

CITY COUNCIL MEETING

City Council Chambers
September 22nd, 1970

The meeting was called to order by Mayor Johnston at 7:10 P. M.

Present on roll call 6: Cvitanich, Finnigan, Herrmann, Jarstad, Zatkovich and Mayor Johnston. Absent 3: Banfield, Dean and O'Leary.

The Flag Salute was led by Mr. Cvitanich.

Mayor Johnston read a Proclamation declaring the period September 27 through October 4, 1970, as "Y-Indian Guide Week", in recognition of the excellent program in which over 700 Indian fathers and sons of Tacoma and Pierce County who are descendants of old Indian tribes are participating to sponsor better family relationships. The Proclamation was presented to Mr. Norris Pearson, the representative of the Indian Guides.

Mayor Johnston also read a Proclamation declaring the week beginning September 20 as Square Dance Week thereby promoting an American form of dancing originated over 700 years ago.

The verbatim minutes of the meeting of August 28th Special Meeting were submitted for approval. Dr. Herrmann pointed out that on page 4 of these minutes, there is apparently an error where the Mayor explains how to vote. He pointed out that the word "condem" be corrected to read "confirm" Moved by Dr. Herrmann that the minutes be corrected as stated and approved. Seconded by Mr. Finnigan. Voice vote was taken on the motion and carried unanimously.

The minutes of the regular meeting of September 1 were submitted for approval. Moved by Mr. Cvitanich that the minutes be approved. Seconded by Mr. Zatkovich. Voice vote was taken and carried unanimously.

HEARINGS & APPEALS:

(a.) This is the date set for hearing for vacation of the north and south 20 feet of Wright Ave. from East D west approximately 120 feet to the State SR-7 freeway, submitted by the Shaw House Corp. et al.

Mr. Russ Buehler, Planning Director, explained this is a stub-end street coming into a gulch which is part of the SR 7 route through to 38th Street. He said it is presently zoned "R-4" and the petitioner is requesting the vacation in order to develop an apartment building on the property.

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

(b) This is the date set for hearing for vacation of the easterly and westerly 10 feet of the alley lying between Yakima Avenue & I Street from So. 25th to a point 300 feet north, submitted by Wm. B. Swensen, et al.

Mr. Buehler explained most of the alleys in this area are 40' in width and this request is being made to convert a dead end alley to a cul-de-sac to be used for off-street parking.

Mr. Finnigan asked if there had been any protests as he noticed 71% were in favor of the vacation.

Mr. Buehler reported there was no opposition, however, it is required that there be a 66-2/3% approval before a vacation can be allowed.

Mr. Roger McDonald, representing the petitioner, Mr. Swensen, said his company had completed two apartment houses in the same area and explained they needed more space for parking for both the already constructed apartments and the proposed ones.

Mr. Finnigan asked what type of housing this was to accommodate and inquired about the construction schedule.

Mr. McDonald explained it was for low-income housing and hoped to start by the first of the year.

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

(c) This is the date set for hearing for rezoning of the north side of South 12th approximately 260 feet of Vassault St. from an "R-2" to an "R-4-L" District, submitted by James F. Walker & Les Rhea.

Mr. Buehler pointed out the area to be rezoned to "R-4-L" is a tract approximately 370'x366' lying between two churches, the Temple Bethel and the Church of Latter Day Saints. The developer has agreed to all conditions. Other apartments are also located on that tract. The petitioner is prepared to start construction within a short time.

Mr. Rhea reported that no objections have been made by either of the churches.

Dr. Herrmann moved to concur in the recommendation of the Planning Commission to approve the rezoning. Seconded by Mr. Cvitanich. Voice vote was taken and carried unanimously.

PETITIONS:

(a) Robert A. Warren requesting rezoning of the East side of Park Avenue approximately 100' north of So. 38th from an "R-3" to a "C-2" District.

(b) Shell Oil Company requesting rezoning of the N. E. corner of South 38th & M Sts. from an "R-3" to a "C-1" District.

Referred to the City Planning Commission.

