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CITY COUNCIL MINUTES

City Council Chambers  
Tuesday, November 23rd, 1971.

The meeting was called to order by Mayor Johnston at 7:00 P. M.

Mrs. Egan moved to suspend the rules in order to submit her resignation to Council Position #3 and to accept Position #5 to which she was elected. Seconded by Mr. Jarstad. Voice vote taken and carried. Mrs. Egan read her letter of resignation.

Dr. Herrmann moved that Mrs. Egan's resignation be accepted. Seconded by Mr. Schroeder. Voice vote taken and carried.

Mayor Johnston moved to suspend the rules in order to consider Resolution No. 21408, naming Councilman Harold Moss to Position #3 until his regular term in Position #3, to which he was elected, commences on January 10, 1972. Motion seconded by Mr. Jarstad. Voice vote taken and carried.

Resolution No. 21408

Appointing Harold Moss as City Councilman to fill the unexpired term held by Catherine Egan in Position No. 3, which term expires January 10, 1972.

Resolution No. 21408 was read in its entirety by the Clerk. Mr. Johnston moved to adopt the resolution. Seconded by Mr. Jarstad. Voice vote was taken and carried.

The Oath of Office was administered to Mrs. Egan, Mr. Moss and Mr. Maule by the City Clerk, H. B. Bond.

Mayor Johnston announced that a new United States Flag had been made available for the Council Chambers through the courtesy of Congressman Hicks. The flag had been flown over the White House in Washington, D. C. on October 28, 1971, and been sent as a gift to the City Council.

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Roll call was then taken as follows: Present - 9: Egan, Herrmann, Jarstad, Maule, Moss, Nalley, Schroeder, Sonntag and Mayor Johnston. Absent - 0.

The Flag Salute was led by Councilwoman Egan.

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Mayor Johnston explained that the Council would be considering two agendas consecutively this evening: the agenda of November 16th and that of November 23rd, inasmuch as there had not been a quorum last week.

Mr. Schroeder moved to approve the minutes of November 3rd, as submitted. Seconded by Mr. Moss. Voice vote was taken and carried.

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PROCLAMATION:

Mayor Johnston proclaimed the week of December 1st, 1971, as Civil Air Patrol Week, and presented the proclamation certificate to Major Robert Taylor.

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PETITIONS:

Michael Scannell - requesting rezoning of the southwest corner of East 37th and East "E" Street from an "R-3" to an "R-4-L" District.

Referred to the Planning Commission.

RESOLUTIONS:

Resolution No. 21383

Authorizing the execution of a permit to Carl W. Brady for use of property at 710 Pacific Avenue.

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

Mr. H. B. Bond, City Clerk, explained that Mr. Brady is sponsoring the Paul Bunyan Sportsman's Club and he has complied with the insurance requirements.

Mr. Brady advised that the supervisors are qualified instructors. The rifle club has 24 members.

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

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

Nays 0.

The Resolution was declared adopted.

Resolution No. 21384

Establishing the position of Vector Control Aide for Model Cities projects.

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

Mr. Skaggs, Personnel Department, explained that when the original allocation for the Vector Control Project was made, the appointments were to be of a temporary nature with no fringe benefits. Subsequently it was determined that the positions could be considered under the "project concept" under Model Cities. The personnel under this position will receive fringe benefits and the positions will last only the duration of the project.

Mr. John C. Frai, 1422 South 43rd, felt that they should be under the classified civil service system and the applicants required to take civil service examinations and placed on the eligible list before being hired.

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

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

Nays 0.

The Resolution was declared adopted.

Resolution No. 21385

Authorizing the execution of a deed on certain City-owned property located in Cascade Park Addition to Mrs. Hazel I. Olson in exchange for certain property rights in the improvement of Warner Street.

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

Mr. Schuster, Public Works Director, advised that in straightening South Warner Street, the City acquired from Mrs. Olson a strip of property for right-of-way. Rather than be paid for the property, Mrs. Olson requested it be exchanged for City-owned property adjacent to her property on South 47th. The City will retain easements on the property and the Public Works Department recommends approval as the property on South 47th has a steep slope which would not be suitable for residential.

