

## CITY COUNCL MINUTES

City Council Chambers  
October 23rd, 1973

The meeting was called to order at 7:11 p. m.

Present on roll call: 7 - Egan, Herrmann, Moss, Nalley, Schuur, Sonntag and Mayor Johnston. Absent: 1 - Jarstad. (One Council Vacancy)

The Flag Salute was led by Mr. Moss.

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PROCLAMATION:

Mayor Johnston proclaimed the week of October 23rd, 1973 as Military Appreciation Week. Mayor Johnston advised that in observance of Military Appreciation Week the Armed Forces is represented on the Council dais. Each Council member introduced his counterpart representing the Armed Forces as follows: Sgt. Ernest Petersen, U. S. Army; Major Nancy Christ, Army Nurse Corps; Master Sgt. Matthew H. Matsuoka, Army Medical Corps; Petty Officer 2nd Class Gil Lucas, U. S. Navy; Sgt. Robert M. Labrousse, Marines; Airman First Class Reather Williams, Air Force; Airman First Class Raymond S. Merrill, Air Force; and Corporal Clyde Smith, U. S. Army.

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Mayor Johnston proclaimed Saturday, October 27th, 1973 as "Asian Day".

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CONSENT AGENDA

Approval of the minutes of the meeting of October 16th, 1973.

PETITIONS:

- a. WILLIAM N. UDALL requesting the rezoning of the property located on the northeast corner of 6th Avenue and Madison Street from a "C-1" to a "C-2" District.
- b. DAVID A. TONNESEN requesting the rezoning of the property located on the west side of Pacific Avenue 113 feet north of Spooner Street from an "R-2" to an "R-4-LT" District.

For referral to the Planning Commission.

RESOLUTIONS:

Resolution No. 22462

Fixing Wednesday, November 7, 1973 at 7:00 P.M. as the date for hearing the request for rezoning of the property located on the north side of South 27th Street between Yakima Avenue and "I" Street from an "R-4" to a "C-1" District. (Tacoma Urban League)

City Council Minutes - Page 2 - October 23rd, 1973

Resolution No. 22463

Fixing Monday, November 12, 1973 at 4:00 P.M. as the date for hearing L.I.D. 8021 for permanent paving along North 7th from Proctor to Madison; North 25th from Union Avenue to Washington; North 27th from Starr to McCarver; Gove Street from North 33rd to North 35th and other nearby streets.

Resolution No. 22464

Fixing Monday, November 12, 1973 at 4:00 P.M. as the date for hearing L.I.D. 8033 for permanent paving along North Whitman from North 30th to North 34th; North 30th from Narrows Drive to 110 feet east of North Whitman; alleys between Narrows Drive and North Whitman from North 30th to North Whitman and other nearby streets.

APPEALS:

Fifty-eight citizens appealing the Planning Commission's decision to grant a Special Use Permit to Progress House Association for use of property at South 12th and Ainsworth Avenue.

Last day to file an appeal was October 15, 1973 and an appeal was filed.

Suggested date for hearing is November 20, 1973.

ASSESSMENT ROLLS:

The director of Public Utilities presents the Assessment Roll for the following:

LID 5524 - water mains in East "F" Street from East 61st Street to East 64th Street.

Fixing Monday, November 26, 1973 at 4:00 P.M. as the date for hearing.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Board of Trustees of Tacoma Public Library regular meetings of August 28th and September 18 and special meeting of October 5, 1973.
- b. Minutes of Land Use Review Board of Tacoma Model Cities Program meetings of October 1st and October 15th, 1973.
- c. Dept. of Public Works filing Update Cost Estimate for UAP No. 8-1-128(30).
- d. Monthly report, August, 1973, Personnel Department.
- e. Monthly report, September, 1973, Tacoma-Pierce County Humane Society.
- f. Monthly report, August, 1973, Traffic Division, Police Dept.
- g. 1973 Report - Tacoma Housing Authority.

Dr. Herrmann moved that all of the items listed on the Consent Agenda, including Resolution Nos. 22462, 22463 and 22464 be approved. Seconded by Mrs. Egan. Voice vote was taken and carried. The items were declared approved.

REGULAR AGENDA

COMMUNICATIONS:

- a. Mrs. David W. Millett submitting petition relative to building structure and grounds at 2224 Tacoma Avenue North.

