

CITY COUNCIL MINUTES

City Council Chambers
May 11th, 1971.

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

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

The Flag Salute was led by Deputy Mayor Finnigan.

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A motion was made to excuse Mr. Schroeder by Dr. Herrmann. Seconded by Mr. Finnigan. Voice vote was taken and carried.

The Council members all wished Mr. Schroeder well.

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Mr. William Donaldson, City Manager, presented a \$25.00 check and Certificate of Merit to Mr. John Hill of the City Fire Department for his suggestion to improve the equipment which holds the air mask pumpers on the fire engines.

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Police Chief Lyle Smith announced that this week had been proclaimed as National Police Week and that over the last five or six years part of the tribute in the City has been to name "Outstanding Citizens" who have performed noteworthy acts by assisting with police work and protecting the citizens of the community.

This year eleven persons have been named, five of whom were present to receive awards. These were: Henry C. Barr, Frederick A. Jensen, Gene W. Burchett, Dale Kelley and James D. Lumpkin. Those unable to attend were: Lonnie R. Douglas, Robert W. Duvall, Roger W. Eriksen, Greg L. Rusler, John M. Szewick and a man who wished to remain anonymous.

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Mayor Johnston then announced that the Cheney Stud Hustlers, a soccer team, would be traveling to England to participate in a number of soccer games. Tour coordinator, Mr. Douglas Howard, outlined the tour and background of the soccer exchange program and the coach and members of the team were introduced. Mayor Johnston remarked that these men would act as ambassadors from our City and requested that they present "Keys to the City," bronze medallions from Tacoma's 69th Centennial, and some brochures and pens to persons in England during their stay there.

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Mayor Johnston read a Proclamation designating the week of May 9th as Healthy Baby Week. The Proclamation was presented to Mrs. Ron Thompson, representing the Junior Women's Club of Tacoma.

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Deputy Mayor Finnigan announced that while Mayor Johnston had been in the East last week, he had attended a luncheon to honor Admiral Edwin Rosenberg, Chief Admiral of the Naval Reserve in Omaha, Nebraska. The Admiral had requested that an honorary commission of Admiral be given to Mayor Gordon Johnston. Mr. Finnigan then read a proclamation from the Governor of Nebraska bestowing the honor on Mayor Johnston.

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Mayor Johnston asked if there were any corrections or omissions to the Council minutes being submitted for the meeting of April 20th.

Mr. Finnigan stated that he would like to correct a sentence relative to Resolution No. 21126 regarding a proposed Owner Participation Agreement between the City and William Swensen & Associates. He had been quoted as saying, "It is a rare occasion when there is only one bidder on the property;" whereas the sentence should have read: "It is a rare occasion when there is more than one bidder on the property."

Mr. Maule moved to approve the minutes as corrected. Seconded by Mr. Corsi. Voice vote was taken and motion carried.

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PETITIONS:

(a) State Mutual Savings Bank requesting an open space land classification under RCW 84.34 for an area north of 33rd Street, N.E. and west of 44th Avenue, N. E. (in vicinity of North Shore Golf Course in Northeast Tacoma).

(b) Robert L. Hess requesting rezoning of the south side of South 12th between Pine and Junett Streets from an "R-3" to an "R-4-L" District.

Referred to the City Planning Commission.

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Mayor Johnston read a proclamation designating the week of May 16th as the Week of the Young Child in the City and presented the proclamation to Mrs. Jean Kelso, a member of the Association for the Education of Young Children.

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RESOLUTIONS:

Resolution No. 21143 (Continued from the meeting of April 27th)

Approving the proposed rate schedule submitted by TelePrompter Corporation.

Mr. Finnigan commented that there was to have been a study session on the matter of Cable TV rates, but it had been impossible to hold the meeting because of Mr. Schroeder's illness. Mr. Finnigan, therefore, moved to continue the resolution for two weeks. Seconded by Dr. Herrmann. Voice vote was taken and carried unanimously.

The resolution was continued until May 25th.

Resolution No. 21163

Authorizing the proper officers of the City to execute a Permit granting permission to the Tacoma Art Museum to place a sign and supporting structure on the sidewalk area on the east side of Pacific Avenue north of South 12th Street.