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

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

Nays 0.

The Resolution was declared adopted.

Resolution No. 21386

Authorizing the sale of two parcels of City Guaranty Fund property abutting Bantz Blvd. on the east at approximately South 14th and Bantz Blvd. to the State of Washington for the sum total of \$2,085.00 for highway purposes.

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

Mr. Earl Mittelstaedt, Assistant Finance Director, advised that the property has been appraised and the Public Works Department considers it a fair price and recommends approval.

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

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

Nays 0.

The Resolution was declared adopted.

Resolution No. 21387

Endorsing the concept of the Pierce County Special Drug Abuse Project.

Mayor Johnston moved to adopt the resolution. Seconded by Dr. Herrmann.

Mr. James Stewart of the Pierce County Health Department, Division of Drug Abuse, reported on a recent survey on drug abuse throughout Pierce County. He said it has been determined that there are 90 local and 15 state or federal organizations which are devoting all or a sizeable portion of their time in Pierce County in some meaningful fashion in the area of drug abuse.

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He advised that the survey report indicated there are two approaches to the problem:

1. Total commission approach.
2. Council or alliance of organizations.

The report requests that a county-wide commission be formed. The 90 local organizations all have excellent information and could deliver services and expertise useful for the commission in arriving at decisions.

He advised that he had made 135 interviews and all had expressed a need for a coordinated effort and control.

Mr. John C. Frai, 1422 South 43rd, was against organizing a drug treatment headquarters which could be used by addicts arriving from outside Pierce County.

After discussion Mr. Nalley requested the resolution be continued until after the first of the year so that the Council could have an opportunity to study the report. The motion failed for lack of a second.

Mr. Jarstad moved to continue the resolution until December 7th. Seconded by Mr. Sonntag. Roll call was taken, resulting as follows: Ayes 5: Jarstad, Maule, Moss, Nalley and Sonntag. Nays 4: Egan, Herrmann, Schroeder and Mayor Johnston. Motion carried.

The resolution was continued until December 7th.

Resolution No. 21388

Authorizing the proper officers of the City to reinstate Item #4 of bid contract No. UR-11667, canopy at the South Open Space of Wash. R-14, at the cost of \$4,200.

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

Mr. Gary Sullivan, Urban Renewal Director, advised that it has recently been determined there are sufficient funds to allow the construction of the canopy.

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

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

Nays 0.

The Resolution was declared adopted.

Resolution No. 21389

Accepting a bid from A. O. Boddie and A. Label in the sum of \$95,000.00 for the purchase of Parcel No. 1 Block 1308 in Urban Renewal Project Wash. R-14.

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

Mr. Sullivan explained that Mr. Jack Tanner, attorney for the redevelopers, had just requested that consideration of this matter be postponed for a period of two weeks.

Mr. Jarstad moved to continue the resolution for two weeks. Seconded by Mr. Maule. Voice vote was taken and carried.

The resolution was continued until December 7th.

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Resolution No. 21390

Accepting a bid from John S. Baker Investment Company in the sum of \$24,000 for the purchase of part of Parcel No. 7 in Block 1306 in Urban Renewal Project Wash. R-14.

Mrs. Egan moved the resolution be adopted. Seconded by Mr. Schroeder.

Mr. Sullivan, Urban Renewal Director, explained that the Baker Investment Corporation was the only bidder. He also explained that in April, 1970, the City entered into a less-than-fee acquisition for the balance of the block involving the Baker Investment Company. The Department recommended approval of this bid.

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

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

Nays 0.

The Resolution was declared adopted.

Resolution No. 21391

Authorizing the execution of a Second Amendatory Contract, amending Loan and Grant Contract No. Wash. R-3(LG) by and between the City of Tacoma and the United States of America.

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

Mr. Sullivan advised that the amendatory contract updates the Fawcett Street project cost estimates and Noncash Grant-in-aid Credits. This is finalizing the financing and having HUD approve the credits.