Gilbert Schuster, Public Works Director, explained that this building was damaged by

fire and the owner proposes to rebuild it as a duplex. He understands the plans for the rebuilding would be in this week and construction would start immediately thereafter.

A citizen requested to be heard. Mr. Sonntag moved to suspend the rules to hear the citizen, seconded by Mr. Nalley. Voice vote was taken and carried.

Eba Taylor, 2225 North Tacoma Avenue, asked that the findings of the Dangerous Building hearings be adhered to. She presented a resume of the conditions of the structure and the grievance of the neighborhood. Mayor Johnston requested that Mr. Schuster prepare a status report of the matter to be presented to the Council at the next Council meeting.

Dr. Herrmann moved that the communication be filed. Seconded by Mrs. Egan.

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b. Shoreline Management Permit Application - Sewer Installation Port of Tacoma.

The Communication was filed.

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PUBLIC HEARINGS:

a. This is the date set for hearing the request for rezoning the southeast corner of Center and Huson Streets from an "R-2" and "C-1" to a "C-2" District. (9-17-73 Planning Commission recommended approval 5-1 (3 absent). (Joseph Verone)

Russell Buehler, Planning Department Director, reviewed the requested rezone for Council.

Dale Hobbs, Architect, representing Mr. Verone advised he was available for questions of Council. The Council had no questions. Dr. Herrmann moved to concur in the recommendation of the Planning Commission. Seconded by Mr. Sonntag. Voice vote was taken and carried.

b. This is the date set for hearing the request for rezoning the northeast corner of South 72nd and "D" Streets from an "R-4-LT" to a "C-1" District. (9-17-73 Planning Commission recommended approval 7-0 (3 absent). (Commerce Savings & Loan Association)

Mr. Buehler outlined the requested rezone to Council.

Jim Harris, Architect, representing the petitioner advised that he was available for questions.

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

c. This is the date set for hearing the request for vacation of a portion of South 7th between Pacific and Commerce and a portion of Pacific Avenue and South 7th occupied by the Old City Hall. (9-5-73 Planning Commission recommended approval, 7-0, 2 absent) (Office of the City Manager)

Mr. Buehler outlined this request for Council. Dr. Herrmann moved to concur in the recommendation of the Planning Commission. Seconded by Mrs. Egan. Voice vote was taken and carried.

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**FINAL READING OF ORDINANCES:**

**Ordinance No. 19956**      Appropriating \$20,499.00 or so much thereof as may be necessary from the Federal Shared Revenue Fund for the purpose of transferring said sum to Tacoma-Pierce County Health Dept. to expand the operation of the Poison Information Center.

Roll call was taken, resulting as follows:

**Ayes: 7 - Egan, Herrmann, Moss, Nalley, Schuur, Sonntag and Mayor Johnston**

**Nays: - 0**

**Absent: 1 - Jarstad (One Council Vacancy)**

**The Ordinance was declared passed.**

**Ordinance No. 19957**      Approving the action of Tacoma-Pierce County Board of Health in appropriating \$8,298.00 of which the City will contribute 50% or the sum of \$4,149.00 for the purpose of carrying out a Senior Citizens Flu Immunization Program and authorizing transfer of \$4,149.00 from the Contingency Fund to the General Fund for said purpose.

Roll call was taken, resulting as follows:

**Ayes: 7 - Egan, Herrmann, Moss, Nalley, Schuur, Sonntag and Mayor Johnston**

**Nays: 0**

**Absent: 1 - Jarstad (One Council Vacancy)**

**The Ordinance was declared passed.**

**Ordinance No. 19958**      Appropriating \$64,442.00 or so much thereof as may be necessary from the Federal Shared Revenue Fund for the purpose of transferring same to Tacoma Public Library to provide continuance of special library service to senior citizens.

Roll call was taken, resulting as follows:

**Ayes: 7 - Egan, Herrmann, Moss, Nalley, Schuur, Sonntag and Mayor Johnston**

**Nays: 0**

**Absent: 1 - Jarstad (One Council Vacancy)**

**Ordinance No. 19959**      Amending Chapter 6.89 of the Official Code by repealing and reenacting Sections 6.89.010 through 6.89.050 relative to bingo, raffle or amusement games and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Mayor Johnston advised the County Commissioners will meet this week with the towns in Pierce County regarding the tax structure on gambling and related items. He further

City Council Minutes - Page 5 - October 23rd, 1973

advised it was the feeling of the Council members who attended the joint meeting with the County Commissioners last week that the tax be uniform.

