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CITY COUNCIL MINUTES

City Council Chambers  
February 15th, 1972.

Mayor Johnston called the meeting to order at 7:00 P. M.

Present on roll call - 8: Egan, Herrmann, Maule, Moss, Nalley, Schroeder, Sonntag and Mayor Johnston. Absent - 1: Jarstad.

The Flag Salute was led by Councilman Sonntag.

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Mayor Johnston announced that the "Consent Agenda," authorized for a 60-day trial period, is being used for the first time at this meeting. He explained that all matters listed under the Consent Agenda below are considered by the Council to be routine and will be enacted by one motion in the form listed. There will be no separate discussion of these items unless members of the Council or members in the audience request specific items be removed from the Consent Agenda to the Regular Agenda for discussion prior to the time the Council votes on the motion to adopt the Consent Agenda.

CONSENT AGENDA

Approval of the minutes of the meeting of February 1st, 1972, as submitted.

PETITIONS: (For referral to the City Planning Commission)

a. Thomas F. Shoop - requesting rezoning of the west side of Yakima Avenue between South 55th Street Extended and South 56th Street from an "R-2" to a "C-1" District.

RESOLUTIONS:

Resolution No. 21524

Fixing Monday, March 13, 1972, at 4:00 P.M. as the date for hearing L.I.D. 5517 for water mains and fire hydrants in 57th Avenue N.E. from 29th Street N.E. to 25th Street N. E.; thence east on 25th Street N.E. to 58th Avenue N. E.

ASSESSMENT ROLLS:

The Director of Public Works presents the Assessment Roll for the following:

LID 3720 for sanitary sewers along Lexington Street from North 48th Street to North 49th Street; Five Views Road from Hale Street to Lexington Street; Hale Street from Frace Street to Lexington Street; North 49th Street from Frace Street to Lexington Street.

Fixing Monday, March 27th, 1972, at 4:00 P.M. as the date for hearing.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the Tacoma Planning Commission special meeting of January 20, 1972, and regular meeting of January 17, 1972.
- b. Monthly report of the Citizens Information and Service Bureau for January, 1972.
- c. HUD Form 6000 Physical Progress Report, Wash. R-1, R-3 & R-14.
- d. Department of Public Works filing Update Cost Estimate for Urban Arterial Project No. 8-1-128(28), Center Street - Washington Street to Alaska Street, Phase B.
- e. Department of Public Works filing Update Cost Estimate for No. 8-1-128(28), Center Street - Washington Street to Alaska Street, Phase C.

Mr. Schroeder moved to adopt the items on the Consent Agenda. Seconded by Mrs. Egan. Voice vote taken and carried.

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PROCLAMATION:

Mayor Johnston proclaimed the week of February 20 to February 27 as "Chance to Back a Brother Week" in the City of Tacoma.

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REGULAR AGENDA

COMMUNICATIONS:

- a. The Tacoma Tax Association advising the City Council of their views regarding the E. E. B. DuBois Club.
- b. Shoreline Management Permit Application - Property Holding & Development, Inc.
- c. Shoreline Management Permit Application - U. S. Oil & Refining.
- d. Shoreline Management Permit Application - St. Regis Paper Company.
- e. Civil Service Board recommending Charter amendment dealing with employment of persons who have been convicted of a crime.
- f. Civil Service Board recommending that the City Council designate January 25 and 26, 1972 as holidays.

Placed on file.

PUBLIC HEARINGS:

- a. This is the date set for hearing the request for rezoning approximately 120 feet south of 6th Avenue between Pearl Street and Vassault Street extended from an "R-4-1" to a "C-2" District. (1-18-72 Planning Commission recommended Approval 5 - 0, 4 absent. William J. Edwards.)

Mr. Russ Buehler, Planning Department Director, reviewed the Planning Commission's reasons for recommending approval of the rezone. Mr. Maule moved to concur in the recommendation of the Planning Commission. Seconded by Mr. Moss. Voice vote carried.

b. This is the date set for hearing of Michael Scannell's Appeal on the Planning Commission's decision to deny his request for rezoning the southwest corner of East 37th and "E" Streets from an "R-3" to an "R-4-L" District. (12-20-71, Planning Commission recommended Denial 7 - 1, 1 absent.)