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

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

Nays 0.

The Resolution was declared adopted.

Resolution No. 21392

Declaring the intent of the City of Tacoma to complete a shoreline inventory and develop a master program for shoreline development.

Mrs. Egan moved the resolution be adopted. Seconded by Mr. Schroeder.

Mr. Buehler, Planning Director, explained that the State is asking the cities to declare whether they will submit an inventory and develop a master program for shoreline development. If the cities do not indicate their intention then the State will do it. It was the feeling of Council members that the City should receive funds from the State in order to carry out this project.

After discussion, it was felt to be in the City's best interest to declare intent to complete the shoreline inventory.

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

Ayes 8: Egan, Herrmann, Jarstad, Maule, Moss, Schroeder, Sonntag and Mayor Johnston.

Nays 1: Nalley.

The Resolution was declared adopted.

Resolution No. 21393

Awarding contract to Automatic Signal on its bids of \$5,528.88 and \$1,329.38; to Eagle Signal on its of \$1,598.94 and to Econolite on its bid of \$7,338.45 for pedestrian signal heads and spanwire framework.

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

Mr. Schuster, Public Works Director, advised that the signals are for intersections and that there were no local bidders. He recommended approval.

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

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

Nays 0.

The Resolution was declared adopted.

Resolution No. 21394

Fixing Tuesday, November 30, 1971 at 7:00 P.M. as the date for hearing Zoning Ordinance Text Changes relative to Christmas Tree Sales Lots.

Mrs. Egan moved the resolution be adopted. Seconded by Mr. Sonntag.

Inasmuch as the resolution was not adopted on the 16th, insufficient time remained for notification of the hearing date; therefore, Mrs. Egan moved that the date for hearing be changed to December 7, 1971, and that the resolution be adopted as amended. Seconded by Mr. Sonntag.

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

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

Nays 0.

The Resolution was declared adopted.

Resolution No. 21395

Fixing Tuesday, December 14, 1971 at 7:00 P.M. as the date for hearing the request for rezoning the south side of 6th Avenue between Winnifred and Highland Streets from an "R-2" to a "C-2" District. (William M. Busch)

Mrs. Egan moved the resolution be adopted. Seconded by Mr. Sonntag.

Inasmuch as the resolution was not adopted on the 16th, insufficient time remained for notification of the hearing; therefore, Mrs. Egan moved that the date for hearing be changed to December 21, 1971, and that the resolution be adopted as amended. Seconded by Mr. Sonntag.

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

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

Nays 0.

The Resolution was declared adopted.

Resolution No. 21396

Fixing Tuesday, December 14, 1971 at 7:00 P.M. as the date for hearing the request for vacation of Sawyer Street from Center Street south approximately 400 feet to the Burlington Northern Railway right-of-way.

Mrs. Egan moved the resolution be adopted. Seconded by Mr. Sonntag.

Inasmuch as the resolution was not adopted on the 16th, insufficient time remained for notification of the hearing; therefore, Mrs. Egan moved that the date for hearing be changed to December 21, 1971, and that the resolution be adopted as amended. Seconded by Mr. Sonntag.

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

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

Nays 0.

The Resolution was declared adopted.

Resolution No. 21397

Fixing Tuesday, December 14, 1971 at 7:00 P.M. as the date for hearing the request for the vacation of the alley between Winnifred and Highland Streets from 6th Avenue to 175 feet south.

Mrs. Egan moved the resolution be adopted. Seconded by Mr. Sonntag.

Inasmuch as the resolution was not adopted on the 16th, insufficient time remained for notification of the hearing; therefore, Mrs. Egan moved that the date for hearing be changed to December 21, 1971, and that the resolution be adopted as amended. Seconded by Mr. Sonntag.

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

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

Nays 0.

The Resolution was declared adopted.

FIRST READING OF ORDINANCES:

Ordinance No. 19478

Amending Sections 7.16.010, .050 and .060 of the Official Code relative to registration of ex-felons.

