

413

CITY COUNCIL MINUTES

City Council Chambers  
November 21, 1972

The meeting was called to order at 7:05 p.m. by Mayor Johnston.

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

The Flag Salute was led by Councilman Nalley.

\*\*\*\*\*

CONSENT AGENDA

Approval of the minutes of the meeting of November 8th and November 14th, 1972.

PETITIONS:

- a. Jones Chemicals, Inc. requesting rezoning of the northeasterly side of Marine View Drive and southerly of Highland Road, from an "R-2" and "R-3" to an "M-2" District.
- b. Darrell H. Wilber requesting rezoning of the north side of South 84th Street approximately 300 feet west of Alaska Street from an "R-2" to an "R-4-L" District.

For referral to the Planning Commission.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Human Relations Commission meeting of November 2, 1972.
- b. Minutes of City Planning Commission meeting of November 6, 1972.
- c. Minutes of the Charter Review Committee meeting of November 6, 1972.
- d. Monthly report, Traffic Violations & Court Cases, Municipal Court, October, 1972.
- e. Emergency Services filing Personnel and Administrative Claim for October, 1972.
- f. Tacoma Industrial Airport, Quarterly Financial Report, September 30, 1972.
- g. State Auditor's annual Report of Examination, City of Tacoma, for the year 1971.

Mr. Schroeder moved that all of the items listed on the Consent Agenda be approved. Seconded by Mr. Nalley. Voice vote was taken and carried. The items were declared approved.

\*\*\*\*\*

414

REGULAR AGENDA

FINAL READING OF ORDINANCES:

Ordinance No. 19702 Amending Section 1.12.416 of the Official Code to add the position of 0803 (A) Manager, Data Processing Division.

Roll call was taken, resulting as follows:

Ayes: 8 - Egan, Herrmann, Jarstad, Maule, Nalley, Schroeder, Sonntag,  
Mayor Johnston

Nays: 0

Absent: 1 - Moss

The Ordinance was declared passed.

Ordinance No. 19703 Amending Chapter 13.06 of the Official Code to add the area between Orchard and Huson Streets approximately 125 feet north of Center from an "R-2" to a "C-1" District. (Laurance Hertzberg)

Roll call was taken, resulting as follows:

Ayes: 8 - Egan, Herrmann, Jarstad, Maule, Nalley, Schroeder, Sonntag,  
Mayor Johnston

Nays: 0

Absent: 1 - Moss

The Ordinance was declared passed.

Ordinance No. 19704 Approving and confirming the assessment roll for L.I.D. 5508 for water main in North 28th from Steele Street to a point 250 feet east of Starr Street.

Roll call was taken, resulting as follows:

Ayes: 8 - Egan, Herrmann, Jarstad, Maule, Nalley, Schroeder, Sonntag,  
Mayor Johnston

Nays: 0

Absent: 1 - Moss

The Ordinance was declared passed.

Ordinance No. 19705 Approving and confirming the assessment roll for L.I.D. 3707 for sewers along Narrows Drive from North 30th to North 35th; Whitman from North 30th to Viewmont Street; North 31st and North 32nd Street from Whitman Street west to cul-de-sac and other nearby streets.

415

Roll call was taken, resulting as follows:

Ayes: 8 - Egan, Herrmann, Jarstad, Maule, Nalley, Schroeder, Sonntag,  
Mayor Johnston

Nays: 0

Absent: 1 - Moss

The Ordinance was declared passed.

Ordinance No. 19706 Approving and confirming the assessment roll for L.I.D. 4976 for paving along East "I" from East 37th to East 38th Street; East Spokane from East 36th to East 37th Street and East 37th from McKinley Avenue to East "K" Street.

Mr. Nalley requested Mr. Mel Jackson of the City Manager's Office for a review of the L.I.D. procedures to make sure that every possible method is undertaken to give citizens proper information on L.I.D.'s and ways to promote and remonstrate against them. He also asked the City Manager's Office to set up a review meeting with the Council to allow City Councilmen to become more knowledgeable about L.I.D. procedures.

