

CITY COUNCIL MINUTES

City Council Chambers
April 25, 1972

The meeting was called to order at 7:10 p.m. by Mayor Johnston.

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 Sonntag.

PRESENTATION OF SUGGESTION AWARDS:

Mayor Johnston presented \$25 awards to Dexter L. Marzano, Eugene T. Ryan and James Bowen. He also presented a \$50 award to James H. Burnside.

CONSENT AGENDA

Approval of the minutes of the meeting of April 18, 1972.

RESOLUTIONS:

Resolution No. 21616 Fixing Tuesday, May 2, 1972 at 7:00 p.m. as the date for a public meeting on the proposed preliminary plat of Geiger Heights Second Addition on the north side of South 19th between Geiger and Meyers Streets. (Pacific Rim Engineering Corp.)

Resolution No. 21617 Fixing Monday, May 22, 1972 at 4:00 p.m. as the date for hearing L.I.D. No. 3732 for sanitary sewers in East "I" Street from 200 feet south of East 66th to East 72nd Street; East 68th from "I" Street approximately 100 feet east.

Resolution No. 21618 Fixing Monday, May 22, 1972 at 4:00 p.m. as the date for hearing L.I.D. No. 6937 for modern street lights at intersections along North Mullen from North 46th to 49th Streets; North Cheyenne from North 46th to 47th Streets and other nearby streets.

Resolution No. 21619 Fixing Tuesday, May 23, 1972 at 7:00 p.m. as the date for hearing the vacation of South 67th Street between Adams Street and Burlington Northern Railroad r/o/w. (Warland Wight)

ASSESSMENT ROLLS:

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

L.I.D. 4960 - permanent paving on East 54th Street from McKinley Avenue to Portland Avenue; also a storm drainage line only in East "I" Street from East 54th Street to East 55th Street.

L.I.D. 6912 - modern lights at street intersections on existing wood poles along 38th Avenue NE from Brown's Pt. Boulevard to 33rd Street NE; Meeker Avenue NE from 49th Avenue NE to 47th Avenue NE; 43rd Street NE from 45th Avenue NE to 49th Avenue NE and other nearby streets.

L.I.D. 6933 - modern lights at street intersections on existing wood poles along North 24th Street from Proctor to Stevens Street; North 25th Street from Proctor to Stevens Street; also one modern light on a new pole on South 14th located midway between Adams and Durango Street.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Tacoma Public Library Board of Trustees meeting of March 21, 1972.
- b. Minutes of Board of Park Commissioners meeting of April 10, 1972.
- c. Urban Renewal Department filing Quarterly Reports on Relocation Progress, Fawcett and New Tacoma Projects for the period ending March 1972.
- d. Monthly report, Traffic Violations and Court Cases, Municipal Court of Tacoma, March 1972.
- e. Monthly report, Tacoma-Pierce County Humane Society, March 1972.
- f. Monthly report, Director of Finance, February 1972.
- g. Monthly report, I & R Division, Police Department, March 1972.
- h. Planning Department filing An Interim Statement of Goals and Policies for Community Improvement Report.

Dr. Herrmann moved to approve all of the items listed on the Consent Agenda, including Resolution No. 21616, 21617, 21618 and 21619. Seconded by Mr. Maule.

Voice vote was taken and carried. The items were declared approved.

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REGULAR AGENDA

PROCLAMATIONS:

Mayor Johnston proclaimed Friday, April 28, 1972 as "White Cane Day"; Saturday, April 29, 1972 as "Scouting Keep America Beautiful Day"; Saturday, May 6, 1972 as "Scout Day"; May 1 thru May 7, 1972 as "Sickel Cell Anemia Week"; and May 1 thru May 6, 1972 as "Headstart Week" in the City of Tacoma.

PUBLIC HEARINGS:

- a. This is the date set for reconsideration of the granting of a Special Use Permit for the Northeast corner of South 43rd and Junett Street. (4-4-72 Council denied 3-3, 1 abstaining and 2 absent. Petition of Parkside Church, Inc.)