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Police Chief Lyle Smith advised that the ordinance includes two amendments. One would provide that any convicted felon released from the Department of Institutions would have ten days to register with the Police Department rather than forty-eight hours as heretofore required. Secondly, that this requirement would not apply after the restoration of any such person's civil rights.

Chief Smith felt the ordinance meets the requirements of his department.

Mr. Wm. Buell, 32 California Street, spoke against the ordinance.

Mr. Robert White, 612 South 16th, spoke against the ordinance.

Mr. John C. Frai, 1422 South 43rd, spoke against the ordinance.

After discussion, the ordinance was placed in order for final reading next week.

FINAL READING OF ORDINANCES:

Ordinance No. 19474

Providing for the improvement of L.I.D. 5513 for water mains in Adams Street from South 66th to South 68th Street produced.

Roll call was taken on the ordinance, 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. 19475

Providing for the improvement of L. I. D. 4983 for pavement of Lawrence from South 68th to South 72nd Street, Alaska from South 23rd to South 25th Street, State from South 15th to South 17th Street and alley between South 11th and South 12th from Adams to Proctor Street.

Roll call was taken on the ordinance, 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. 19476

Providing for the improvement of L. I. D. 6935 for installation of street lighting along South Fife Street from South 15th to South 17th Street.

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

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

Nays 0.

The Ordinance was declared passed.



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Ordinance No. 19477

Approving and confirming the Assessment Roll for L. I. D. 3700 for sanitary sewers along 52nd Street N. E. from Browns Pt. Blvd. to Enetai Ave. N. E.; Copalis Street from Browns Pt. Blvd. east 200 feet to cul-de-sac; Enetai Avenue N. E. from 52nd Street N. E. to 450 feet north.

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

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

Nays 0.

The Ordinance was declared passed.

UNFINISHED BUSINESS:

The Director of Public Works presents the Assessment Roll for the cost of improvement L.I.D. 4885 for concrete sidewalks on both sides of Mason Avenue from South 69th Street to Reade Street.

Fixing Monday, December 27, 1971 at 4:00 P. M. as the date for hearing.

Dr. Herrmann moved to set Monday, December 27, 1971, at 4:00 P.M. as the date for hearing on the above assessment roll. Seconded by Mr. Schroeder. Voice vote taken and carried.

REPORTS BY CITY MANAGER:

Mayor Johnston announced that the City Manager would make his reports under the November 23rd agenda.

CITIZENS' COMMENTS:

Mr. Ted Amell, 422 South Tacoma Avenue, spoke to the Council concerning the area across the street from the Greyhound Bus Depot and felt it should be included in urban renewal programs. He also pointed out that the City needs a convention center.

ITEMS FILED IN THE OFFICE OF CITY CLERK:

- a. Minutes of Public Utility Board meeting of October 27, 1971.
- b. Minutes of Tacoma Board of Adjustment meeting of October 14, 1971.
- c. Minutes of City Planning Commission meeting of November 1, 1971.
- d. Tacoma Employees' Retirement System report of purchases of investments, October, 1971.
- e. Municipal Court, Traffic Violations & Court Cases, monthly report, Oct. 1970 & 1971.
- f. Dept. of Civil Defense filing Personnel and Administrative Claim, October, 1971.
- g. Light Division, Water Division and Belt Line Division, Monthly Financial Report, September, 1971.

Placed on file.

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Mr. Jarstad moved to recess the meeting for ten minutes. Seconded by Mr. Moss. Voice vote was taken and carried. The meeting was recessed at 9:00 P. M.

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Mayor Johnston called the meeting to order after the recess and announced that the agenda of November 23rd would now be considered.

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Mr. Moss moved to approve the minutes of November 9th, as submitted. Seconded by Mr. Schroeder. Voice vote was taken and carried.

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HEARINGS & APPEALS:

(a) This is the date set for hearing the request for rezoning the northeast corner of South 19th and State Street from an "R-2" to an "R-2-TM" District. (Physician's Physical Therapy Service, Inc.) (Planning Commission 10-19-71 recommended approval 7-0, 2 absent.)