Mayor Johnston moved that Ordinance Nos. 19959, 19960 and 19961 be continued for one week. Seconded by Dr. Herrmann. Roll call was taken resulting as follows:

Ayes: 7 - Egan, Herrmann, Moss, Nalley, Schuur, Sonntag and Mayor Johnston

Nays: 0

Absent: 1 - Jarstad (One Council Vacancy)

Final reading of the ordinance was continued to October 30, 1973.

Ordinance No. 19960 Amending Chapter 8.100 of the Official Code by repealing and reenacting Sections 8.100.010 and 8.100.020 relative to gambling activity and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Final reading of the ordinance was continued to October 30, 1973. (See roll call on Ordinance No. 19959).

Ordinance No. 19961 Amending Chapter 8.12 of the Official Code by repealing and reenacting subsection 29 of Section 8.12.010 relative to gambling and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Final reading of the ordinance was continued to October 30, 1973. (See roll call on Ordinance No. 19959).

Ordinance No. 19962 Providing for the improvement of L.I.D. 5535 for constructing a water main and fire hydrant in "A" Street from East 43rd to East 45th Street.

Roll was taken, resulting as follows:

Ayes: 7 - Egan, Herrmann, Moss, Nalley, Schuur, Sonntag and Mayor Johnston.

Nays: 0

Absent: 1 - Jarstad (One Council Vacancy)

The ordinance was declared passed.

Ordinance No. 19963 Providing for the improvement of L.I.D. 5523 for constructing water mains and fire hydrants in the area bounded by McKinley Avenue, East 40th Street, East "J" Street and East 43rd Street.

Bill Crawford, 4047 East "I", spoke against the ordinance. He advised Council that he felt remonstrance against the ordinance should amount to approximately 70%. This assumption was the result of his canvassing the neighborhood. Mr. Farmer, Water Division, advised that the latest percentage of remonstrance was 48.3%. Mr. Crawford raised a question as to whether remonstrances had been received from certain property owners. After a conference and investigation of the remonstrances, Mr. Crawford withdrew his opposition.

Speaking in favor of the ordinance were Elmer Stansbury and Nelson O. Hill, 865 East 43rd.

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

Ayes: 6 - Egan, Herrmann, Moss, Nalley, Schuur and Mayor Johnston

Nays: 0

Absent: 2 - Jarstad and Sonntag (temporarily). (One Council Vacancy)

The Ordinance was declared passed.

Ordinance No. 19964 Providing for the improvement of L.I.D. 8019 for permanent paving along McKinley Road from East "I" to East "K"; Spokane Street from East Division Lane to East 36th; East 75th from East "D" to McKinley Avenue; also, storm lines only in East "R" from East 29th to 30th; Fairbanks Street from East "M" to East "K" and other nearby streets.

Ken Jorgenson, Public Works Department, advised that there has been additional protests submitted since the L.I.D. hearing on the section consisting of Spokane Street between East Division Lane and East 36th Street. Total protests amount to 62 1/2% on the block.

Mayor Johnston moved to delete that portion from the ordinance. Seconded by Mrs. Egan.

Eather Hill, owner of the property at 3596 East Spokane, spoke in favor of the ordinance and asked that the portion of Spokane Street, between East Division Lane and East 36th Street, not be deleted. She felt that the owners of the property in that block do not understand the amount of the assessment. She asked Council that she be allowed to canvass the block in order to change the percentage of the remonstrance. Dr. Herrmann moved to amend the motion to postpone the deletion of Spokane Street, between East Division Land and 36th Street, for two weeks. Seconded by Mr. Schuur. Voice vote was taken and carried.

Speaking in favor of the ordinance was Charlotte Valbert, 3737 East "F", who asked Council to support retaining trees that have been earmarked for removal by construction of the L.I.D.

Mr. Jorgenson advised Council they had given consideration to leaving the Spanish Chestnut Tree ; however, this would necessitate re-aligning the street which would increase the cost of the L.I.D. He outlined three alternatives which could be used in completing the L.I.D. and saving the tree.

Also speaking in favor of the ordinance were Mrs. Mary Triplett, 914 McKinley Road; Mary Atkinson, 3598 East "K" Street; Robert Stain, Raft Island and James R. Ely, horticulture consultant.