Mr. Buehler described the area of the requested rezone and gave the reasons for the Planning Commission's denial of the rezone.

Mr. Michael Scannell advised that he is planning to build a garden court apartment building and does not foresee a traffic problem.

Mr. Dravis, 3638 East "F" Street, Mr. C. R. Pegg, 3637 East "E" Street and Mr. Gilbert Lewis, 3725 East "E" Street, each spoke in opposition to the rezone.

Mr. Jarstad arrived at 7:55 P. M.

After discussion, Mr. Maule moved to overrule the decision of the Planning Commission and grant the rezone with the following provisions: That underground power be provided; that parking areas shall be paved; and that the site be limited to a maximum of eight apartment units. Seconded by Mrs. Egan. Voice vote taken and carried.

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Mayor Johnston moved to have the item "Citizen Requests to be Heard" placed on the agenda following the resolutions rather than as listed. Seconded by Mr. Maule. Voice vote taken and carried.

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FINAL READING OF ORDINANCES:

Ordinance No. 19519

Vacating a portion of Sprague Avenue from South 25th Street to approximately 375 feet south. (Tacoma School District and Metropolitan Park District)

Roll call vote was taken, resulting as follows:

Ayes - 9: Egan, Herrmann, Jarstad, Maule, Moss, Nalley, Schroeder, Sonntag and Mayor Johnston.

Nays - 0.

The Ordinance was declared passed.

Ordinance No. 19520

Amending Title 9 of the Official Code by adding Chapter 9.28 to provide for the establishment of a "Pedestrian Mall."

It was determined at First Reading of the Ordinance last week that the public would be permitted to speak on Final Reading also.

Mr. Dave DeForrest, 1116 East 44th Street, and Mr. John Zelenak, 5414 South J Street, spoke against the ordinance.

Mr. Ted Amell, 422 Tacoma Avenue South, spoke in favor of the ordinance.

After discussion had been heard from all of those wishing to speak on the ordinance Mayor Johnston made a motion that all plans and documents on file with the City Clerk be incorporated into the ordinance and made a part thereof. Seconded by Dr. Herrmann. Voice vote carried.

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

Ayes - 8: Egan, Herrmann, Jarstad, Maule, Moss, Schroeder, Sonntag and Mayor Johnston.  
Nays - 0. Abstaining - 1: Nalley.  
The Ordinance was declared passed.

Ordinance No. 19521

Authorizing the appropriation of \$5,348.26 from the Tacoma Public Library Fund for the purpose of paying increased maintenance and operation costs of the Library for the year 1971.

Roll call vote was taken, resulting as follows:

Ayes - 9: Egan, Herrmann, Jarstad, Maule, Moss, Nalley, Schroeder, Sonntag and Mayor Johnston.

Nays - 0.  
The Ordinance was declared passed.

Ordinance No. 19522

Appropriating the sum of \$27,300.00 or so much thereof as may be necessary from the Firemen's Relief and Pension Fund for the purpose of paying necessary obligations incurred during the fiscal year 1971 and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes - 9: Egan, Herrmann, Jarstad, Maule, Moss, Nalley, Schroeder, Sonntag and Mayor Johnston.

Nays - 0.  
The Ordinance was declared passed.

Ordinance No. 19523

Authorizing the appropriation of the sum of \$129,980.15 or so much thereof as may be necessary from the General Fund to the City Street Fund for the purpose of paying the maintenance and operating costs of the City Street Fund for year 1971 and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes - 8: Egan, Herrmann, Jarstad, Maule, Moss, Schroeder, Sonntag and Mayor Johnston.  
Nays - 0. Abstaining - 1: Nalley.  
The Ordinance was declared passed.

Ordinance No. 19524

Amending Section 1.12.414 of the Official Code to establish a new position to be known as (A) Manpower Planning Director.

Roll call vote was taken, resulting as follows:

Ayes - 9: Egan, Herrmann, Jarstad, Maule, Moss, Nalley, Schroeder, Sonntag and Mayor Johnston.

Nays - 0.  
The Ordinance was declared passed.