Mr. Buehler, Planning Director, described the area pertaining to the request and stated that there had been a previous request for an apartment house, but residents had objected, and the Planning Commission had recommended a transitional-type zoning. The present request for "R-2-TM" has been approved by the Planning Commission and the applicant has agreed to a number of conditions. He pointed out that the present developer would have ingress and egress from State Street rather than from 19th Street.

Dr. Herrmann moved to concur with the recommendation of the Planning Commission to approve the request. Seconded by Mr. Jarstad. Voice vote was taken and carried.

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(b) This is the date set for hearing the appeal on the Planning Commission's denial of the request for rezoning the northerly side of FAI #5 (Freeway) between East "E" and East "F" Streets from an "R-4" to an "M-1" District. (David V. Shecan & Associates) (Planning Commission hearing 8-16-71 recommended denial 7-0, 2 absent.)

Mr. Buehler described the area and explained that the applicant is requesting the rezone of two triangular pieces of property along the I-5 Freeway. Their plan is to construct a one-story building to house a retail musical instrument store. The area will also provide parking space.

Mr. Stanley Frederick, Planning Commission member, advised that the Commission felt that this would be considered spot zoning, opening the area along the Freeway to all types of developments which would be degrading and an intrusion on the residents of the area. They felt that it should not be rezoned until an overall long-range comprehensive plan has been made of the area.

Mr. Tom Fishburn, representing the petitioner, felt that the Planning Commission could not envision the triangular parcels along the Freeway as residential. He pointed out that their initial request was for a "C-2" classification. The Planning Department recommended "M-1". The neighborhood was against the "M-1". He felt that a "C-2" classification was not incompatible to the area. He also felt they should not be denied the reclassification just because the Planning Commission does not have a long-range plan for the area.

Mr. Axel Johnson, 2803 "F" Street, a resident of the area, advised that he and other residents are in favor of a "C-2" classification, but not the "M-1" Industrial classification.

Mr. Schroeder made a motion that the petition for rezone be referred back to the Planning Commission and the applicant be given an opportunity to be reheard as an applicant for "C-2". Seconded by Mr. Jarstad. Roll call vote was taken as follows:

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Ayes 4: Egan, Jarstad, Schroeder and Mayor Johnston. Nays 5: Herrmann, Maule, Moss, Nalley and Sonntag. Motion failed.

Mr. Maule then moved to overrule the decision of the Planning Commission to deny the request for rezone and change the classification from "M-1" to "C-2". Seconded by Mr. Sonntag. Roll call vote was taken as follows: Ayes 4: Maule, Moss, Nalley and Sonntag. Nays 5: Egan, Herrmann, Jarstad, Schroeder and Mayor Johnston. Motion failed.

After further discussion, Mr. Jarstad moved that the petition be referred back to the Planning Commission. Seconded by Mr. Schroeder. Roll call vote was taken as follows: Ayes 7: Egan, Herrmann, Jarstad, Nalley, Schroeder, Sonntag and Mayor Johnston. Nays 2: Maule and Moss. Motion carried.

Request for rezone was referred back to the Planning Commission.

PETITIONS:

Alvin L. Morris & Son, Inc. and all Property Owners - requesting rezoning of both sides of Pacific Avenue from South 46th to South 48th Streets from a "C-1" to a "C-2" District.

Referred to the Planning Commission.

RESOLUTIONS:

Resolution No. 21398

Appointing Alfred LeRoy Brisbois to a 3-year term on the Commission on Human Relations expiring on September 30, 1974.

Mayor Johnston moved that this resolution be continued until next week in order to change the language of the resolution. Seconded by Dr. Herrmann. Voice vote was taken and carried.

The resolution was continued until November 30th.

Resolution No. 21399

Authorizing the execution of a lease with Lester E. Johnson and Oleda M. Johnson d/b/a Les Lee's Garden Center for use of property at 8402 Park Avenue for a period of one month commencing November 25, 1971, for the sum of \$150.00.