Mr. Joe Quilici, Planning Department, advised Council that the Planning Commission had approved this Special Use Permit subject to nine conditions. He outlined the area of the proposed church building and the existing Parsonage. He also advised that the matter was appealed to the City Council, and the hearing was held on April 4, 1972 when the Special Use Permit was denied. On April 11, 1972 a motion to reconsider was made and continued to April 25, 1972. The Planning Department has not received any additional information on this matter.

Reverend Ernest E. Durham, Pastor of the Parkside Church, advised he now holds services in the Parsonage of the Parkside Church at 4042 South Pine. He reviewed for Council the history of his church going back to 1950.

On questions of the Council he advised that he would be willing to build a screening wall and abide by all other conditions set by the Planning Commission. He also advised that he does not have a Special Use Permit for the church meetings being held in the Parsonage. He understood this was not required. Another question raised by Council was the posting of a performance bond.

Mrs. Egan moved to include as part of the conditions of the Special Use Permit a \$50,000 performance bond. Seconded by Mr. Sonntag. Voice vote carried.

Speaking against the granting of a Special Use Permit were Lane Judson, Jr., 4329 South Junett, who submitted to Council a Petition with 89 signatures; and Michael Donahue, 4317 South Junett.

Roll call on the reconsideration to concur in the recommendation of the Planning Commission to grant a Special Use Permit, resulted as follows:

Ayes: 3 - Egan, Herrmann, Jarstad, Moss, Nalley, Schroeder, Sonntag, Mayor Johnston

Nays: 1 - Maule

The granting of the Special Use Permit was approved.

FINAL READING OF ORDINANCES:

Ordinance No. 19553 Amending Chapter 13.06 of the Official Code to add Section 13.06.045(17) for rezoning the southwest corner of South 15th and Puget Sound Avenue from an "R-2" to an "R-2-T" District. (Nelsen, Krona, Ziegler, Architects)

Roll call was taken, resulting as follows:

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

Nayes: 0

The Ordinance was declared passed.

Ordinance No. 19554 Creating a new fund to be known as "Traffic Evidence Improvement Fund" and authorizing a temporary loan from the General Fund in the sum of \$4,090.00 for the purpose of improving and updating equipment and procedures in law enforcement activities.

Roll call was taken, resulting as follows:

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

Nayes : 0

The Ordinance was declared passed.

Ordinance No. 19558 Approving and confirming the assessment roll for L.I.D. 6928 for modern street lights at intersections along North Hawthorne Street from 6th Avenue to North 9th Street.

Roll call was taken, resulting as follows:

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

Nayes: 0

The Ordinance was declared passed.

Ordinance No. 19559 Approving and confirming the assessment roll for L.I.D. 3721 for sanitary sewers along Manitou Way from South 50th to approximately 300' south of South 52nd Street and South 52nd from Manitou Way west approximately 250'.

Roll call was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

Ordinance No. 19560

Approving and confirming the assessment roll for L.I.D. 4948 for paving on South 8th from Stevens Street to Verde Street and Verde from South 9th to South 10th Street; also storm drainage only in Verde from South 8th to South 9th Street.

Roll call was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

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Mr. Maule moved to suspend the rules to consider Resolution No. 21620 which appears later in the Agenda. Seconded by Mr. Sonntag. Voice vote carried.

Resolution No. 21620

Authorizing the acceptance of \$86,840.00 from the Department of Labor for Neighborhood Youth Corps Summer Employment Program.

Mr. George Hauser, Director of Neighborhood Youth Corps Program, advised Council that this authorizes the implementation of the summer program which will enable them to place 285 youths on summer jobs. The Ordinance appropriating the funds for this program appears next on the Agenda.

Mr. Sonntag moved to adopt the Resolution. Seconded by Mrs. Egan. Voice vote carried: Ayes - 9 Nays - 0. The Resolution was declared adopted.