COMMUNICATIONS:

(a) Alfred R. Capener requesting withdrawal of his petition for rezoning of South 56th & Ferry St. from an "R-2" to a "C-F'V" District.

Mr. Buehler advised the Highway Dept. is planning to use this property for a Type-A access and the petitioner now wishes to withdraw his original request for rezone.

Dr. Herrmann moved to accept the withdrawal. Seconded by Mr. Zatkovich. Voice vote was taken and carried unanimously.

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(b) Edward M. Lane, attorney, representing Mickey's Inc. asking for a postponement of the hearing on the appeal of the north side of East 34th St. between A & East B from an "R-4" to a "C-2" District which was set for October 13th to November 4th.

Dr. Herrmann moved to reschedule the date for hearing to November 4, 1970. Seconded by Mr. Finnigan. Voice vote was taken and carried unanimously.

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RESOLUTIONS:

Resolution No. 20873 (postponed from the meeting of August 25th)

Changing Rule IV of the Rules and Regulations governing ambulance service within the City of Tacoma.

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

Mr. Jarstad reported that Mr. Tollefson, who was representing the ambulance service group, had called to say he would be out of town on business that evening. He added the resolution was postponed to obtain further information.

Mr. Finnigan moved to continue the discussion for another two weeks, until October 6th. Seconded by Mr. Jarstad. Voice was taken and carried unanimously.

The Resolution was postponed until October 6th.

Resolution No. 20882 (postponed from the meeting of September 8th)

Authorizing the execution of an agreement with Pierce County providing for sewerage service by the City of Tacoma to the University Place North area of Pierce County.

Mayor Johnston stated that on September 8th Mr. Cvitanich moved to adopt the resolution. Seconded by Dr. Herrmann.

Mr. Finnigan moved to continue this resolution for three weeks for further study. Seconded by Mr. Cvitanich. Voice vote was taken and motion carried.

The resolution was postponed for three weeks to October 13th.

Resolution No. 20889

Authorizing the proper officers of the city to execute for and on behalf of the city a "City of Tacoma Labor-Management Master Agreement" regarding collective bargaining and negotiation.

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

Mr. Cvitanich said in view of the fact that new members are to be appointed to the Council as a result of the recall, the decision on this matter should be postponed for a week or two.

Mr. Zatkovich moved to continue the resolution for two weeks. Seconded by Mr. Finnigan.

Mr. McCormick explained to postpone the matter one week would not be harmful but two weeks would throw the whole schedule off since one provision of the resolution passed by the Council previously was that the representatives of the City, together with the Labor Unions, would set up a schedule for the carrying on of the negotiations regarding wages and working conditions for 1971. He explained these conditions have been put into the next resolution to consider this evening. Mr. Bixel, Personnel Director, has already worked that out with the Union. According to the schedule already set up, the Master Agreement resolution should be acted on tonight as it is to come up at the meeting of the Utilities Board on that date. He added there is nothing new in the agreement. The representatives of Labor, Utility Board and General Government have been working on this agreement since 1968. It has now been brought up to date in accordance with resolutions passed by the Council since that time, and is now an agreement which simply sets forth the general features as outlined in the resolution under which negotiations are to be carried out. It also names the bargaining agents for the City and the Labor Union; and recognizes the right to collective bargaining.

Mr. Zatkovich withdrew his motion to continue with the consent of his second.

Mr. Stanley Bixel, City Personnel Director, agreed with Mr. McCormick that this agreement should be executed. He said it had been under discussion for a number of years and is now the desire to have a more formalized organization regarding the membership and composition of the committees, etc. This is in conformance with legislation adopted by the State Legislature

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

Ayes 6: Cvitanich, Finnigan, Herrmann, Jarstad, Zatkovich and Mayor Johnston.

Nays 0. / Absent 3: Banfield, Dean and O'Leary.

The Resolution was declared passed by the Chairman.

Resolution No. 20890

Approving a schedule for collective bargaining for Labor and Management.

Mr. Finnigan moved that the resolution be adopted. Seconded by Mr. Zatkovich.

