

CITY COUNCIL MINUTES

City Council Chambers
March 28th, 1972

Mayor Johnston called the meeting to order at 7:00 P. M.

Present on roll call - 9: Egan, Herrmann, Jarstad, Maule, Nalley, Moss, Schroeder, Sonntag and Mayor Johnston. Absent - 0.

The Flag Salute was led by Councilman Schroeder.

* * * * *

C O N S E N T A G E N D A

Approval of the minutes of the meeting of March 21st, as submitted.

RESOLUTIONS:

Resolution No. 21571 Fixing Tuesday, April 18, 1972 at 7:00 P.M. as the date for hearing proposed text changes to the Zoning Ordinance relating to Off-Street Parking.

Resolution No. 21572 Fixing Tuesday, May 2nd, 1972 at 7:00 P. M. as the date for hearing the proposed text change to the Zoning Ordinance relating to appeal procedures.

Resolution No. 21573 Fixing Monday, May 8, 1972 at 4:00 P.M. as the date set for hearing L.I.D. No. 5488 for water mains in Pearl Street from North 21st to North 26th Street.

Resolution No. 21574 Appointing Jaime A. Bernal, Eugene K. Matsusaka and Paul A. Tanaka to the Commission on Human Relations of the City of Tacoma for terms expiring September 30, 1974.

APPEALS:

Thomas F. Shoop appealing the decision of the Planning Commission denying his request for rezoning the west side of Yakima Avenue between South 55th Street extended and South 56th Street from an "R-2" to a "C-1" District. (3-6-72 Planning Commission recommended denial 6-0, 3 absent.)

Last day to file an appeal was March 20, 1972 and an appeal was filed.

Suggested date for hearing is May 9, 1972.

ASSESSMENT ROLL:

The Director of Public Works presents the Assessment Roll for the following:

LID 6913 installing modern lights at street intersections on existing wood poles along Idaho Street from South 35th Street to South 37th Street (including Chelan Place); Montana Avenue from California Avenue to Whitman Place near South 38th Street and other nearby streets.

Fixing Monday, May 8, 1972 at 4:00 P.M. as the date for hearing.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Public Utility Board meeting of March 8, 1972.
- b. Minutes of Civil Service Board meeting of February 28, 1972.
- c. Minutes of Board of Park Commissioners meeting of March 13, 1972.
- d. Minutes of Tacoma-Pierce County Civic Arts Commission meeting of March 16, 1972.
- e. Department of Public Works filing Update Cost Estimate for Urban Arterial Project No. 8-1-128(26).
- f. Annual Report for On-The-Job Injuries 1971, General Government Departments.
- g. Annual Report, 1971 Fleet Accident Report, General Government Departments.
- h. Monthly Report, Personnel Department, February, 1972.
- i. Monthly Report, Tacoma-Pierce County Humane Society, February, 1972.
- j. Monthly Financial Report, Light Division, Water Division and Belt Line Division, January 31, 1972.

Dr. Herrmann moved to approve all of the items listed on the Consent Agenda including Resolutions 21571, 21572, 21573 and 21574. Seconded by Mr. Moss. Voice vote was taken and carried. The items were declared approved.

REGULAR AGENDA

PRESENTATION:

Mr. John Wallerich, 502 North Yakima Avenue, previously the Chairman of the Civic Arts Commission, advised Council that they had been asked to come up with a design for a flag for the City of Tacoma. He displayed the flag and described the design which consisted of a rainbow at the top, Mt. Rainier, a sea gull and Commencement Bay, with the words "City of Tacoma" across the bottom.

Mayor Johnston accepted the flag on behalf of the Council and the citizens of Tacoma. Mayor Johnston asked that a resolution be brought to Council to adopt the pennant as the flag of the City.

PUBLIC HEARINGS:

This is the date set for hearing the request for rezoning of the east side of Pacific Avenue at Spooner Street extended from an "R-4-L" and an "R-2" to an "R-4-LT" and an "R-2-T" District. (2-23-72 Planning Commission recommended approval 6-0, 3 absent.) (R.B. Strobel and H. Roy Farrington)

Mr. Buehler, Planning Department Director, advised Council that on February 23rd, the Tacoma Planning Commission had reviewed the request for two 1-story office buildings and recommended approval.

Mr. Roy Farrington, one of the petitioners, advised Council that they had agreed to the conditions set forth by the Planning Commission.

Dr. Herrmann moved to concur in the recommendation of the Planning Commission. Seconded by Mrs. Egan. Voice vote carried.