Mayor Johnston moved to amend the ordinance to adjust the curbing in order to preserve the Spanish Chestnut Tree. Seconded by Mr. Nalley. Voice vote was taken and carried. Carl Martin presented a petition with fifteen signatures against the section of Spokane St. from Division Lane to 36th.

City Council Minutes - Page 7 - October 23rd, 1973

Mr. Sonntag moved to continue the ordinance for two weeks. Seconded by Mr. Nalley.

Roll call was taken, resulting as follows:

Ayes: 4 - Schuur, Moss, Sonntag and Mayor Johnson.

Nays: 3 - Egan, Herrmann and Nalley.

Absent: 1 - Jarstad. (One Council Vacancy)

The ordinance was continued to Wednesday, November 7, 1973.

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FIRST READING ORDINANCES:

Ordinance No. 19965 Amending Section 1.12.414 of the Official Code to add the position of Assistant Manpower Planning Director.

Odd Lund, Personnel Director, advised this ordinance brings the position into the regular City service.

The ordinance was set over for final reading next week.

Ordinance No. 19966 Appropriating the sum of \$64,250.00 or so much thereof as may be necessary from the Federal Shared Revenue Fund for the purpose of establishing and operating a Cash Management Program to be administered by the Finance Department.

John Sankovich, City Treasurer, reviewed the program and answered questions for Council. He explained that this would result in additional earnings for the City.

The ordinance was set over for final reading next week.

Ordinance No. 19967 Granting a nonexclusive franchise to University Place Refuse Service, Inc. for operation of garbage collection in four areas annexed by the City in 1970, 1971 and 1962.

William Barker, Assistant City Attorney, explained that this and the following four ordinances granting franchises are necessary in order to conform with State Law which requires a formal franchise be issued for garbage service in a recently annexed area of the City.

Mayor Johnston announced that the City Charter requires that at least fifteen days expire before final reading of a franchise ordinance.

The ordinance was set over for final reading on November 7, 1973.

Ordinance No. 19968 Granting a nonexclusive franchise to Federal Way Disposal Company, Inc. for operation of garbage collection in two areas annexed by the City in 1959.

The ordinance was set over for final reading on November 7, 1973.

City Council Minutes - Page 8 - October 23rd, 1973

Ordinance No. 19969 Granting a nonexclusive franchise to Pierce County Refuse Company, a division of Harold LeMay Enterprises, Inc., for operation of garbage collection in four areas annexed by the City in 1966, 1968 and 1969.

The ordinance was set over for final reading on November 7, 1973.

Ordinance No. 19970 Granting a nonexclusive franchise to Lakewood Refuse Service Inc. for operation of garbage collection in an area annexed by the City in 1971.

The ordinance was set over for final reading on November 7, 1973.

Ordinance No. 19971 Granting a nonexclusive franchise to Dave Murrey d/b/a Points Garbage Service for operation of garbage collection in four areas annexed by the City in 1959, 1966 and 1968.

The ordinance was set over for final reading on November 7, 1973.

Ordinance No. 19972 Repealing and reenacting Subsections 15 and 16 of Section 8.30.015 of the Official Code relative to gambling.

Mr. Barker advised this ordinance is necessary to bring the City laws into conformance with the State law passed by the legislature in the mini-session.

The ordinance was set over for final reading next week.

Ordinance No. 19973 Repealing and reenacting Subsection 28 of Section 8.12.010 of the Official Code relative to gambling.

Mr. Barker advised this ordinance is necessary to bring the City laws into conformance with the State law passed by the legislature in the mini-session.

The ordinance was set over for final reading next week.

Ordinance No. 19974 Amending Chapter 6.52 of the Official Code by repealing and reenacting Chapter 6.52 to consist of 31 sections, numbered 6.52.010 through 6.62.290 relative to taxicabs.

Mr. Sonntag advised he would like to include an amendment which would allow taxicabs to cruise in the downtown area and that certain truck loading zones be designated as taxicab stands after 5:00 P.M. The downtown area to be designated by the following borders: Bounded on the West by "M" Street, on the East by "D" Street, on the North by 6th Avenue and on the South by 38th Street. Also, that there be an annual fee, purchased by the company, for the right to use all of the truck loading zones involved.

Mr. Barker explained some of the changes in the taxicab ordinance.

James Amos, independent taxicab driver, spoke in favor of the ordinance and urged the Council to include the right to cruise downtown.