RESOLUTIONS:

Resolution No. 21500 (For Reconsideration)

Awarding contract to International Harvester Company on its bid of \$18,503.05 for one (1) Tandem Axle Cab and Chassis.

Mayor Johnston explained that the reconsideration of this resolution had been continued so that the status of availability of the equipment could be determined.

Upon inquiry by Mr. Sonntag, Mr. Erling Mork, Assistant City Manager, advised that the reason the award was not immediately made on the day after the prior Council meeting of February 8th, was because of the unusual situation created when Council had decided not to award the contract to the low bidder. City Attorney, Robert Hamilton, had instructed that the awarding be held up pending clarification of the rewording of the Resolution. The Purchasing Department had been instructed to proceed with the award at 2:00 P.M., Tuesday, February 8th, but this had been too late to do business that day. On that same evening, the Council had moved to reconsider the resolution and the following morning, after a motion for reconsideration, the Purchasing Department had been notified to hold all further action.

Mr. Lewis Hatfield, representing Teamsters Local #431, spoke in favor of awarding the contract to International Harvester Company.

The question for a reconsidered vote was called for and vote on awarding contract to International Harvester Company resulted as follows:

Ayes - 4: Jarstad, Moss, Nalley and Sonntag.

Nays - 5: Egan, Herrmann, Maule, Schroeder and Mayor Johnston. Motion was declared Lost.

Mr. Schroeder moved to award contract to Fageol Motors, Inc. Seconded by Mrs. Egan. Roll call vote was taken as follows:

Ayes - 5: Egan, Herrmann, Maule, Schroeder and Mayor Johnston.

Nays - 4: Jarstad, Moss, Nalley and Sonntag.

The motion to award the contract to Fageol Motors, Inc. was declared adopted.

Resolution No. 21506 (Continued from meeting of February 6th)

Authorizing the participation of the City of Tacoma in a special pilot program aimed at increasing minority group and veteran representation in the fire service.

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

Mayor Johnston announced that this resolution had been continued for one week in order that the Council could review the contract which had not accompanied the agenda the previous week.

Voice vote: Ayes - 9. Nays - 0.  
The Resolution was declared adopted.

Resolution No. 21517

Authorizing the proper officers of the City to enter into an agreement with the joint venture comprised of Burke-Davis General Contractors, Inc., Werner S. Storch & Associates, Inc., for the remodeling of the Old City Hall.

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

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Mr. Francis Chapin, Chief Assistant City Attorney, reviewed the proposed agreement for the Council.

Mr. Ray Davis, representative of Werner S. Storch & Associates, explained that they are seeking the Council's consent to put a package together and a little additional time.

Mr. Michael Garvey, attorney representing the Old City Hall partnership, advised that they feel this project is something that can be accomplished and that they also feel the City is adequately protected.

Dr. Herrmann moved to amend the agreement on pages 1 and 3, to allow 6 months instead of 90 days for the delivery of a complete set of plans and specifications for remodeling the Old City Hall. Seconded by Mrs. Egan. Voice vote carried.

Voice vote: Ayes - 9. Nays - 0.  
The Resolution was declared adopted.

Resolution No. 21518

Authorizing the City Manager to submit to the Federal Aviation Agency a request for aid under the Airport and Airway Development Act of 1970 for additional airport land acquisition.

Dr. Herrmann moved to continue the resolution for one week as Mr. Barney, Airport Manager, was not present to explain the request. Seconded by Mr. Schroeder. Voice vote carried.

The Resolution was continued until February 22nd.

Resolution No. 21519

Authorizing the assignment of the real estate contract heretofore entered into between the City of Tacoma and O. R. Pigford and Oleatha Pigford to John H. Laster and Robert T. Penton, Jr. on certain property located in the London and Liverpool Addition to Tacoma, W. T.

Dr. Herrmann moved to adopt the resolution. Seconded by Mr. Sonntag.

Mr. John Callison of the City Treasurer's office explained this transaction for the Council.

Mr. O. R. Pigford, 402 No. "C" Street, spoke in favor of the Resolution.

Mr. John Laster, one of the assignees, advised that they had purchased for speculation and also intend to improve some surrounding property.