Roll call was taken, resulting as follows:

Ayes: 8 - Egan, Herrmann, Jarstad, Maule, Nalley, Schroeder, Sonntag,  
Mayor Johnston

Nays: 0

Absent: 1 - Moss

The Ordinance was declared passed.

\* \* \* \* \*

FIRST READING OF ORDINANCES:

Ordinance No. 19707 Amending Chapter 9.22 of the Official Code relative to compensation for vacated rights-of-way.

City Planning Director, Russell Buehler, pointed out that Council had a previous hearing on the proposition and the Ordinance now is in proper form for passage by the Council.

The Ordinance was set over for final reading next week.

Ordinance No. 19708 Amending Chapter 13.06 of the Official Code to add the north side of South 72nd between "D" Street and Pacific Avenue from an "R-2", "R-4-L", "R-4-LT" and "C-1" to a "C-2" and "R-4-LT" District. (Silver Falcon)

City Planning Director, Russell Buehler, pointed out that a hearing had been held and that the petition for rezone had been held over for final passage and submittal to the Council until all of the land use restrictions were placed in proper order and the proper deeds signed.

416

Dave Sheean, representing Silver Falcon, Inc., made a formal request before the Council for a two week postponement on the Ordinance pointing out that his firm has had some site problems dealing with land use requests and need the additional time to work out the details.

Mrs. Egan made a motion, seconded by Mayor Johnston, that item 4b on the City Planning Commission's letter to the City Council regarding this rezone request be amended so that after the words "auto sales" the words "and service stations" be included. Mr. Buehler pointed out that this amendment would have to be incorporated in the land use restriction and would necessitate renegotiation of the conditions for rezone.

Voice vote was taken on the motion and failed.

Mr. Steve Turlis, a real estate developer representing the adjoining property owners, pointed out that any delay in the approval of the Ordinance would cause a severe hardship on his client. He said that the development he represents is actually a part of the rezone and that a delay could conceivably cause his client to forfeit a \$15,000 Earnest Money Agreement plus incur upwards of \$5,000 expenses that would be negated by the delay.

Mr. Turlis' client, Mr. Tom Hager, 7101 Turquoise Drive, of H & H Enterprises, urged the Council to expedite approval of this rezone as every day of delay will cause him to incur substantial financial losses due to the critical nature of the financing involved in the development of his project.

The Ordinance was set over for final reading next week.

Ordinance No. 19709 Amending Chapter 5.20 of the Official Code relative to service fee rates for garbage and rubbish collection and disposal and temporary stop service adjustments.

Public Works Director, Gilbert Schuster, pointed out the Ordinance deals with establishing the rates for containers for commercial accounts only and does not involve residential rates. He briefly reviewed the proposal which involved establishing rates for containers from 1 to 40 cubic yards.

Mr. Sonntag made a motion, seconded by Mrs. Egan, that Council set aside its rule for next week to allow citizens, and particularly commercial accounts affected by the increase, to speak before the Council at second reading. Voice vote was taken and carried.

The Ordinance was set over for final reading next week.

Ordinance No. 19710 Creating a new fund to be known as "Revenue Sharing Trust Fund".

Mrs. Egan made a motion, seconded by Dr. Herrmann, that the substitute Ordinance No. 19710 be substituted for the one appearing on the Agenda. Voice vote was taken and carried.

City Finance Director, Earl Mittelstaedt, pointed out that the only change in the substitute Ordinance deals with the name of the fund itself. He pointed out the State made a request that a special name be attached to the revenue sharing fund. He said the Substitute Ordinance substitutes the name "Federal Shared Revenue Fund" in four different locations within the Substitute Ordinance which

constitutes the only change.

The Ordinance was set over for final reading next week.

