

CITY COUNCIL MINUTES

City Council Chambers  
September 5, 1972

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

Present on roll call: 6 - Egan, Herrmann, Maule, Schroeder, Sonntag, and Mayor Johnston. Absent: 3 - Jarstad, Moss and Nalley.

The Flag Salute was led by Councilwoman Egan.

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Mayor Johnston proclaimed Friday, September 8, 1972 as "World Literacy Day."

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CONSENT AGENDA

Approval of the minutes of the meeting of August 29th, 1972.

RESOLUTIONS:

Resolution No. 21823 Fixing Tuesday, October 3, 1972 at 7 p.m. as the date for hearing the request for vacation of the 20' alley lying between Yakima Avenue and Park Avenue from South 84th Street to 291' south. (Tacoma School District No. 10)

Resolution No. 21824 Fixing Tuesday, October 3, 1972 at 7 p.m. as the date for hearing the vacation of Junett Street between South 58th and South 60th Street. (Tacoma School District No. 10)

Resolution No. 21825 Fixing Tuesday, October 3, 1972 at 7 p.m. as the date for hearing the request for vacation of East Morton Street between East "K" Street and East "L" Street; and a portion of East "K" Street. (Tacoma School District No. 10)

Resolution No. 21826 Fixing Tuesday, October 10, 1972 at 7 p.m. as the date for hearing the request for vacation of South Manitou Way between South 54th and South 56th Streets and east of Mason Avenue. (Dept. of Public Works)

APPEALS:

Rev. Ivory Crittendon appealing the denial of his request for a special use permit for a church and off-street parking area on the southerly side of East Morton Street between Roosevelt and Grandview Avenue. (8-21-72 Planning Commission recommended denial 7-0,2 absent.)

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Last day to file an appeal is September 5, 1972 and an appeal was filed.

Suggested date for hearing is September 26, 1972.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of City Planning Commission meeting of August 21, 1972.
- b. Minutes of Board of Park Commissioners meeting of August 21, 1972.
- c. Minutes of Human Relations Commission meeting of August 17, 1972.
- d. Monthly report, Tacoma-Pierce County Humane Society, July, 1972.
- e. Petitions of residents of Proctor Street requesting certain restricted width of proposed arterial project.
- f. Fire Department, 83rd Annual Report, 1971.
- g. Model Cities Program, Second Action Year Comprehensive Demonstration Program, August, 1972.

Mrs. Egan moved to approve all of the items listed on the Consent Agenda, including Resolutions No. 21823, 21824, 21825 and 21826. Seconded by Mr. Sonntag. Voice vote was taken and carried. The items were declared approved.

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REGULAR AGENDA

PUBLIC HEARINGS  
AND APPEALS:

This is the date set for hearing Southland Corporation's appeal of the Planning Commission's denial of the request for rezoning of the NE corner of South 56th and Pine Streets from an "R-3" to a "C-1" District. (7-17-72 Planning Commission recommended denial 5-0, 4 absent.)

Russell Buehler, Planning Department Director, described the area in question, which is 105 feet by 120 feet located on the corner of South 56th and Pine. The nearest commercial zone is approximately four blocks away to the west. He also advised that the Planning Department staff considered this to be spot zoning and zoning should be the orderly growth of the City. He recommended that this not be rezoned to a commercial zone. He advised that the area is constituted primarily of single family homes with a few duplexes.

Benjamin G. Hanson, attorney representing the Southland Corporation, which is 7-11 Stores, advised that the Corporation would like to purchase this property from the South Tacoma Christian Church for the purpose of constructing one of their 7-11 Stores. He said that a rezone of this property to C-1 would enable the church to sell the property and eliminate the necessity of using the site as a parking area. They could then proceed with preparing the area north and adjacent to the church for a parking area.

He advised that the area had been surveyed and a need was found for this type of speed and convenience store in the neighborhood. He advised that it is not a traffic generating business as people shopping here would live in the neighborhood or be stopping to and from work. He also advised that many residents in the neighborhood were in favor of this rezone and the placing of the 7-11 Store at this location as they felt it would enhance the neighborhood. He felt that this corner would not be suited for any other type of development other than that of a commercial nature. He urged Council to overrule the decision of the Planning Commission and grant the rezone.

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Reverend Earl Moore, pastor of the South Tacoma Christian Church, advised Council that this land is no longer needed for the church. The sale of this property would allow the church to reduce their building debt. They could then tear down the house adjacent to the Church and develop that piece of property into a parking lot. He also advised that the proposed store building would improve the neighborhood as this is a deteriorating City block. He, therefore, urged rezone of the property.

Norman E. Wall, Chairman, Planning Commission, advised that the matter before Council is zoning and the Commission did not feel that the zoning request was appropriate for this area. The Planning Commission felt this would be spot zoning and would be an intrusion into a residential area. It was also their feeling that this is the type of store people are looking for after hours and would drive a considerable distance to reach.