Herb Lewis, owner and operator of Pete's Taxi, urged cruising be allowed downtown.

The ordinance was set over for final reading next week.



City Council Minutes - Page 9 - October 23rd, 1973

Ordinance No. 19975      Appropriating \$135,794.00 or so much thereof as may be necessary from the joint County-City Public Health Pooling Fund for the purpose of carrying out certain projects.

Herb Kuzniczci, Health Department, reviewed the programs and answered questions for Council.

Earl Mittelstaedt, Finance Director, suggested that the four programs on the ordinance should have dollar amounts indicated for each individual program.

Fran Chapin, Chief Assistant City Attorney, was instructed to insert this for final reading next week.

The ordinance was set over for final reading next week.

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RESOLUTIONS:

Resolution No. 22434      (Continued from the meeting of October 9th)  
Authorizing execution of agreement with Professional and Technical Engineers Association Local #17.

A motion to adopt was made by Mr. Sonntag and seconded by Dr. Herrmann at the previous meeting..

Hugh Judd, Labor Relations Director, answered questions of Council and advised that certain professional engineers still had objections to the contract; however, as far as State Law is concerned, the City is in compliance. He also advised that the professional engineers who did not wish to belong to a union, could apply for decertification prior to November 1st or sixty days prior to effective date of the agreement.

Speaking against the adoption of the ordinance were E. E. Ted Coates, L. E. Searles and Walter Gordon, Professional Engineer and partner of the consulting firm of Gordon & Cross.

Speaking in favor of the resolution were Mike Waske, business representative of the Professional and Technical Engineers, Local #17, and Joe Fortier, 7426 S. Prospect. After further discussion, roll call was taken on the resolution resulting as follows:

Ayes: 2 - Egan and Sonntag

Nays: 4 - Herrmann, Schuur, Moss and Mayor Johnston

Absent: 2 - Jarstad and Nalley      (One Council Vacancy)

The resolution was declared failed.

Mayor Johnston moved to refer Resolution No. 22434 back to the Utility Board. Seconded by Mr. Moss. Voice vote was taken and carried.

Resolution No. 22465      Authorizing the sale of surplus scrap metal to Sternoff Metals Corporation and J. Simon & Sons, Inc.

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

Resolution No. 22466 Awarding contract to Lige Dickson Company on its bid of \$94,553.94 for L.I.D. 8006 for asphalt pavement on North Monroe from North 10th to North 11th; concrete alley pavement between North Union Avenue and North Washington and storm drain lines in North 10th from North Tyler to North Monroe and other nearby streets.

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

Resolution No. 22467 Approving the proposed fee schedule adopted by the Board of Health of the Tacoma-Pierce County Health Department.

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

Resolution No. 22468 Authorizing the sale of certain property located in the vicinity of South 56th and Ferdinand Streets to the Tribune Publishing Company, the abutting property owner, for the sum of \$852.75.

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

Resolution No. 22469 Providing for the salary range adjustment for Emergency Employment Project employees designated as Electrical Helper.

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

Resolution No. 22470 Appointing Joe Devish, Jr., Frank Taylor and Rev. Alfred Davis to the Model Cities Executive Board for 3-year terms expiring October 17, 1976 and appointing Frank Bennett to a 1-year term expiring October 17, 1974.

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

Resolution No. 22471 Increasing the membership of the Citizens Arterial Committee, expanding the scope of review and changing the name of the Committee to "Tacoma Streets and Highways Advisory Committee".

Tim Strege, member of the Citizens Arterial Committee, spoke in favor of the resolution. After considerable discussion by Council members, feeling was expressed that further study should be given to the subject.

Mr. Moss moved that the resolution be removed from the Agenda. Seconded by Dr. Herrmann. Voice vote was taken and carried.

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REPORTS BY CITY MANAGER:

Erling Mork, Acting City Manager, reported that Transit Dept. Director Doug Hendry's appointment expires October 31st. He requested that Mr. Hendry's appointment be extended through December 31, 1973 in order to assist in finalization of the 1974 Budget. Motion was made by Mr. Sonntag to extend Mr. Hendry's appointment through December 31, 1973. Seconded by Dr. Herrmann. Voice vote was taken and carried.

On proper motion, the meeting adjourned at 12:02 a.m.

ATTEST:

H. B. BOND CITY CLERK

GORDON JOHNSTON - MAYOR