\* \* \* \* \*

RESOLUTIONS:

Resolution No. 21943 (Continued from the meeting of November 14th)  
Authorizing the proper officers of the City to enter into an agreement with Pierce County Homes for Youth for the Group Homes Project of Second Year Comprehensive Development Plan of the Model Cities Department.

Mrs. Egan moved to amend her previous motion, seconded by Mr. Sonntag, to incorporate the language that matching funds for the project be taken from Model Cities funds. Voice vote was taken and carried.

Ted Amell spoke in favor of the Resolution.

Joe Starling, 2026 South 18th Street, told the Council that it was widely felt that LEAA would not accept the Model Cities matching money as proposed and that the City should take some other course of raising matching funds.

Model Cities Director, Keith Palmquist, indicated that he had spoken to State officials today who said that it was highly unlikely they would approve the application with Model Cities matching funds.

Mel Jackson, Administrative Assistant to the City Manager, indicated it was the City's feeling the application should be submitted to the State and that the State will officially respond after which the City can respond itself and find other sources of matching money if necessary.

Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 21954 (Continued from the meeting of November 14th)  
Authorizing the proper officers of the City to make application to Washington State Planning and Community Affairs Agency for funds in the amount of \$120,000 for Adult Outreach Project of the Model Cities Department Second Action Year.

Mrs. Egan made a motion to approve the Resolution, seconded by Mr. Sonntag, with the provision that matching monies be taken from Model Cities funds.

Mr. Adrean Johnson, a State Parole Officer, spoke in favor and support of the program.

Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 21956 Authorizing the settlement of claim of Curtis L. Dudley in the amount of \$713.25.

City Attorney, Robert Hamilton, told the Council the Resolution represented a compromise settlement and recommended Council passage.

417

418

Mr. Sonntag moved that the Resolution be adopted. Seconded by Dr. Herrmann. Voice vote was taken and carried. The Resolution was declared adopted.

**Resolution No. 21957** Authorizing execution of an agreement with Geolabs-Washington, Inc. for soils and foundation investigations relative to improvements to the Central Sewage Treatment Plant.

Dr. Herrmann moved that the Resolution be adopted. Seconded by Mr. Sonntag.

Public Works Director, Gilbert Schuster, pointed out the purpose of the Resolution is to instigate a soils and foundation investigation surrounding the Central Sewage Treatment Plan which has to be undertaken before any improvements can be made in terms of new construction.

Voice vote was taken and carried. The Resolution was declared adopted.

**Resolution No. 21958** Authorizing the proper officers of the City to bid on certain parcels of property offered for sale at a tax foreclosure sale by Pierce County.

Mr. Sonntag moved that the Resolution be adopted. Seconded by Mr. Nalley.

Property Manager, Leonard Morse, pointed out the Resolution will allow the City to bid on these parcels of property if the need arises to protect the City's demolition lien investments. If someone else bids on the property, he said, the City would not have to bid since its lien monies will be returned to the City.

Voice vote was taken and carried. The Resolution was declared adopted.

**Resolution No. 21959** Authorizing the sale of certain surplus property located at 1955 Pacific Avenue to Earl Maitland and Irene Maitland for the sum of \$39,800.00.

Mr. Sonntag moved that the Resolution be adopted. Seconded by Mr. Schroeder.

Leonard Morse explained that the City has had an 8/13 interest in this property for some years and the disposition of the property has been held in abeyance for the past 10 years pending the development of the Tacoma Spur route location. He said the property is surplus and that the high bidder is in fact the lessee of the existing building, which houses the Wested Tire Company.

Voice vote was taken and carried. The Resolution was declared adopted.

**Resolution No. 21960** Authorizing the execution of a construction and maintenance agreement with Burlington Northern, Inc. relative to railroad crossing of South 56th Street.

Mr. Schroeder moved that the Resolution be adopted. Seconded by Mr. Sonntag. Voice vote was taken and carried. The Resolution was declared adopted.