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

Mr. Bill Donaldson, City Manager, advised that the City Attorney's office has written an opinion stating that present City ordinances do not authorize the placing of a pylon and sign on the sidewalk, such as requested by the Tacoma Art Museum and that approval could only be made by Council's resolution.

Mr. G. M. Schuster, Public Works Director, presented a drawing received from the Art Museum which described the proposed sign-sculpture. It is to be a pylon structure made of steel extending fifteen feet upward from the sidewalk. The Art Museum requests permission to place the pylon structure approximately 4-1/2 feet from the curb of the street. Mr. Schuster remarked that the street lights are approximately 2-1/2 feet from the curb. This would leave about 2 feet between the lights and sign structure and 10 feet between the Building and the sign-structure. He said that the Public Works Department suggests a different location be selected for the structure, either closer to the curb or to the building as it could be considered an obstacle for pedestrians.

Mr. Finnigan commented it would not be any more of an obstacle than the columns in front of the downtown parking garages and that the Museum would no doubt have insurance to cover casualties. He asked if it would be possible to remove the pylon once it was installed.

Mr. Schuster stated that the permit would require the Museum to carry the necessary insurance and that the pylon could be removed easily with a blow torch.

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

Ayes 4: Corsi, Finnigan, Herrmann and Mayor Johnston.
Nays 4: Egan, Jarstad, Maule and Moss. Absent 1: Schroeder.

Mayor Johnson then announced that he would change his vote from "aye" to "nay" to be on the prevailing side.

The Resolution was declared lost, 5 to 3.

Resolution No. 21164

Authorizing the proper officers of the City to enter into an agreement with the Washington State Department of Social Health Services for financial support of a Health Improvement Planner in the Model Cities Program for the period May 1, 1971 through June 30, 1972.

Dr. Herrmann moved the resolution be adopted. Seconded by Mr. Moss.

Mr. Frank Russell, Model Cities Dept. Director, commented that the State and the City Legal Departments had collaborated on the agreement in question and that Mr. Dwayne Summers of the State Health Department was present to answer some questions. In reply to the Mayor's question, Mr. Russell said the assignment of a Health Improvement Planner would add approximately \$20,000 to the Model Cities program expenses.

Mr. Finnigan remarked that he had read the contract between the City and the State Health Department, but had not been able to determine how the Tacoma-Pierce County Health Department was affiliated. He also stated that he did not feel that thirty days was sufficient notice in the event the contract was to be revoked.

Mr. Dwayne Summers, Division of Health, Department of Social & Health Services, advised that the past year, under the Division of Public Assistance (which is now under the Department of Social and Health Services), a Planner had been loaned to the Model Cities program and, in addition, the Department of Institutions had loaned a part-time person. Subsequent to the termination of the contract on April 30th, 1971, the Attorney General's office and the City Attorney's office in Tacoma developed the contract now being submitted to the Council for approval. The contract would, in fact, merely allow the State Department to continue to provide the funds so that a Plamer could be hired, rather than loaning a Planner to the Tacoma Model Cities program.

Mr. Finnigan asked if the work would be coordinated with the Pierce County Health Department and Mr. Summers stated that the Department of Social and Health Services is working with the County Health Director and the money will be placed in the City budget and not into the County budget. There will be constant liaison among the various offices involved. Mr. Finnigan felt that the contract should include a condition whereby coordination would be mandatory.

Dr. Herrmann felt this was already indicated in the contract in paragraph (1).

Mr. Moss agreed it would be advantageous to have the City Health Department actively and directly involved, inasmuch as the total thrust of the Model Cities program is to develop a program to be carried on by the remaining community.

Mr. Francis Chapin, Assistant City Attorney, advised that even though the intent was there, paragraph (1) was not, in his opinion, sufficiently specific on that point.

Mr. Russell advised that the Model Cities Health Planner would participate in many types of health-funded projects under the Model Cities program, and that the work could even include coordination with privately or federally-funded programs such as the March of Dimes, etc., and further that the Planner would make himself available for cooperation with all of the City departments relative to health programs.

Discussion between Mr. Jarstad and Mr. Russell confirmed the fact that the Health Service Planner would be hired under the Model Cities program and that according to the proposed agreement between the State and the City, the Department of Planning & Community Affairs which is under the Department of Social & Health Services, would have the right to perform a financial audit in order to maintain coordination for all types of health projects. Any audit of the program planning would be performed by the Model Cities Health Service Planner.