Voice vote: Ayes - 9. Nays - 0.  
The Resolution was declared adopted.

Resolution No. 21520

Awarding contract to Lige Dickson Company on its bid of \$310,532.56 for paving and sanitary sewers in areas constituting L. I. D. No.'s 4963, 4966, 4968 and 4972 and Work Order No.'s 91152, 91153 and 91523.

Dr. Herrmann moved to adopt the resolution. Seconded by Mrs. Egan.

Voice vote: Ayes - 9. Nays - 0.  
The Resolution was declared adopted.

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Resolution No. 21521

Authorizing execution of an agreement with Lakeview Light and Power Company pertaining to removal and relocation of electrical facilities within South 96th and Hosmer Street.

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

Voice vote: Ayes - 9. Nays - 0.  
The Resolution was declared adopted.

Resolution No. 21522

Awarding contract to J. D. Shotwell Company on its bid of \$90,773.04 for cement concrete curbs and gutters, and sidewalks; storm drainage and asphalt resurfacing on Center Street from Trafton Street to Alaska Street, constituting Improvement No. 4928, Unit 'B' - UAB 8-1-128(28).

Dr. Herrmann moved to adopt the resolution. Seconded by Mrs. Egan.

Voice vote: Ayes - 9. Nays - 0.  
The Resolution was declared adopted.

Resolution No. 21523

Authorizing the sale of 332 Used Transformers to T & R Electric Supply, Inc., for the sum of \$15,754.59.

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

Mr. Joe Cockrell, Superintendent of the Light Division, Department of Public Utilities, recommended that the bid be awarded to the high bidder.

Voice vote: Ayes - 9. Nays - 0.  
The Resolution was declared adopted.

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CITIZEN REQUESTS TO BE HEARD:

Mr. Thomas F. Wells spoke on the topic of inter-related subjects of CDA-11, Model Cities and subversive activities.

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COMMENTS BY MEMBERS OF THE CITY COUNCIL:

Mayor Johnston announced that there would be a joint meeting of the Port Commission, County Commissioners and the City Council at the Public Utilities Auditorium at 2:00 P.M., February 16, 1972.

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Mayor Johnston also announced that Mr. Mel Gaumer has been appointed as Administrative Assistant to the City Council beginning next week.

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Mayor Johnston announced that he had received a communication signed by several Congressman requesting all persons to pray for the President of the United States on February 19 or 20 in connection with his forthcoming trip to China.

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Mr. Moss advised that this week is "Black History Week" and reported on the giants of black history such as Mr. Dubois, NAACP and Martin Luther King. He hopes that people will take time to better inform themselves about the minority people.

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Mr. Sonntag stated that he did not feel the Council meetings were the proper place for the type of accusations that were presented this evening under "Citizens' Comments." He felt it would be wise to have the Legal Department reply on behalf of the City if, indeed, the DuBois Club is a Communist front.

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Mr. Sonntag asked to be excused from next week's meeting as he will be out of the City. Mayor Johnston moved to excuse him. Seconded by Mr. Jarstad. Voice vote carried.

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Mr. Maule commented regarding changes to the City Charter as presented this evening under "Communications" by the Civil Service Board. He suggested that a committee of members from all walks of life be formed to review the charter as there appears to be a need for some housekeeping changes.

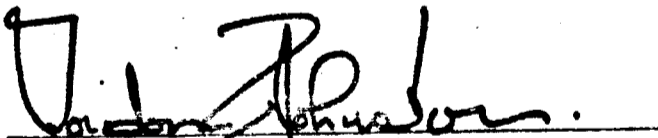
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In reply to some of the comments made by Mr. Wells this evening, Mr. Jarstad stated that he is constantly on the lookout for Communist influences and felt that all Council members are interested in fighting to put down any Communist infiltration into the government. He said he had read that one of the foremost aims of the Communist workers is to destroy confidence in the government, which includes City government.

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ADJOURNMENT:

There being no further business, Mr. Sonntag moved to adjourn the meeting. Seconded by Mr. Schroeder. The meeting adjourned at 11:35 P.M.

  
GORDON N. JOHNSTON - MAYOR

ATTEST:   
H. B. BOND - CITY CLERK