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

Mr. H. B. Bond, City Clerk, explained that this property had been needed for the widening of 84th Street and had been acquired with urban arterial funds. A grocery store on the premises is to be demolished shortly after January 1st. Mr. Johnson wished to rent the property for one month for the sale of Christmas trees. He has paid a \$150 deposit.

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

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

Nays 0.

The Resolution was declared adopted.

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Resolution No. 21400

Authorizing the execution of an agreement with Burlington Northern, Inc., relative to the construction and maintenance of the Cedar-Pine Transition.

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

Mr. Schuster, Public Works Director, advised that this resolution would permit the improvement of the portion of Pine Street which lies within the Railroad's right-of-way. The work would be performed by the Railroad and paid for by the City, as the City is responsible for updating the signals and related street work at the crossing.

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

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

Nays 0.

The Resolution was declared adopted.

Resolution No. 21401

Authorizing the execution of an agreement with the First Assembly of God relative to land use restrictions in the development of the area bounded by South 16th Street extended, Lawrence, South 17th Street extended and Puget Sound Avenue.

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

Mr. Buehler, Planning Director, advised that the petitioner plans to construct a building to house the elderly and has agreed to all the conditions set forth by the Planning Commission and the Public Works Building Department. The parking area meets the requirements of apartment sites.

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

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

Nays 0.

The Resolution was declared adopted.

Resolution No. 21402

The City of Tacoma offering to acquire certain real property in Block 42 of Barker's Addition to Tacoma from the Tacoma Public Library and pay to the Tacoma Public Library the sums the City receives upon reselling said property.

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

Mr. Hamilton, City Attorney, advised that because of the State statutes, the Library itself is prohibited from disposing of the property and therefore they have requested that the City take title to it, sell the property and then convey the proceeds to the Library, if the City is willing to do so.

Mr. William Buell, 32 California Street, questioned whether the Library was in fact planning to dispose of this property in an effort to obtain funds to maintain the Library, in view of not having been successful in obtaining funds requested of the Council recently.

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Mayor Johnston pointed out that the resolution itself stated that the property was excess and not necessary to the needs of the Library's functions.

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

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

Nays 0.

The Resolution was declared adopted.

Resolution No. 21403

Authorizing the proper officers of the City to cooperate with Pierce County in the preparation and implementation of an automated judicial information system.

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

Mr. Fawver, Municipal Court Administrator, advised that this proposed automation would be of no cost to the City, as it would be federally funded. Two systems would be developed. One is a warrant system throughout Pierce County, coordinating data from all the courts into one listing, and secondly, a Judicial process for the calendaring of cases and for the identification of criminals.

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

Ayes 8: Egan, Herrmann, Jarstad, Maule, Moss, Nalley, Schroeder and Mayor Johnston.

Nays 1. Sonntag.

The Resolution was declared adopted.

Resolution No. 21404

Declaring the former fire station located at North 13th and J Streets as surplus real property and providing for the sale of said property at a minimum bid of \$22,500.00.

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

Mr. Bond, City Clerk-General Services Officer, advised that in January, 1959, this fire station was declared surplus by the City; however, before it was disposed of, a Youth Group was authorized to lease the building for a recreation center on a 5-year lease, with a renewal clause. The group invested \$30,000 in improvements and they were granted another 5-year lease. Subsequently the group's interest waned and it was jointly used by the Senior Centers as well. The lease expired last summer and since the building still needs substantial amount of work to bring it up to the City Building Code, it is recommended that the property be disposed of.

Mr. John Frai, 1422 South 43rd, spoke against the resolution.

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

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

Nays 0.

The Resolution was declared adopted.

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Resolution No. 21405

Authorizing the execution of agreements with Central Employment Agency, City Association of Colored Women's Club, and Minority Contractors of Pierce County for the purpose of implementing certain projects in the First Action Year of the Model Cities Program and waiving the requirements of competitive bidding.

Mrs. Egan moved the resolution be adopted. Seconded by Mr. Moss.

Mr. Russell, Director of Model Cities, explained that these three programs were included in the reprogram package previously approved by Council. The present resolution authorizes the execution of the third party agreements. He also pointed out that there are corrections to be made on the Minority Contractors agreement on page 7, paragraph 4; page 8, 1a and 1b (Sec.2) and page 9, items 5 and 6.