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

Ayes 6: Cvitanich, Finnigan, Herrmann, Jarstad, Zatkovich and Mayor Johnston.

Nays 0. Absent 3: Banfield, Dean and O'Leary.

The Resolution was declared passed by the Chairman.

Resolution No. 20891

Authorizing the execution of an agreement between Ken T. Kalin Construction and the City of Tacoma relative to a development of an "R-3-PRD" District on the east side of Hosmer between South 92nd and 96th Streets.

Mr. Finnigan moved that the resolution be adopted. Seconded by Mr. Zatkovich.

Mr. Buehler explained this resolution would formalize the final step of a development previously started by another company. It had already been rezoned by another applicant who had not been able to complete the development.

Mr. Dennis Decker of the Kalin Construction Co., was present and said they are in accord with the contract and would be able to proceed in a few weeks. They anticipate to construct 240 units.

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

Ayes 6: Cvitanich, Finnigan, Herrmann, Jarstad, Zatkovich and Mayor Johnston.
Nays 0. Absent 3: Banfield, Dean and O'Leary.
The Resolution was declared passed by the Chairman.

Resolution No. 20892

Awarding contract to Carl T. Madsen, Inc. for W. O. No. 74064 on its bid of \$16,990.00.

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

Mr. Gilbert Schuster, Public Works Director, explained this is an underground street lighting project with ornamental street lighting.

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

Ayes 6: Cvitanich, Finnigan, Herrmann, Jarstad, Zatkovich and Mayor Johnston.
Nays 0. Absent 3: Banfield, Dean and O'Leary.
The Resolution was declared passed by the Chairman.

Resolution No. 20893

Authorizing the sale of surplus vehicles to various bidders.

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

Fire Chief James Reiser explained the Fire Department had purchased three cars from the Utilities Dept. last summer and these three will replace the four being disposed of. The Plymouth on item #4 had been stripped down to keep item #1 Plymouth in service. He said that explained the low price on item #4.

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

Ayes 6: Cvitanich, Finnigan, Herrmann, Jarstad, Zatkovich and Mayor Johnston.
Nays 0. Absent 3: Banfield, Dean and O'Leary.
The Resolution was declared passed by the Chairman.

Resolution No. 20894

Fixing Tuesday, October 6th at 7:00 P.M. as the date for hearing on the rezoning of the SW corner of So. 88th and Pacific from an "R-2" to an "R-4-L" & "C-1" District. (Petitioned by Ray Pochel)

Mr. Cvitanich moved that the resolution be adopted. Seconded by Mr. Finnigan.

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

Ayes 6: Cvitanich, Finnigan, Herrmann, Jarstad, Zatkovich and Mayor Johnston.
Nays 0. Absent 3: Banfield, Dean and O'Leary.
The Resolution was declared passed by the Chairman.

Resolution No. 20895

Fixing Tuesday, October 27th at 7:00 P.M. as the date for hearing on the vacation of the alley from No. 19th to 21st between Orchard and Huson Sts. (Petitioned by John H. Callison, etal)

Mr. Cvitanich moved that the resolution be adopted. Seconded by Mr. Finnigan.

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

Ayes 6: Cvitanich, Finnigan, Herrmann, Jarstad, Zatkovich and Mayor Johnston.
Nays 0. Absent 3: Banfield, Dean and O'Leary.
The Resolution was declared passed by the Chairman.

Resolution No. 20896

Fixing Tuesday, October 27th at 7:00 P.M. as the date for hearing on the vacation of the alley east of South Cushman between So. 35th and the freeway. (Petitioned by Robert E. Johnson)

Mr. Cvitanich moved that the resolution be adopted. Seconded by Mr. Finnigan.

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

Ayes 6: Cvitanich, Finnigan, Herrmann, Jarstad, Zatkovich and Mayor Johnston.
Nays 0. Absent 3: Banfield, Dean and O'Leary.
The Resolution was declared passed by the Chairman.