- b. This is the date set for hearing the request for rezoning of the south side of South 82nd Street between Alaska Street and Hosmer Street from an "R-2" to an "R-3" District. (2-23-72 Planning Commission recommended approval 6-0; 3 absent.) Golden Ridge, Inc.)

Mr. Buehler advised Council that on February 23rd, the Planning Commission had reviewed the request for the rezone and had recommended approval. The petitioner requested the rezone in order to construct three triplexes.

Mr. Dan Swagger, 11201 - 96th Avenue S.W., representing the petitioner, described the proposed building site and advised that they were planning to put in a play area next to the fence.

Mr. Maule moved to concur in the recommendation of the Planning Commission. Seconded by Mrs. Egan. Voice vote carried.

* * * * *

- c. This is the date set for hearing the appeal on granting of a Special Use Permit to the Parkside Church, Inc. at the north-east corner of South 43rd & Junett Streets. (2-7-72 Planning Commission recommended approval 6-0, 3 absent.)

Mr. Buehler advised that through a clerical oversight, the property owners had not been advised of the hearing date, therefore he recommended that Council continue this hearing to April 4th.

Mr. Schroeder moved to continue this hearing to April 4, 1972 at 7:00 P.M. Seconded by Mr. Sonntag. Voice vote carried.

The hearing was continued to April 4th.

* * * * *

FINAL READING OF ORDINANCES:

Ordinance No. 19537 (Continued from the meeting of March 21st)
 Approving and confirming the assessment roll for L.I.D. 4937 for paving Grant Avenue from South 23rd to South 25th; Fife Street from South 72nd to South 74th and other nearby streets.

Mr. Bob Anderson, City Engineer, advised Council that on Mr. Nalley's request last week for continuance of this ordinance, a staff member of the Public Works Department had gone out to view the area in question and had talked to Mrs. Miller and that all difficulties were now being resolved.

Mrs. Miller, 3302 South 76th Street, advised Council that the Public Works representative had been out and they had sent the crew out and filled the area in question with dirt and gravel, however the condition of water settling on her corner still exists as a result of this L.I.D. being placed in the area.

Mayor Johnston requested of Mr. Anderson that his staff visit the area again and review the situation to resolve the matter.

Roll call vote was taken, resulting as follows:

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

Nays - 0.

The Ordinance was declared passed.

95

City Council Minutes - Page 4 - March 28th, 1972

Ordinance No. 19538 Amending Section 1.12.360 of the Official Code to carry out the State Mediator's recommendation relative to Police Records Clerks I and II.

Roll call vote was taken, 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. 19539 Designating the unnamed r/o/w lying generally parallel to and adjacent to the northerly side of F.A.I. #5 between East "D" and East "L" as Wiley Avenue.

Roll call vote was taken, 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. 19540 Amending Chapter 13.06 of the Official Code by adding both sides of Pacific Avenue from South 46th to South 48th Street from a "C-1" to a "C-2" District. (Gerald D. Prigge and Alvin L. Morris & Son, Inc.)

It was the feeling of some Councilmen that this type of zoning is inconsistent City planning. Mr. Buehler advised that the Planning Commission felt that this is the last piece of property in that area which could be zoned "C-2".

Roll call vote was taken, resulting as follows:

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

Nays - 2: Nalley and Sonntag.

The Ordinance was declared passed.

Ordinance No. 19541 Creating a new fund to be known as "The Uniform Controlled Substances Trust Fund" and appropriating the sum of \$20,000.00 or so much thereof as may be necessary for the purpose of carrying on the activities authorized under Chapter 69.50 of the Revised Code of Washington.

Roll call vote was taken, resulting as follows:

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

Nays - 0.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 19542 Adopting the Uniform Fire Code of 1971.

Fire Chief Reiser said that periodically the Fire Code is updated. This Code, being a national code, is collated with the Building Code. This is the first time they have had a code that combines the Building Code and the Fire Code. This has been worked

City Council Minutes - Page 5 - March 28th, 1972

out so that there is no conflict in the two codes. This code has been adopted up and down the Pacific Coast and has been adopted by the State of Washington.

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

Ordinance No. 19543 Appropriating the sum of \$28,500.00 or so much thereof as may be necessary from the Neighborhood Youth Corps Revolving Fund 9-17 for salaries and maintenance costs.

Mr. George Hauser, Director of the Neighborhood Youth Corps, advised Council that this sum of money would increase the number of enrollees from 65 to 80 in the regular program.