Council members questioned the fact that the agreement for the Central Employment Agency lists a Project Director, but does not list the qualifications for this position. Mr. Russell pointed out that the agreement lists his responsibilities and the C.D.A. furnishes the qualifications. The hiring of this Director will be by a board of eleven persons. The Model Cities staff will manage the reports and see that the services are delivered.

Mr. Jack Tanner, attorney representing the Minority Contractors, reviewed the work he had done in this respect and urged Council's approval of the agreement.

Mr. Harold Botley, 1301 South "K", described his program with the Adult Outreach Program.

Mr. Ted Amell, 422 Tacoma Avenue South, spoke against the resolution.

Mrs. Bertie Edwards, President of City Association of Colored Women's Club, explained the senior citizens program and urged approval of the agreement.

After further discussion, voice vote was taken on the resolution as follows:

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

Nays 0.

The Resolution was declared adopted.

Resolution No. 21406

Defining the extent of applicability of the Shoreline Management Act within the City of Tacoma.

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

The resolution was read by the Clerk in its entirety.

After discussion the Council took the position that the wetlands shall extend 200 feet in all directions of all rivers, waterways and Puget Sound in Tacoma, in order that the City may retain control of the Shorelines pending designation of wetlands by the Department of Ecology.

Mr. Wm. Buell, 32 California Street, spoke in favor of the resolution.

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

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

Nays 0.

The Resolution was declared adopted.

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Resolution No. 21407

Fixing Tuesday, December 7, 1971 at 7:00 P.M. as the date for hearing Zoning Ordinance Text Changes. (Planning Commission)

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

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

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

Nays 0.

The Resolution was declared adopted.

FIRST READING OF ORDINANCES:

Ordinance No. 19479

Vacating South 18th Street between Union Avenue and West Union Avenue. (Boy Scouts of America)

Mr. Buehler, Planning Director, advised that Council held a hearing on this subject on November 3rd.

Mr. Patrick Comfort, attorney representing Olsen Dental Laboratories, one of the adjacent property owners, reported his clients feel that the additional parking space to the north, alleged to be needed by the applicant, is not in fact needed as there is already ample property for parking space adjacent to the Boy Scouts quarters. He pointed out that a reputable real estate appraiser, Harold Starkey, has affirmed that the property in the vicinity has very little residential use value and also if 18th Street is vacated, it would destroy the value of the property in the area. Mr. Comfort further felt that 18th Street should be improved as set forth by the Planning Commission as a requirement when they granted Persing, Dyckman & Toynbee permission for constructing a new office building in that area.

Mr. Chet Claus, one of the owners of Olsen Dental Laboratories, advised that they have plans to either place a dental laboratory or some other professional use building on the property and felt that if 18th Street were vacated, it would create a hardship in development of their property for future use.

The ordinance was placed in order for final reading.

Ordinance No. 19480

Amending the Official Code of the City of Tacoma by adding a new chapter to be designated as Chapter 8.100 relative to bingo, raffles and amusement games by bona fide charitable and nonprofit organizations.

Mr. Hamilton, City Attorney, reviewed the ordinance with the Council.

Mr. Sonntag read a letter he received from the Bellarmine Boosters which urged passage of the ordinance.

Mr. John Messina, representing Sons of Italy, felt the ordinance was too restrictive.

Mr. Bob Wood, from Sacred Heart Parish, spoke in favor of the ordinance.

Mr. John C. Frai, 1422 South 43rd, spoke against the ordinance.

Mr. Joe Odegard, 3853 East "G" spoke in favor of the ordinance.

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

Mr. Tony Petorak, representing the Bellarmine Boosters, spoke in favor of the ordinance.

Mr. Richard Newman, Tax and License Department, discussed the administering of collecting declaration fees and taxes relative to the ordinance.

Mrs. Egan moved to adopt an amendment to Section 8.100.040 which would provide that a once a year application fee be \$10.00 only. Seconded by Mr. Sonntag. Voice vote was taken and carried.