Resolution No. 20897

Fixing Monday, October 26th at 4:00 P.M. as the date for hearing on LID 6929 for lights on wood poles at intersections on South 'K' Street from So. 78th to So. 80th Sts.

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

Ayes 6: Cvitanich, Finnigan, Herrmann, Jarstad, Zatkovich and Mayor Johnston.
Nays 0. Absent 3: Banfield, Dean and O'Leary.
The Resolution was declared passed by the Chairman.

FIRST READING OF ORDINANCES:

Ordinance No. 19210

Creating a new fund in the General Fund designated as the Model Cities Action Year Revolving Fund and appropriating the sum of \$12,000.00 or so much thereof as maybe necessary for certain activities of the Model Cities Program.

Mr. Jarstad asked Mr. Walker, Model Cities Director, to clarify the change from the \$10,000 to \$12,000 being requested in the present resolution.

Mr. Herman Walker explained that this \$10,000 eliminated all transportation travel expense and other needed items, whereas the \$12,000 would not provide for these items, but would maintain only the present staff with no increase or decrease.

Mr. Finnigan said he thought \$12,000 was intended to be only a maximum figure.

Mr. Jarstad explained the original amount had been \$39,000 and that one-third of that would be \$13,000. He said at an earlier meeting they had contemplated that \$8,000 could be trimmed from the budget. Mr. Dean and he, had thought \$3,000 would be fairly close to one-third of the \$8,000, so it would be fair to assume that \$10,000 would be a figure they could operate on. He asked if they could eliminate the \$4,000 rent figure and get by on the present rent budgeted.

Mr. Walker said that would be correct and that no increase would be made in anything else.

The ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 19203

Condemning property on So. 48th St. from approximately Ferry Street to the vicinity of Alaska St. for road reconstruction and widening and bridge construction over Interstate Route 5.

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

Ayes 6: Cvitanich, Finnigan, Herrmann, Jarstad, Zatkovich and Mayor Johnston.

Nays 0. Absent 3: Banfield, Dean and O'Leary.

The Ordinance was declared passed by the Chairman.

Ordinance No. 19204

Approving and confirming the Assessment Roll for LID 5464 for water mains in the area bounded by So. 80th St., Pacific Ave., So. 94th St. and Park Ave.

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

Ayes 6: Cvitanich, Finnigan, Herrmann, Jarstad, Zatkovich and Mayor Johnston.

Nays 0. Absent 3: Banfield, Dean and O'Leary.

The Ordinance was declared passed by the Chairman.

Ordinance No. 19205

Approving and confirming the Assessment Roll for LID 6891 for lights on wood poles on East "M" St. from East 56th St. to East 64th St. and other nearby streets.

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

Ayes 6: Cvitanich, Finnigan, Herrmann, Jarstad, Zatkovich and Mayor Johnston.
Nays 0. Absent 3: Banfield, Dean and O'Leary.
The Ordinance was declared passed by the Chairman.

Ordinance No. 19206

Approving and confirming the Assessment Roll for LID 6897 for lights on wood poles on Mullen St., from So. 65th to So. 62nd St.; So. 73rd St. from Mullen to Mason and other nearby streets.

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

Ayes 6: Cvitanich, Finnigan, Herrmann, Jarstad, Zatkovich and Mayor Johnston.
Nays 0. Absent 3: Banfield, Dean and O'Leary.
The Ordinance was declared passed by the Chairman.

Ordinance No. 19207

Approving and confirming the Assessment Roll for LID 6900 for lights on wood poles at intersections along North 22nd St. from Proctor to Stevens Sts.

Ayes 6: Cvitanich, Finnigan, Herrmann, Jarstad, Zatkovich and Mayor Johnston.
Nays 0. Absent 3: Banfield, Dean and O'Leary.
The Ordinance was declared passed by the Chairman.

Ordinance No. 19208

Providing for the improvement of LID 3705 for sanitary sewer in North Baltimore St. from Perkins to No. 37th St.

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

Ayes 6: Cvitanich, Finnigan, Herrmann, Jarstad, Zatkovich and Mayor Johnston.
Nays 0. Absent 3: Banfield, Dean and O'Leary.
The Ordinance was declared passed by the Chairman.