Those speaking against the rezone were:

Steve Kirby, 5623 South Oakes; Leona Ray, 5610 South Oakes; Ellen Forsberg, 5616 South Oakes; and Orville J. Hall, 56th & Oakes.

Mrs. Egan moved that the decision of the Planning Commission be overruled and the rezone granted with two requirements. That they build a screening fence of approximately eight feet around the premises and that adequate plantings be made. Seconded by Mr. Sonntag. Voice vote was taken and failed.

Mr. Moss arrived at 8:05 p.m.

After further discussion, Mr. Maule moved to concur in the recommendation of the Planning Commission and deny the rezone request. Seconded by Mr. Schroeder. Voice vote was taken and carried.

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FINAL READING OF ORDINANCES:

Ordinance No. 19661 Appropriating the sum of \$10,000 or so much thereof as may be necessary from the General Fund for the purpose of paying additional cost of dangerous building demolition and declaring an emergency.

Roll call was taken, resulting as follows:

Ayes: 7 - Egan, Herrmann, Maule, Moss, Schroeder, Sonntag and Mayor Johnston

Nays: 0

Absent: 2 - Jarstad and Nalley

The Ordinance was declared passed.

Ordinance No. 19662 Authorizing the purchase and/or condemnation of certain property and easements for the widening and paving of South 64th from Yakima to Pacific Avenue.

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Roll call was taken, resulting as follows:

Ayes: 7 - Egan, Herrmann, Maule, Moss, Schroeder, Sonntag and Mayor Johnston

Nays: 0

Absent: 2 - Jarstad and Nalley

The Ordinance was declared passed.

Ordinance No. 19663 Vacating George Street from East "E" west approximately 100 feet to the SR-7 Freeway r/o/w. (Norman Rolando)

Roll call was taken, resulting as follows:

Ayes: 7 - Egan, Herrmann, Maule, Moss, Schroeder, Sonntag and Mayor Johnston

Nays: 0

Absent: 2 - Jarstad and Nalley

The Ordinance was declared passed.

Ordinance No. 19666 Providing for the improvement of L.I.D. 3735 for installing sanitary sewers in South 85th Street from South Sheridan Avenue to South Ainsworth Avenue and other nearby streets.

Roll call was taken, resulting as follows:

Ayes: 7 - Egan, Herrmann, Maule, Moss, Schroeder, Sonntag and Mayor Johnston

Nays: 0

Absent: 2 - Jarstad and Nalley

The Ordinance was declared passed.

Ordinance No. 19667 Providing for the improvement of L.I.D. 5520 for installing water mains and fire hydrants in Pearl Street from North 42nd to North 45th Street and other nearby streets.

Roll call was taken, resulting as follows:

Ayes: 7 - Egan, Herrmann, Maule, Moss, Schroeder, Sonntag and Mayor Johnston

Nays: 0

Absent: 2 - Jarstad and Nalley

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 19665 (Continued from the meeting of August 29th)  
Amending subsection 0703 of Section 1.12.414 of the pay and compensation plan to read Property Management-Insurance Supervisor.

Mr. Sonntag moved to continue first reading of the Ordinance for two weeks. Seconded by Mr. Moss. Voice vote was taken and carried. The Ordinance was continued for two weeks.

Ordinance No. 19668 Amending Section 11.22 of the Official Code relative to permits for parades or street dances.

It was the feeling of some council members that the authority for waiver of certain permit requirements for parades and street dances should not rest with the City Clerk, but rather with the City Manager. It was pointed out that the City Clerk is an employee of the City Manager and where unusual circumstances were found to exist the Manager would be consulted.

After discussion, the Ordinance was set over for final reading next week.

Ordinance No. 19669 Granting to American Smelting and Refining Company a franchise to construct and maintain railway spur tracks across Ruston Way in the City of Tacoma.

Mr. Schuster, Public Works Director, advised that American Smelting and Refining Company has a 25-year franchise expiring January, 1974. At the present time, they propose to change the existing contract relative to eliminating three of its seven tracks and construct one new track. Rather than amend the existing franchise and then come forth with a new franchise in January, 1974, the Department is proposing that the existing franchise be cancelled and a new 25-year franchise be entered into at this time incorporating these changes.

The Ordinance was set over for final reading next week.

Ordinance No. 19670 Amending Chapter 1.06 of the Official Code to add the Property Management and Insurance Division to the City Clerk-General Services Department and to combine and centralize City data processing services under the Department of Public Utilities.

Mr. Sonntag moved to continue the Ordinance for two weeks. Seconded by Mrs. Egan. Voice vote was taken and carried. First reading of the ordinance was continued for two weeks.

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RESOLUTIONS:

Resolution No. 21827 Authorizing the execution of Consultant Engineering Service Agreement with Brown and Caldwell, Engineers of San Francisco for Wastewater Utility Funding and Rate Study.

