rejected.

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

Ayes 8: Corsi, Egan, Finnigan, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.
Nays 0. Absent 1: Herrmann.
The Resolution was declared adopted.

Resolution No. 21276

Awarding contract to R. W. Rhine, Inc. on its bid of \$11,846.10 for demolition contract UR-11666.

Mr. Corsi moved to adopt the resolution. Seconded by Mrs. Egan.

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

Ayes 8: Corsi, Egan, Finnigan, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.
Nays 0. Absent 1: Herrmann.
The Resolution was declared adopted.

Resolution No. 21277

Fixing Tuesday, August 17, 1971, at 7:00 P.M. as the date for hearing the rezoning of the west side of South "M" between South 11th and South 10th Streets extended from an "R-3" to a "C-1" District. (W. Towne Collins & Laurence G. Ortengren)

Mrs. Egan moved to adopt the resolution. Seconded by Mr. Maule.

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

Ayes 8: Corsi, Egan, Finnigan, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.
Nays 0. Absent 1: Herrmann.
The Resolution was declared adopted.

Resolution No. 21278

Fixing Tuesday, August 31, 1971, at 7:00 P.M. as the date for hearing the vacation of a portion of East "E" Street extending north 200 feet from East 3rd Street. (Puget Sound Plywood, Inc.)

Mrs. Egan moved to adopt the resolution. Seconded by Mr. Maule.

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

Ayes 8: Corsi, Egan, Finnigan, Jarstad, Maule, Moss, Schroeder and Mayor Johnston
Nays 0. Absent 1: Herrmann.
The Resolution was declared adopted.

FIRST 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 and Pine Streets from an "R-3" to an R-4-L" District. (Robert L. Hess)

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Mr. Buehler, Planning Director, reported all conditions had been satisfied by the petitioner.

The ordinance was placed in order for final reading.

Ordinance No. 19416

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

Mr. Buehler reported all problems had been worked out and all conditions met.

The ordinance was placed in order for final reading.

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.)

The ordinance was placed in order for final reading.

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. John Frai spoke in opposition to the ordinance and felt that consideration should be given to improved health care plans.

Mr. Maule requested a report on the Senior Citizens budget before voting on the ordinance.

The ordinance was placed in order for final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 19397 (Postponed from the meeting of July 13th)

Amending various sections of the Official Code relating to Mobile Home and House Trailer Ordinance No. 16297.

Mrs. Egan said she had asked that the ordinance discussion be continued so that she could obtain answers to some questions relative to sewage dump stations.

Mr. Buehler indicated that some dump stations are being operated at some service stations under Health Department regulations and inspection and the dump station matter is still being investigated.

Mr. Ron Button of the Public Works Dept. explained that it is planned that trailers and mobile homes will be connected to the City sewer system.

Mayor Johnston felt the main concern relative to the ordinance is whether or not the City wants to allow overnight trailer facilities within the City and whether this ordinance would contribute to Tacoma being a more complete City in relation to freeway travelers.

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

Ayes 8: Corsi, Egan, Finnigan, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.
Nays 0. Absent 1: Herrmann.
The Ordinance was declared passed.

Ordinance No. 19409

Amending Chapter 13.06 of the Official Code by adding a new section 13.06.045(15) to include an area between South 47th and 48th and Wilkeson and FAZ #5 in an "R-2-T" District. (Dr. John B. Dodge)

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

Ayes 8: Corsi, Egan, Finnigan, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.
Nays 0. Absent 1: Herrmann.
The Ordinance was declared passed.

Ordinance No. 19410

Amending Chapter 13.06 of the Official Code by adding a new section 13.06.130(52) to include the northwest corner of East 72nd and East "L" from an "R-1" to a "C-2" District. (Charles A. Smith)

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

Ayes 8: Corsi, Egan, Finnigan, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.
Nays 0. Absent 1: Herrmann.
The Ordinance was declared passed.

Ordinance No. 19412

Authorizing the condemnation of R/W for River Street from approximately East 21st to intersection of Portland Avenue and East 29th Street.

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

Ayes 8: Corsi, Egan, Finnigan, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.
Nays 0. Absent 1: Herrmann.
The Ordinance was declared passed.

Ordinance No. 19413

Establishing a new fund to be known as "League of Cities-Conference of Mayors, Inc., Summer Youth Employment Transportation Fund" and appropriating the sum of \$5,400.00 or so much thereof as may be necessary for the purpose of providing transportation for disadvantaged youths.

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

Ayes 8: Corsi, Egan, Finnigan, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.
Nays 0. Absent 1: Herrmann.
The Ordinance was declared passed.

Ordinance No. 19414

Providing for the improvement of L.I.D. 4974 for paving along East 61st and East 62nd Streets from McKinley to East "I" Street and East 62nd from Portland Avenue to East "S" Street.