**Resolution No. 21961** Authorizing the execution of an agreement with the Washington State Planning & Community Affairs Agency to accept a grant of \$31,000 in LEAA funds for the Youth Outreach Project of the Second Action Year of Tacoma Model Cities Program.

419

Mrs. Egan moved that the Resolution be adopted. Seconded by Mr. Schroeder.

Model Cities Director, Keith Palmquist, noted that the project is from 1972 law and justice funds that do not require any matching monies and that the grant being accepted would carry the Youth Outreach Project for at least another five months.

Voice vote was taken and carried. The Resolution was declared adopted.

**Resolution No. 21962** Authorizing the execution of an amendment to agreement with Washington State Department of Social & Health Services for extension of termination date of contract for Homemakers Project through December 31, 1972 and increasing the total budget of the First Action Year to \$62,373.00.

Dr. Herrmann moved that the Resolution be adopted. Seconded by Mr. Sonntag.

Ted Amell spoke against the Resolution.

Voice vote was taken and carried. The Resolution was declared adopted.

**Resolution No. 21963** Authorizing the proper officers of the City to make application to Washington State Planning and Community Affairs Agency for \$30,000 for the Model Cities Group Homes Project for the Second Action Year.

Dr. Herrmann moved that the Resolution be adopted, with the provision that funds for the matching money be taken from Model Cities funds. Seconded by Mr. Sonntag. Voice vote was taken and carried. The Resolution was declared adopted.

**Resolution No. 21964** Authorizing the proper officers of the City to enter into an agreement with the Youth Contact Foundation for the Youth Outreach Project of Second Year Comprehensive Development Plan of the Model Cities Department.

Mrs. Egan made a motion that the Resolution be adopted with the provision that matching funds come from Model Cities monies. Seconded by Mr. Maule.

Model Cities Director, Keith Palmquist, pointed out that this particular project will be out of funds in a week or two but noted that other existing Model Cities funds could be utilized to continue the project for at least another six months.

Mrs. Alberta Adams, an evaluator for the Model Cities Department, told Council that it was difficult to measure the success of the program and noted several areas where improvement in the project were planned.

Mayor Johnston commented the staff should make some effort to establish ways to measure success of the projects.

Ted Amell spoke against the Resolution.

Voice vote was taken and carried. The Resolution was declared adopted.

420

Resolution No. 21965 Authorizing the proper officers of the City to enter into an agreement with Progress House Association, Inc. for the Halfway House Project of Second Year Comprehensive Development Plan of the Model Cities Department.

Mr. Maule moved that the Resolution be adopted with the provision that matching funds for the project come from Model Cities monies. Seconded by Mr. Sonntag.

In response to questions by Mr. Schroeder, the Project Director, Reverend Neil Brown, reviewed the operation of his projects and the qualifications of his staff and testified the program has been very well received.

Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 21966 Authorizing the execution of an agreement with the Comprehensive Mental Health Center of Tacoma-Pierce County for consulting services relative to Grant Award Contract No. 747.

Mrs. Egan moved that the Resolution be adopted. Seconded by Mr. Maule.

Police Chief Lyle Smith reviewed the project, explaining it is an extension of the community relations program of the Police Department.

Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 21967 Awarding contract to Art Pearson Elect. & Gen Contr. on its bid of \$32,075.00 for remodeling of Tacoma's Boys' Club.

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

Ted Amell spoke against the Resolution.

Keith Palmquist, Model Cities Director, recommended approval of the Resolution and stated the Art Pearson Electrical & General Contracting firm was the lone bid submitted meeting compliance requirements.

Mr. Art Pearson appeared before the Council to review the history of the project noting the reasons why the other two calls for bids were not successful.

Roll call vote was demanded with the following results:

Ayes: 8 - Egan, Herrmann, Jarstad, Maule, Nalley, Schroeder, Sonntag,  
Mayor Johnston

Nays: 0

Absent: 1 - Moss

The Resolution was declared adopted.