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

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

Resolution No. 21165

Authorizing the execution of an application to the State of Washington for federal funds in the amount of \$11,009 under the Omnibus Crime Control and Safe Streets Act of 1968 for the purpose of improvements in the crime laboratory services.

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

Chief Lyle Smith advised the Council that this would allow the Department to submit the application. The Director of the State Crime Laboratory had assured him the money is available and already earmarked for the Tacoma Police Department. The application is being made in order to obtain specific pieces of laboratory equipment.

Dr. Herrmann inquired if this meant additional personnel would be added.

Chief Smith advised that there will be an increased amount of processing, but he does not anticipate a need for increasing the personnel to perform the work.

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

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

Nays 0. Absent 1: Schroeder.

The Resolution was declared passed.

Resolution No. 21166

Authorizing the settlement of a suit filed by Mayer Built Homes, Inc. against the City of Tacoma and directing payment of \$675.00 as the City's share for damages to the home of Edward and Veda Brown.

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

Mr. Chapin, Assistant City Attorney, advised that the legal staff felt the settlement in favor of the claimant was justified, even though the incident had taken place at a time prior to the time the City started to carry general liability insurance.

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

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

Nays 0. Absent 1: Schroeder.

The Resolution was declared passed.

Resolution No. 21167

Approving the City Planning Commission's recommendation that the T-4 Line of proposed SR-509 be adopted.

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

Mayor Johnston stated that he understood a meeting had been held subsequent to the last Council meeting and asked Mr. Corsi to comment.

Mr. Corsi stated that several Council members and the City Manager had attended a meeting of the Industrial Committee of the Chamber of Commerce where the proposed SR 509 was discussed. Mr. Janapoul of Tudor Engineering Company, the City's consulting engineers, and members of the Public Works Department had also been present. Mr. Janapoul had reported that during construction of the freeway on Mercer Island the entire project had been stopped when the community and the elected officials realized that it would not be a satisfactory project. A citizen's advisory committee was then appointed to assist the engineers with further progress. Mr. Janapoul felt this was a positive development and stated that the consultants would welcome input of this kind in the development of any freeway.

Mr. Corsi further stated that the question arose as to whether discontinuation of the SR 509 project in Tacoma would be in order. Those attending the meeting were in agreement that a better access to the downtown area and to the Port is needed, but that the landscape and aesthetic aspects are just as important as the specific route.

Mr. Corsi advised that the State Highway Department has a new design procedure which takes the aesthetic effect into consideration and a design team could be appointed to further evaluate the Tacoma project. He felt that the members of the Chamber of Commerce who were present should be heard.

Mr. Don Brown, Executive Vice President of the Chamber of Commerce, stated that since the last Council meeting Mr. Horace Whitacre, President of the Chamber of Commerce, had written to the State Highway Department reaffirming their favor of Route T-4. They have been advised the State will approve of a City Council sanctioned Citizens' Advisory Committee, whose function would be comparable to the Mercer Island Citizens' Committee. The Council then would have control throughout the design stages. The consensus at the meeting last Friday had been to use the T-4 design as a basis, then divide the six lanes into three northbound and three southbound lanes with the split at approximately Dock Street. They felt the split design would allow various possibilities, better use of the air space and a better profile view from Pacific Avenue.

Mr. Moss felt that a design committee should really have some veto powers and that if such a committee was formed there should be a joint effort to reach a design which would be satisfactory to the State Highway Department, City engineers and the citizens.

Mr. Corsi commented that there are numerous professional people in the City who could make tremendous contributions and their talents should be utilized. He felt there should be a definite schedule made for the advisory committee to review the progress and have a voice in what steps should be taken from that point on.

Mayor Johnston felt that the professional architects and engineers did not approve of any of the plans and if T-4 were adopted it would not be fair to ask the professional persons to improve upon that plan.