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

Ayes 8: Corsi, Egan, Finnigan, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.
Nays 0. Absent 1: Herrmann.
The Ordinance was declared passed.

UNFINISHED BUSINESS:

Mr. Finnigan questioned the status of the redevelopment of the Old City Hall Annex property.

Mr. Donaldson, City Manager, reported that in a meeting recently held with Mr. Wallerich, purchaser of the City Hall Annex, he had advised Mr. Wallerich that if agreements are not fulfilled, the City will initiate steps to repossess the building and asked that he make a report to Council on his work schedule and plans.

* * * * *

Mr. Finnigan said he had understood that some members of the City staff were to have listed all the old buildings owned by the City and report on their condition. He felt that the City should take the leadership in taking action on its own properties before talking to the other owners about improving or tearing down their buildings and if some of the City-owned buildings should be demolished, bids should be called for.

Mr. Donaldson reported that information has recently been furnished the citizens who have inquired relative to the use of any old City-owned buildings. In addition, the City Manager's office has circulated memoranda to determine whether any of the City departments might have a use for any of the old buildings in question. The staff will then come to the Council to ask for its advice as to whether or not the buildings should be sold or demolished.

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REPORTS BY CITY MANAGER:

City Manager Donaldson advised that at the last session the State Legislature had drafted a Bill covering lotteries and a question now arises as to the legality of Bingo games.

The City Attorney's office, in cooperation with the Director of Licenses and the Chief of Police, prepared a memorandum to the Council which outlined the problems in the matter: (1) There is a court case pending to determine whether the Legislature exceeded its power in enacting a law which is contrary to the State Constitution. (2) The City has an ordinance prohibiting games of chance, but portions of the State law indicate the City would be prohibited from regulating its own laws, and the subject has been pre-empted by the State Legislature; whereas other sections indicate that such is not the case and that the local laws have not been pre-empted from controlling the subject. He commented that the City could look forward to some substantial litigation before the matter is solved.

Mr. Hamilton advised that he had contacted the Bureau of Governmental Research on the subject to ascertain the attitude of other cities and had found that no action had been taken as yet.

Mr. Donaldson said that in view of something that had come up in the City of Tacoma, his office had contacted the State Attorney General's staff in Olympia to determine their attitude in the matter of constitutionality on gambling. The Attorney General's staff had implied that the Tacoma City ordinance should be updated, and had asked that they be notified of any change in the City's policy.

It was the consensus that no change be made until a decision is reached on cases pending in court. It was also felt that the City has no alternative, but to enforce the ordinance now in effect.

COMMENTS BY MEMBERS OF THE COUNCIL:

Mrs. Egan commented that she felt it would be appropriate for the Council to express the thanks of the City to Mr. Clarence Denney upon his retirement after 31 years with the Park Department. She pointed out that it had been through his sole efforts that the Wright Park Conservatory had grown into the fine beauty spot that it is.

Mr. Corsi reviewed the part he had taken in the formation of a nucleus group relative to the control of drug abuse and the establishment of a county-wide program for the control of this most serious problem. He stated he hoped the Council would concur in making the program a reality.

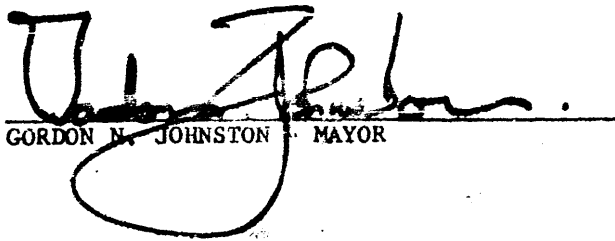
Mayor Johnston reported he had received a letter from the Library Board requesting a meeting with them concerning the annual budget, prior to the Council's considerations later on this year. The Mayor commented that a meeting should be arranged for this purpose.

ITEMS FILED IN THE OFFICE OF CITY CLERK:

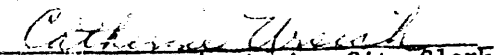
- a. Minutes of the Board of Administration of the Tacoma Employees' Retirement System of June 30, 1971.
- b. Minutes of the Public Utility Board meetings of July 14 and July 19, 1971.
- c. Dept. of Public Works filing quarterly Grantee Report of Expenditures on the Refuse Crusher Demonstration Grant No. G06-EC-0057-03 for the period ending June 30, 1971.
- d. Tacoma Employees' Retirement System report of purchases of investments during July, 1971.
- e. Monthly report, Police Department, Traffic Division, June, 1971.
- f. Monthly report, Director of Finance, June, 1971.

Placed on file.

There being no further business to come before the Council, the meeting was adjourned by proper motion at 11:00 P.M.



 GORDON N. JOHNSTON MAYOR

ATTEST: 
 Catherine Ursich, Acting City Clerk