Ordinance No. 19209

Providing for the improvement of LID 4949 for paving on East 61st from "M" to "N" Streets.

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

Ayes 6: Cvitanich, Finnigan, Herrmann, Jarstad, Zatkovich and Mayor Johnston,
Nays 0. Absent 3: Banfield, Dean and O'Leary.
The Ordinance was declared passed by the Chairman.

UNFINISHED BUSINESS:

The Director of Public Works and Public Utilities present the Assessment Rolls for the following:

- a. LID 4889 for paving on No. Hale St. from Vassault to Five Views Road.

- b. LID 5476 for water mains in Adams from So. 64th to So. 66th Sts.
- c. LID 6904 for street lights on wooden poles along Monroe from 6th Ave. to So. 12th and other nearby streets.
- d. LID 6895 for street lights along 65th Ave. N.E. from 19th to 25th St. N.E. and other nearby streets.

Mr. Finnigan moved that the date of hearing be set for Monday, November 9th at 4 P. M. Seconded by Dr. Herrmann. Voice vote was taken. Motion carried.

COMMENTS BY MEMBERS OF THE COUNCIL

Mr. Cvitanich said he did not think it would be fitting to leave his place on the Council without commenting on The Tacoma News Tribune. He said after the Charter amendment to change Tacoma's form of government had been defeated, the newspaper had carried an article by Dr. Weigman, President of Pacific Lutheran University, stating he would like to see the City government changed and that a City of nearly 200,000 population should be governed by a strong mayor. Mr. Cvitanich added these are also the opinions of former mayors, Mr. Tollefson and Mr. Rasmussen.

He said he had noted that the present stationery from the Mayor's office does not say "Council-Mayor" form of government anymore, but merely says "Office of the Mayor". Mr. Cvitanich said he feels the form of government will be solved eventually.

Mr. Cvitanich thanked the City Clerk, Mr. McCormick and others on the staff for their assistance in the past ten years. He added he favors the Council meetings being held at 7:00 P.M. so that the public can attend and that the broadcasts can continue.

He also hoped that the Council will pursue the matter of having a grand jury investigation.

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Mr. Zatkovich said in leaving his position on the Council, he thought all five of the members being recalled could hold their heads high because there was nothing specifically wrong. He said his past three years on the Council have been very interesting and educational. He thanked the public, the Council members and the City staff and said he did not feel he has stepped on anyone's toes deliberately and hopes they feel the same toward him.

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Dr. Herrmann said he thought Mr. Cvitanich and Mr. Zatkovich were to be commended for appearing at the last two meetings to make quorum.

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Mr. Finnigan said he has known the other Council members for over three years and even though they haven't always agreed on things, he has appreciated the opportunity of having served with them as he has learned a great deal from them.

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Mr. Jarstad agreed with Dr. Herrmann's viewpoint and said he was sorry to see the five members leave the Council.

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Mayor Johnston repeated the comments of Dr. Herrmann and Mr. Jarstad and said the attendance of Mr. Cvitanich and Mr. Zatkovich at the last meetings after the recall election, had certainly reflected the nature of their dedication to the City. He said there is something about serving together that binds people together and that the members remaining are still considering the five others as friends.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Report from the Traffic violations and Court cases during the month of August, 1969 and 1970.
- b. Planning Commission minutes for Sept. 9, 1970.
- c. Tacoma Model Cities Executive Board meeting of August 20, 1970.
- d. Fire Dept. report for August, 1970.
- e. Tacoma Police Dept. report for August, 1970.
- f. Personnel & Administrative Claim 606-71-2 (41) filed by the Director of Civil Defense.

Placed on file.

Mr. Cvitanich moved to adjourn the meeting. Seconded by Mr. Zatkovich. Voice vote was taken. Motion carried. Meeting adjourned at 8:05 P. M.



 Gordon N. Johnston - Mayor

Attest: 

 Josephine Melton - City Clerk