Mr. Maule moved to amend the 10% tax to 5% of gross income. Seconded by Dr. Herrmann. Voice vote was taken resulting as follows: Ayes 8: Egan, Herrmann, Jarstad, Maule, Moss, Nalley, Schroeder and Mayor Johnston. Nays 1: Sonntag. Motion carried.

Mr. Sonntag moved to lower the \$75 declaration fee to \$10. Seconded by Mr. Nalley. Voice vote was taken resulting as follows: Ayes 2: Nalley and Sonntag. Nays 7: Egan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston. Motion failed.

Mrs. Egan felt that the law passed by the State Legislature was unconstitutional and that this ordinance establishes a tolerance policy.

Mr. Hamilton advised that the subject of constitutionality of the State law was still in the courts.

The ordinance was placed in order for final reading.

UNFINISHED BUSINESS:

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

LID 4916 for permanent paving of Prospect Street from South 74th to South 76th and "I" Street from South 88th to South 90th Streets.

LID 4933 for permanent paving on South Shirley from 6th Avenue to South 8th Street (36'); South Monroe from 6th Avenue to South 7th Street; South Verde from South 10th to South 11th Street.

LID 6918 for installing modern street lights on existing wood poles along North Park Avenue from Pearl Street to Bristol Street.

LID 6930 for installing modern street lights on ornamental standards with underground wiring along Prospect Street from South 74th to South 76th Street.

LID 6932 for installing modern street lights on ornamental standards with underground wiring along North Bennett Street from North 14th to North 18th Street.

Fixing Monday, December 27, 1971 at 4:00 P.M. as the date for hearing.

Mr. Maule moved December 27, 1971 at 4:00 P.M. be set as the date for hearing. Seconded by Mr. Schroeder. Voice vote was taken and carried.

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Mr. Schroeder asked to be excused from the meeting of November 30th. Mayor Johnston moved that Mr. Schroeder be excused. Seconded by Dr. Herrmann. Voice vote was taken and carried.

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Dr. Herrmann recommended that Mr. Jarstad be designated as Deputy Mayor and that a resolution be brought in at the next meeting to confirm the appointment. Seconded by Mr. Sonntag. Voice vote was taken and motion carried.

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Dr. Herrmann asked to be excused through December 12th. Mr. Schroeder moved to excuse Dr. Herrmann. Seconded by Mayor Johnston. Voice vote was taken and carried.

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Mr. Moss asked to be excused from next Tuesday's meeting. Mr. Maule moved to excuse Mr. Moss from the meeting of November 30th. Seconded by Dr. Herrmann. Voice vote was taken and carried.

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Mayor Johnston asked to be excused from the meeting of November 30th. Mr. Schroeder moved to excuse Mayor Johnston. Seconded by Mr. Moss. Voice vote was taken and carried.

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Mayor Johnston requested Mr. Hamilton to bring in a resolution designating Councilman Schroeder as the Council's representative on the Planning Commission and a resolution designating Mr. Maule as the Council's representative on the Civic Arts Commission.

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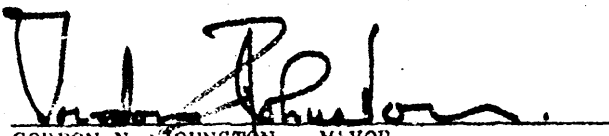
ITEMS FILED IN THE OFFICE OF CITY CLERK:


- a. Minutes of Civil Service Board meeting of November 1, 1971.
- b. Minutes of Board of Park Commissioners meeting of November 8, 1971.
- c. Monthly report, Fire Department, October, 1971.
- d. Monthly report, Tacoma-Pierce County Humane Society, October, 1971.
- e. Monthly report, Police Department, Traffic Division, October, 1971.

Placed on file.

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There being no further business to come before the Council, the meeting was adjourned at 12:55 A. M.

  
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 GORDON N. JOHNSTON - MAYOR

Attest:   
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 H. B. Bond - City Clerk