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

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

Ordinance No. 19544 Vacating South 74th Street between South "D" and Pacific Avenue. (Roundup Company, Inc., d/b/a Fred Meyer)

Mr. Buehler advised Council that Council held a hearing on this last month and the petitioner has met all the conditions set forth by the Planning Commission.

The Ordinance was set over for final reading next week.

Ordinance No. 19545 Amending Chapter 13.06 of the Official Code to add the area bounded by South 72nd Street, Pacific Avenue, South 75th St. extended and So. "D" St. from a "C-P-N", "R-2" and an "R-4-L" to a "C-P-C" District. (Roundup Co., Inc. d/b/a Fred Meyer)

Mr. Buehler advised Council that this was also heard by Council last month and the petitioner has met all the conditions of the Planning Commission.

The Ordinance was set over for final reading next week.

Ordinance No. 19546 Authorizing a temporary loan in the sum of \$15,000 from the "Stadium Trust Fund" to the General Fund and appropriating from the General Fund the sum of \$15,000 or so much thereof as may be necessary for the purpose of paying the cost of preparing a feasibility study for a civic center and declaring an emergency making necessary the passage of this ordinance.

Mrs. Egan moved to suspend the Rules in order to consider Substitute Ordinance No. 19546. Seconded by Mr. Schroeder. Voice vote on the motion to suspend the Rules carried.

Mr. Hamilton explained the reason for the Substitute Ordinance. The original ordinance had addressed itself primarily to a Civic Center in the downtown area, and particularly mentioned the downtown Broadway Mall. It had been brought out that the study should have included the entire greater Tacoma-Pierce County area for the development of the Civic Center.

Mr. Gene Lewis, Chairman of the Civic Center Committee, advised Council that the matter of a Civic Center was a total community concern and that there is a tremendous amount of private capital waiting for a "launch pad". It is hoped that the Civic Center would provide that. He also advised that there are many areas that are being considered, not just the downtown area. They want to hire some experts

to guide them in this respect.

Mr. Ted Amell spoke in favor of the ordinance.

Mr. Hervey Petrich, 2821 Garfield Road, spoke in favor of the ordinance and suggested expanding this Civic Center to a Hotel complex and trade center. He also suggested a site out in the tideflats area comprised of 40 acres of land.

Mr. William Buell, 32 California Street, spoke in favor of the Ordinance.

After discussion this Substitute Ordinance was set over for final reading next week.

Ordinance No. 19547 Amending Section 1.29.060 of the Official Code to require the affirmative vote of a majority of the members constituting a quorum of the Tacoma Commission on Human Relations in order to take any action.

Mr. Moss, a member of the Human Relations Commission, advised that this ordinance would enable the commission to function when they have only a bare quorum of 8 members. Previously, if there were only 8 members at a meeting, they were unable to function if they had any type of split vote. This ordinance then requires the affirmative vote of a majority of the members constituting the quorum in order to take any action.

The Ordinance was placed in order for final reading next week.

Mr. Sonntag moved to suspend the Rules in order to consider Ordinance No. 19548. Seconded by Mr. Moss.

Ordinance No. 19548 Appropriating the sum of \$19,000.00 or so much thereof as may be necessary for the purpose of securing a study and evaluation of the Tacoma Spur and declaring an emergency making necessary the passage of this ordinance and declaring that this ordinance shall take effect immediately upon publication.

Voice vote was taken on the motion to suspend the Rules to consider this ordinance. Voice vote carried.

Mr. Donaldson, City Manager, advised that he hopes to have a resolution next week for Council's consideration which would be a contract between the City and the planners who are making the proposal which will spell out the work that is to be accomplished. This ordinance that we have before us is merely to establish the fund. It is necessary to have the fund established before the contract is considered.

Mayor Johnston made a motion to allow citizens to speak next week at final reading of this ordinance. Seconded by Mr. Schroeder. Voice vote carried.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 21575 Authorizing the filing of a Neighborhood Development Program (NDP) application.

Dr. Herrmann moved to adopt the resolution. Seconded by Mr. Sonntag.

Mr. Gary Sullivan, Director of the Urban Renewal Dept., explained the proposed program to Council. The Program involves the total Federal capital grant of \$343,211.00, inclusive of rehabilitation and relocation costs and participation from Model Cities' supplemental funds of \$78,904.00 for a total budget of \$422,115.00. This would be for rehabilitation of 30 residential homes and a possibility of demolition of 11 abandoned residences, which are considered unsafe. It would also include underground wiring for approximately 100 residential structures and the paving of 4 alleys. If the Program is approved the Council would have before it a formal plan within 60 days. This resolution would authorize the filing of a neighborhood development program application for this program.