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FIRST READING OF ORDINANCES:

Ordinance No. 19561

Appropriating the sum of \$86,840.00 or so much thereof as may be necessary from the Neighborhood Youth Corps Revolving Fund 9-71 for the operation of a summer employment program.

Mr. George Hauser advised Council that this Ordinance sets up the fund for operating the Neighborhood Youth Corps Summer Employment Program.

Mr. Ted Amel, 422 Tacoma Avenue South, spoke in favor of the Ordinance.

The ordinance was set over for final reading next week.

Ordinance No. 19562 Amending Section 8.100.040 of the Official Code to include the term "Bingo."

Mr. Hamilton, City Attorney, advised that this Ordinance amends the portion of the original Ordinance relative to once a year sponsorship of a bazar or carnival by certain organizations paying an application or a declaration of intent fee of \$10 only. The amendment would include the word "bingo" in this \$10 only fee.

The Ordinance was set over for final reading next week.

Ordinance No. 19563 Amending Chapter 13.06 of the Official Code to add 13.06.160(16) to include the west side of Sprague Avenue between South 78th and 80th Streets from an "R-2" to an "M-1" District. (David V. Sheean & Associates, Inc.)

Mr. Joe Quilici, Planning Department, reviewed for Council the area of the rezone request. He also advised that a hearing had been held by Council a couple of months ago.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 21597 (Continued from the meeting of April 11th)
Declaring that the blackberry vines, vegetation and debris situated on the property commonly known as 1613-15 South "G" Street constitute a menace to public health, safety and welfare and authorizing the removal of said vegetation and debris with costs to be charged against the owners of said property.

Mr. Donaldson, City Manager, requested that this Resolution be continued for one week.

Dr. Herrmann moved to continue the Resolution for one week until May 2, 1972. Seconded by Mr. Sonntag. Voice vote carried.

The Resolution was continued to May 2, 1972.

Resolution No. 21621 Authorizing the execution of an agreement with Baseball Tacoma, Inc. for the leasing of Cheney Stadium for a period of one year.

Mr. Sonntag moved to adopt the Resolution. Seconded by Mayor Johnston.

Mr. Hamilton, City Attorney, described the agreement to the Council. He advised that the difference between this agreement and the one the City and County had with the Chicago Cubs is the amount to be paid. This agreement provides that the lessee, the Baseball Club, will pay 15 percent of all admission charges after taxes on the first \$200,000 of gate receipts and 25 percent of all admission charges after taxes in excess of \$200,000. Last year's Cub agreement stipulated that no rent be paid for use and occupancy of the premises until the paid admissions exceeded \$120,000 and then they paid the sum of \$10,000 in a lump sum and some incidental additional revenues. This present agreement provides that the City and County will pay the sum of \$20,000 for certain items of field maintenance during the baseball season.

Mayor Johnston advised that the County Commissioners, by Resolution, have approved this agreement. A question was raised by Council regarding the money derived from the concessions of which the City does not receive any money. It was felt to be in the best interests of the City that at the completion of this baseball season an audited statement be presented and that perhaps the contract for next year could be revised.

Mr. Ted Amel, 422 Tacoma Avenue South, spoke in favor of the Resolution but felt the contract next year should be revised in order to benefit the City.

On questions of the Council, Mr. Richard Newman, Assistant Director of Tax & License, advised Council that last year the admission tax and the B & O tax amounted to \$10,154.

In reply to questions of the Council, Mr. Mittelstaedt, Finance Director, advised that the revenues derived from taxes and the lease agreement during 1971 amounted to approximately \$45,000. After payment of expenses there remained a net of \$14,036. The revenues from the parking lot were \$5,700; expenses were approximately \$600, leaving a net of \$5,100. The net results of all this was \$19,000. The City and the County share in the \$65,000 a year bond redemption which will continue until 1979. The City has retained the net gain of 1969 and 1970, which amounted to approximately \$5,000, and the \$19,000 from 1971 as a working fund.