\* \* \* \* \*



421

COMMENTS BY MEMBERS OF THE CITY COUNCIL:

Mr. Schroeder moved that Mr. Moss be excused from tonight's meeting. Seconded by Dr. Herrmann. Voice vote was taken and carried.

\* \* \* \* \*

Mr. Sonntag thanked the City Manager's Office for a memo relating to consulting firms and also thanked Tax & License Director, David McLennan for reviewing the City receipts received for bingo operation in the City of Tacoma. Mr. Sonntag also thanked other members of the Council and staff for the courtesies extended to him during the past year, despite his sometimes contrary views, opinions, and philosophical differences.

\* \* \* \* \*

Mr. Jarstad noted that the Tacoma News Tribune is sponsoring a band concert "Salute to Tacoma" this week in Wilson auditorium and that it comprised Air Force, Army and Navy bands which will be an outstanding attraction for Tacoma citizens.

\* \* \* \* \*

Mayor Johnston made a motion, seconded by Mr. Sonntag, that Resolution 21647 be amended to extend the deadline date from December 1st to December 8th for the Charter Review Committee report to the Council. Voice vote was taken and carried.

Mr. Maule commented that he felt the Charter Review Committee should reconsider its decision in not staging public hearings regarding citizen input to the City's Charter.

Mayor Johnston noted that the Council members have been invited to the Charter Review Committee meeting of November 27th and urged those who are in town to make every effort to attend.

\* \* \* \* \*

Mayor Johnston noted that this was Thanksgiving Week and urged the community to respond to the needs of the hungry.

\* \* \* \* \*

CITIZENS REQUEST TO BE HEARD:

Ted Amell spoke and requested assistance for mental patients coming out of hospitals.

Douglas B. Sutherland, 4515 Kennedy Road, submitted petitions to members of the City Council urging the City to rescind its letter of October 27, 1972 to residents in the area announcing the initiation of City garbage service effective January 1, 1973. Mr. Sutherland noted of the 270 homes to be served in the area by Points Garbage Service, 250 homes were surveyed and indicated they wish to retain the private garbage service. He noted the private operators have prompt, efficient, and courteous service and that historically private enterprise could do the job better than municipality can.

422

City Council Minutes - Page 10 - November 21, 1972

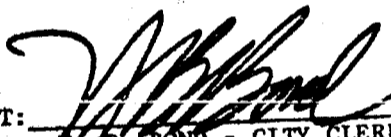
Mr. Robert M. Smythe, representing the Federal Way Disposal Company, Inc. also submitted petitions covering 200 of 300 homes served in northeast Tacoma that indicated they are well satisfied with the present service and requested rescinding the City's garbage service proposal to their area. He indicated the City would incur economic loss by trying to serve the area at the present time due to the long haul and the sparsity of homes in the area. He also said by using private operators who utilize out of County garbage sites it could extend life of the present sanitary land fill of the City. He also suggested the City should investigate indiscriminate dumping in northeast Tacoma and budget funds in the Health Department to resolve this problem rather than trying to initiate City garbage service which is not wanted by the residents.

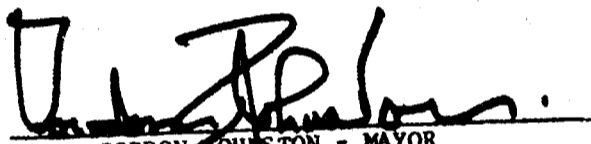
Mayor Johnston assured Mr. Smythe as well as Mr. Sutherland that the City will analyze and examine the proposal very carefully and they will be notified when the council is in a position to make a decision on the matter.

\* \* \* \* \*

On proper motion, the meeting adjourned at 10:22 p.m.

ATTEST:

  
A. B. BOND - CITY CLERK

  
GORDON JOHNSTON - MAYOR