An objection was raised by a Council member on items dealing with underground wiring and alley paving in that these funds should be directed toward the greater need of home rehabilitation.

After considerable discussion, voice vote was taken on the resolution.

Ayes - 8: Nays - 1: (Nalley)
The Resolution was declared adopted.

Resolution No. 21576 Authorizing the release of easement on property in the vicinity of 336th Street South and 16th Ave. South.

Dr. Herrmann moved to adopt the resolution. Seconded by Mr. Schroeder.

Mr. James Thompson, Assistant to the Director of Utilities, advised Council that the Public Utility Board had determined that the easement is no longer necessary for their distribution systems and recommended release of the easement.

Voice vote: Ayes - 9. Nays - 0.
The Resolution was declared adopted.

Resolution No. 21577 Accepting the guidelines of the report "An Interim Statement of Goals and Policies for Community Improvement."

Dr. Herrmann moved to adopt the resolution. Seconded by Mr. Schroeder.

Mr. Jack Creighton, Assistant Planning Director, answered questions of Council regarding this resolution. He advised that Federal regulations state that any recommendations or proposals resulting from the study should be consistent with reasonable and proper guidelines for the City's improvement. The report entitled "An Interim Statement of Goals and Policies for Community Improvement" includes the listing of goals and policies which were developed as a temporary measure until such time as a comprehensive community goals statement may be prepared by a citizen-directed program. He also advised that these goals and policies are to be reviewed, and revised on a regular basis in order to provide a current and meaningful statement which will best

serve the interests of the City and its citizens.

He advised that the Planning Commission had reviewed the interim statement of goals and policies and did at its meeting of January 3rd, recommend them, and now submit them to Council for acceptance.

Voice vote: Ayes - 8. Nays - 1: (Nalley)
The Resolution was declared adopted.

Resolution No. 21578 Authorizing the acceptance of an additional sum of \$28,500 from the Dept. of Labor for the Neighborhood Youth Corps Revolving Fund 9-71.

Mr. Sonntag moved to adopt the resolution. Seconded by Mrs. Egan.

Voice vote: - 9. Nays - 0.
The Resolution was declared adopted.

Resolution No. 21579 Authorizing the Mayor to execute an initial grant application for the sum of \$25,000 with the U.S. Department of Housing and Urban Development for funds for the development of a Program Management System.

Mr. Schroeder moved to adopt the resolution. Seconded by Mr. Maule.

Voice vote - 9. Nays - 0.
The Resolution was declared adopted.

Resolution No. 21580 Authorizing the sale of the former fire station near North 13th and J Streets by competitive bid and fixing the minimum bid price at \$15,000.

Dr. Herrmann moved to adopt the resolution. Seconded by Mr. Schroeder.

Voice vote: Ayes - 9. Nays - 0.
The Resolution was declared adopted.

Resolution No. 21581 Adopting the long-range Arterial Street Plan for the years 1972 through 1990 and authorizing the proper officers of the City to submit same to the Washington State Urban Arterial Board.

Dr. Herrmann moved to adopt the resolution. Seconded by Mr. Schroeder.

Mr. Robert Anderson, City Engineer, advised Council that this is a requirement by State law and is prepared in accordance with that law.

Mr. Tim Strege, a member of the Citizens Arterial Committee advised Council that the Committee has approved the long-range arterial street plan but it was not a unanimous vote as some of the members felt that they did not have enough time to study the plan. They did however, feel that they should approve the plan, as submitted, because of the deadline in submitting the plans to the State in order that the City could proceed and receive the State funds for the arterial street plans. The Washington

State Urban Arterial Board requires that the plan be submitted by the deadline date in order to receive the State funds.

Mr. Anderson advised that this program is a continuing one and that each year it is updated. All of the programs outlined in this resolution will not be completed immediately, or even understaken immediately. He said it will come up again next year at which time it can be revised.

Voice vote: Ayes - 9. Nays - 0.
The Resolution was declared adopted.

Resolution No. 21582 Authorizing the proper officers of the City to make application to the U.S. Department of Housing and Urban Development for a 120-day extension of the First Action Year of the Model Cities Program.

Dr. Herrmann moved to adopt the resolution. Seconded by Mr. Schroeder.