Mrs. Egan read a statement which she said indicated her views on the proposal. Her statement, in part: "It is impossible to use today's solutions for the problems of the 80's and 90's.....We no sooner get a ribbon of concrete built, when it is inadequate.....In the past six months on several occasions the public has loudly and clearly told us they do not favor the extension of freeways and urban arterials. They do not want concrete blight.....We have time to consider another alternative to the Tacoma Spur.....None of the three routes proposed are desirable, nor will they be adequate at time of completion." She stated she could not vote for a roadway which would hasten one's arrival at a traffic jam in the downtown area. Nor could she support a plan which would place ramps of concrete in an area of new financial structures, a two-deck freeway in front of a view of Mt. Rainier or cause the disruption of established businesses and encourage the relentless intrusion of urban arterials into the residential areas. She could not vote for any of the three proposed routes of the Tacoma Spur.

Mr. Moss said he wanted to make sure that the design team would be able to express its opinions and make recommendations regarding the development and design of the proposed freeway. He, therefore, requested that this be included in the resolution and further that the Council not approve any corridor unless such language was included.

Mr. Jarstad said he had decided the T-4 corridor would be the appropriate one, but he opposed any bridge with an 85 foot clearance across the waterway due to the small percentage of grade permitted on federally financed highways.

The T-1 and T-1-Alternate which would be on the other side of the waterway would be of no use to the City without the high bridge.

If T-4 were adopted, and as the stage progresses it is found that the bridge is not needed, at least a fine entrance to the City can be established and a connection with Bayside Drive can be made in the future. The other corridor would provide no connection with the downtown area without a high spiral to and from the bridge. He strongly urged that the T-4 corridor with continuing development of the design, be the one we adopt.

Mr. Bill Buell, 32 California Street, felt it was unfortunate that the T-4 route had been favored. He was against having a concrete wall or a double-decked thoroughfare in the downtown area. He felt that air pollution would be increased in the City.

Dr. Herrmann pointed out that many comments had been made last week and questioned if more should be allowed this week.

Mayor Johnston explained that the discussion had been under the heading of "Hearings and Appeals" at the last Council meeting and that under the current "Resolution" heading, the comments are allowed, according to the Council Rules.

Mrs. Harriet Kennedy, representing the Tacoma Organic Garden Club, commented that the various civic groups of the City had worked together in the past on many projects and could do so again, but her group felt they needed more time to consider all the aspects of the proposed freeway spur. If a premature decision is made, the mistake would harm the City for years to come. Her group agrees with the Chamber of Commerce that joint studies should be undertaken immediately.

Mr. Ted Amell, a citizen, stated that he was against any highway in the downtown area especially since it would increase the air pollution in the business core.

Mr. Maule moved to continue the resolution for two weeks so that the legal department can rewrite the resolution to provide for a Design Review Team as suggested by Mr. Corsi. Seconded by Mr. Moss.

Voice vote was taken, resulting as follows:

Ayes 6: Corsi, Egan, Jarstad, Maule, Moss and Mayor Johnston.
Nays 2: Finnigan and Herrmann. Absent 1: Schroeder.

The resolution was continued for two weeks, until May 25th.

Resolution No. 21168

Awarding contract to Union Oil Company and Chevron Asphalt Company on their bids on annual supply of asphalt products.

Mr. Moss moved the resolution be adopted. Seconded by Mr. Corsi.

Mr. G.M. Schuster explained that this is the annual contract for asphalt products to be used by the Public Works Department for paving jobs on existing roadways and includes the liquid asphalt used for sealing jobs.

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

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

The Resolution was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 19360

Amending Section 1.12.414 of the Official Code to add the classification of Minority Employment Specialist-Civil Service Coordinator in the pay and compensation plan.

Mr. Bill Donaldson, City Manager, advised that this ordinance would implement the resolution previously adopted by the Council as a result of the recommendations of the Civil Service Commission under Resolution No. 21150 on April 27th.

The ordinance was placed in order for final reading.

Ordinance No. 19361

Amending Section 1.08.020 of the Official Code relative to the administration and faithful performance bonds.

Mr. Donaldson advised that this is a part of the program of implementing recommendations made during the Management Study and presented as part of the audit to the City Council at the beginning of 1971. The auditors had suggested that the bonds for some of the various City employees were no longer adequate. The matter has been studied by the Insurance Committee and this is their recommendation. The amounts of the bonds were determined by the committee and have been concurred in by the staff and the consultants.

The ordinance was placed in order for final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 19358

Appropriating the sum of \$14,191.00 or so much thereof as may be necessary from the Neighborhood Youth Corps Revolving Fund for the purpose of implementing a Neighborhood Youth Corps summer program.