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

Resolution No. 21828 Authorizing the purchase from Valley Motor Company one 1967 one-half ton Cargo Econoline Van formerly owned by the Department of Public Utilities for the sum of \$787.50 and waiving the requirement for competitive bidding.

Mr. Maule moved to adopt the Substitute Resolution No. 21828. Seconded by Dr. Herrmann.

Mr. Pete Luttrup, Assistant Finance Director, advised Council that the Police Department was searching to purchase a certain type van to transport their crime lab equipment. He also advised that at the time the Department of Public Utilities had traded in their van at the Valley Motor Company, it was not known to the Police Department that this van was available and would meet their needs. It came to the attention of the Police Department and the Purchasing Agent after the van had been traded to the Valley Motor Company. During discussion, a question was brought up as to the amount of profit involved for the dealer. Mr. Luttrup advised that there was approximately \$50 difference between the trade-in received by the Department of Public Utilities and the \$787.50 shown in the Resolution. It was the feeling of some Council members that possibly a better price could have been obtained through competitive bidding.

Mr. Sonntag moved to continue the Resolution for one week. Seconded by Mrs. Egan. Voice vote was taken and carried. The Resolution was continued for one week until September 12th.

Resolution No. 21829 Authorizing the execution of a lease from the Washington State Department of Highways for the former toll plaza at the east end of the Narrows Bridge for use as a radio transmitter-receiver site.

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

Resolution No. 21830 Authorizing a Quit Claim Deed deeding certain property adjacent to McKinley Park to the Metropolitan Park District.

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

Mr. Morse, Deputy Property Clerk, advised that this piece of property is a small triangle located directly across from the exit of McKinley Park. This piece of property has been held by the City for some years for the Park District to purchase. The Park District has now requested that this property be conveyed to them without cost. The deed will provide that the Park District shall improve and continually maintain the premises in a clean and sanitary condition until such time as such parcel is incorporated into McKinley Park as part of the entrance and exit.

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

Resolution No. 21831 Authorizing the sale of part of Lot 7, Block 2, Fern Hill Addition to Tacoma, surplus property of the City, to the Tacoma Public Library for the sum of \$3,000,000.

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

Mary Frances Borden, Director of the Tacoma Public Library, spoke and urged adoption of the Resolution.

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

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Resolution No. 21832 Authorizing the sale of certain surplus real property located at South 84th and Park Avenue by competitive bid and fixing the minimum price at \$3,000,000.

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

Resolution No. 21833 Authorizing sale of part of Lot 1, Block 1 of Cavender and Holt's Addition to Fern Hill, surplus property of the City, by competitive bid and fixing the minimum price at \$3,000,000.

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

Resolution No. 21834 Authorizing the sale of Lots 1 through 4, Block 1 of Mayhew's Addition to Fern Hill, surplus property of the City, to Tacoma School District #10 for the sum of \$17,150.00.

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

Resolution No. 21835 Establishing the positions for the Public Service Careers Program.

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

Mr. Kennedy, Civil Service Coordinator, advised that two weeks ago Council adopted an ordinance authorizing the acceptance of a federal grant for the Public Service Careers Program. This Resolution establishes the staff positions for this program. In answer to questions, Mr. Kennedy advised that the position of Public Service Careers Program Director would be held by him which in fact would be an additional duty which he would perform, as he now holds the position of Civil Service Coordinator. The salary is the same salary he is now receiving.

Fred Van Camp, Business Representative of the Civil Service League, inquired as to whether these position would be in the same category as the major projects positions. He was advised that they were.

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

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REPORTS BY CITY MANAGER:

Erling Mork, Assistant City Manager, introduced Mr. Severo Esquivel, a National Urban Fellow, who started to work with the City on September 5th and will be here until June.

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COMMENTS BY MEMBERS OF THE CITY COUNCIL:

Mayor Johnston reported, with deep regret, that he had been advised that Councilman Nalley's mother passed away today. Mayor Johnston moved to excuse Councilman Nalley from the meeting. Seconded by Mr. Sonntag. Voice vote was taken and carried.

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Mayor Johnston commented that Tuesday, September 19th is the day of the primary election and according to Council Rules, the City Council Meeting is to be held the following day; however, September 20, 1972 is Tacoma Day at the Fair.

Mayor Johnston moved that the Regular Council meeting scheduled during the week of the primary election be rescheduled for Thursday, September 21, 1972. Seconded by Mr. Sonntag. Voice vote was taken and carried.


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Mr. Schroeder advised that at a meeting of the Speaker's Bureau which he attended recently, it had been suggested that publicity be given on the proposed Civic Center by holding a Council Study Session on the site to draw attention to the bond proposition. It was also suggested that the Stadium High School Band and the Tacoma Symphony could perform on the site that day.

Mayor Johnston instructed the City Manager's Office to schedule the Study Session for the week prior to the election on the proposed Civic Center site.

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On proper motion, the meeting adjourned at 9:20 p.m.

  
GORDON JOHNSTON - MAYOR

ATTEST:   
H. B. BOND - CITY CLERK