Mr. Russell, Model Cities Dept. Director, introduced the following staff members who spoke in favor of the resolution and urged its adoption: William Middleton, Vice Chairman of the Executive Board, Ella Mae Crawford, Secretary of the Executive Board, and Felix Sims, member of the Executive Board. Mr. Russell advised Council that the records and the documents which had been prepared for the Second Action Year had been destroyed in the recent fire in the Model Cities offices, therefore the extension of 120 days is being requested. He also pointed out that there is an error in the resolution. The resolution reads that the effective date be changed from May 1, 1972 to August 1, 1972, it should read May 1, 1972 to September 1, 1972.

Dr. Herrmann moved to amend the resolution to read, "to September 1, 1972". Seconded by Mr. Schroeder. Voice vote carried.

Voice vote: Ayes - 8. Mr. Nalley abstained.
The Resolution was declared adopted.

* * * * *

Mr. Moss made a motion to suspend the Rules to consider Resolution No. 21583. Seconded by Mr. Sonntag. Voice vote carried.

Resolution No. 21583 Authorizing the execution of a Lease from The Miles Corporation for a term of two (2) years for the sum of \$1,393.33 per month for the premises known as 622 Tacoma Avenue So. for the purpose of providing quarters for the Model Cities Dept.

Mr. Moss moved to adopt Resolution No. 21583. Seconded by Mr. Sonntag.

Mr. Donaldson, City Manager, advised Council that this is for a lease of the former All State building to house the Model Cities Dept. It has 30 parking stalls.

Mr. Leonard Morse, Deputy Property Clerk, reviewed for Council the cost of the lease agreement. The Lease includes \$8,000 to \$10,000 worth of renovations that are being done at the Lessor's expense. The Lease does not include the utilities or janitorial services.

After discussion, voice vote was taken on the motion. Ayes - 8. Mr. Nalley abstained. The Resolution was declared adopted.

* * * * *

UNFINISHED BUSINESS:

Dr. Herrmann asked to be excused from the next two Council meetings. Motion was made by Mayor Johnston that Dr. Herrmann be excused. Seconded by Mr. Schroeder. Motion carried.

Mayor Johnston advised that he has been invited by our Sister City in Japan to join them in the dedication of their new City Hall. Motion was made by Mr. Jarstad that Mayor Johnston be excused for the next two weeks. Seconded by Dr. Herrmann. Motion carried.

COMMENTS BY MEMBERS OF THE CITY COUNCIL:

Mr. Maule requested that since we are in the 60 day experimental stage of the Consent Agenda that the citizens requesting to speak be placed after the Council Comments.

Mrs. Egan suggested extending congratulations to the Building Superintendent for the decorations on the building for the Daffodil Festival.

Mrs. Egan inquired of Mr. Donaldson as to the progress being made on the ordinance she has requested relative to removing a gasoline station each time a new one is constructed. Mr. Donaldson advised that Mr. Buehler is working on it.

Mrs. Egan also requested a resolution be brought to Council adopting the Interim Land Use Plan of the Puget Sound Governmental Conference.

Mr. Jarstad reported that at the Study Session next Monday there will be a presentation of slides and other information by Al Saunders of the Puget Sound National Bank, Tom Anderson of Concrete Tech. and Frank Jackson of Wash. State Extension Service Area, on the impact of a Super Port in the area.

Mr. Nalley referred to Resolution No. 21572 which sets May 2nd as the date for hearing proposed text changes to the zoning ordinance relative to appeal procedures and asked Mr. Donaldson to have Mr. Buehler submit to Council a report on all appeals wherein the Council has reversed the Planning Commission.

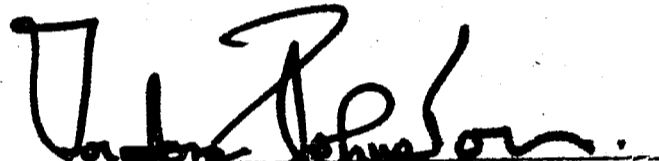
Mayor Johnston reported that at the Study Session a week ago Monday he passed out to Council members the private audit of the Model Cities program and will make copies

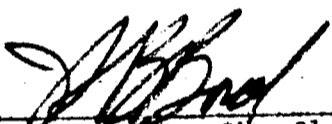
City Council Minutes - Page 11 - March 28, 1972

available to the press tomorrow. He also reported that Council has received audits of the Airport operations, Finance Department and the Utilities Dept. In a week they will be available to the administration and press.

ADJOURNMENT:

There being no further business, Mr. Sonntag moved to adjourn the meeting. Seconded by Mr. Maule. Voice vote carried. The meeting was adjourned at 10:55 P.M.


GORDON N. JOHNSTON - Mayor

ATTEST: 
H. B. BOND - City Clerk