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

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

Ordinance No. 19359

Amending Chapter 1.12 of the Official Code to restore the Summer Employment rate of the Laborer class in the Compensation Plan.

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

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

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Mr. Buehler called the Council's attention to Ordinance No. 19349 regulating car washing facilities which had been considered on April 27th. A technical error was made and the ordinance has not yet been published. By re-considering the matter at this time, it would not have to go back through more hearings.

Mr. Chapin, Chief Assistant City Attorney, stated that the matter could be taken care of by a motion to amend the ordinance and then a motion to re-adopt the ordinance with the corrected wording.

Mr. Jarstad moved to reconsider the ordinance. Seconded by Mr. Moss. Voice vote was taken and carried unanimously.

Ordinance No. 19349

Amending Chapter 13.06 of the Official Code relative to car washing facilities regulations.

Mr. Corsi moved to delete the words "automatic and" from Section 13.06.280.A.1.dd of the Official Code. Seconded by Dr. Herrmann. Voice vote was taken and carried.

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

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

UNFINISHED BUSINESS:

The Director of Public Works presented the Assessment Roll for the cost of the following:

LID 6921 for modern lights at street intersections on existing wood poles along Adams Street from 500 feet north of So. 45th Street to So. 50th Street; and So. 45th Street from Adams Street west 100 feet.

Mr. Finnigan moved to set the date of June 14th at 4:00 P.M. as date for hearing L.I.D. 6921. Seconded by Mrs. Egan. Voice vote was taken. Motion carried.

REPORTS BY CITY MANAGER:

Mr. Donaldson, City Manager, said that oftentimes residents do not attend hearings to express their opinions on street improvements and called the Council's attention to a communication they recently received from a group of citizens who protested proposed improvements in the area of No. 7th and Ainsworth. He advised that the project had been adopted by the Council some time ago as part of a long-range program by the City, but the residents had not attended the previous meetings to give the Council the benefit of their opinions.

He reported that his office had currently contacted the residents of the neighborhood in question and set up a meeting to discuss the matter further. He will make a report to Council after the meeting.

In reply to Mrs. Egan's question, he advised that the Council members would be welcome to attend the meeting.

COMMENTS BY MEMBERS OF THE COUNCIL:

Mr. Finnigan stated that he hoped within two weeks the Council could hold an executive session to have the background of the Tacoma spur and route to the Industrial area explained.

He emphasized the need for having more background and more information so that when the opportunity for the decision comes up in two weeks, the Council can be better informed on the reasons for making the decision.

Mayor Johnston stated that Mr. Donaldson would arrange for a meeting.

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CITIZENS COMMENTS:

Mr. John Zelenak spoke to the Council and commented that prostitution is becoming worse in the City. He read a newspaper article which indicated that some plain clothes policemen had arrested some prostitutes after giving them some marked money. Mr. Zelenak felt this proved the policemen were on the job and also asked if the policemen were protected by the City against accidents or disease.

Mayor Johnston informed Mr. Zelenak that he could obtain more information from the City Manager's office if he desired.

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ITEMS FILED IN THE OFFICE OF CITY CLERK:

- a. Minutes of the meeting of March 25th of the Board of Administration of Tacoma Employees' Retirement System.
- b. Minutes of the meetings of April 5th and April 19th of the Civil Service Board.
- c. Minutes of the meeting of April 26th of the Board of Park Commissioners.
- d. Tacoma-Pierce County Health Dept., Division of Vital Statistics, report for the week ending May 1st, 1971.
- e. Tacoma Employees' Retirement System report of purchases and sales of investments during April, 1971.
- f. Tacoma City Planning Dept. Monthly Report, April, 1971.
- g. Dept. of Public Works filing Update Cost Estimate for Urban Arterial Project No. 8-1-128(17) - South 48th Street.
- h. Community Improvement Program Status Report No. 10, March, 1971--Planning Dept.
- i. Community Improvement Program Quarterly Report No. 11, for First Quarter of 1971--Planning Dept.

Placed on file,

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There being no further business, a motion was made and seconded to adjourn. The meeting was adjourned at 9:10 P.M.

Attest:

Catherine Ursich
Catherine Ursich - Acting City Clerk

Gordon N. Johnston - Mayor