On inquiry, Mr. Newman, Assistant Tax & License Director, advised Council that based on last year's attendance the City will receive approximately \$10,000 less than last year.

Mayor Johnston pointed out that this agreement is creating a sense of opportunity for the locally owned Tacoma Baseball Club and felt that there would be an incentive to increase ticket sales.

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

Resolution No. 21622 Authorizing renewal of agreement between City of Tacoma, Pierce County, Metropolitan Park Board and Harmony Chapter No. 18 of Disabled American Veterans for operation of parking lot concession at Cheney Stadium for calendar year 1972.

Mr. Schroeder moved to adopt the Resolution. Seconded by Mr. Sonntag.

Mr. Hamilton, City Attorney, explained that this is a renewal of an agreement that has been continuing for several years with the Harmony Chapter No. 18 of the Disabled American Veterans.

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

Resolution No. 21623 Awarding contract to Lewis & Adler Company on its bid of \$10,887.00 for Improvement No. 4831 Unit "D" for street plantings and plant maintenance between South Tacoma Way and South 7th and Alder Streets.

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

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

Resolution No. 21624 Awarding contract to Lewis & Adler Company on its bid of \$24,208.00 for Improvement No. 4931 Unit "C" for street plantings and irrigation system on North 26th from Stevens to Proctor Street.

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

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

Resolution No. 21625 Awarding contract to Morris Construction Company, Inc. on its bid of \$4,601.63 for W.O. 91160 for sanitary sewer replacement in easement between North 27th and North 28th from Carr Street to McCarver Street.

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

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

Resolution No. 21626 Awarding contract to Morris Construction, Inc. on its bid of \$8,081.75 and supplemental bid of \$1,253.07 for L.I.D. 3728 for sanitary sewers in South Tyler from South 74th to 800 feet North.

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

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

UNFINISHED BUSINESS:

Mrs. Egan reported that she and Councilmen Moss and Sonntag met as an ad hoc committee with the Health Board. It was their feeling that the Health Board needs some direction at this point. Mr. Donaldson, City Manager, has been representing the City on the Board; however, it was also felt that an elected official should be representing the City inasmuch as the Board is chiefly concerned with policy making. She suggested that Mayor Johnston serve on the Health Board in the place of Mr. Donaldson.

Also briefly discussed was the functions of the Health Board which they found to be more of a policy making board than an administrative board.

Mr. Moss said that the Health Board is comprised of the County Commissioners, the City Manager, and the Director of the Health Department. He suggested that it also include citizen participation. Mr. Moss concurred with Mrs. Egan's recommendation that in order to obtain a balance with the County Commissioners, the Mayor should represent the City. Mr. Sonntag also agreed that we need a policy maker representing the City and felt that Mayor Johnston should be the one. He also advised that a report will be submitted and the City will find out where it stands percentage-wise in the sharing of costs.

REPORTS BY CITY MANAGER:

Mr. Donaldson advised that he was delighted that the Council has recommended that an elected official represent the City on the Board of Health. He will direct the Legal Department to prepare an amendment to the agreement establishing the joint County-City Health Department, indicating that the Mayor would designate himself or a member of the Council to serve. Mr. Donaldson further stated that he felt the purpose of the County Health Board should be the establishment of policy.

COMMENTS BY MEMBERS OF THE CITY COUNCIL:

Mr. Maule reported that he had requested the City Manager's Office to look into the establishment of mini-parks on small pieces of property the City now owns, and he understands the Planning Department has been delegated to look into this matter. These parks would be designed for the advantage of the particular neighborhood.

Mayor Johnston reported on his recent trip to the Sister City, Kita-Kyushu, Japan, where he was asked to attend the dedication of a new City Hall. He advised that the Sister City was a most beautiful City with well over a million population. The new City Hall is adjacent to a Castle and across the street from a Convention Center. Due to the population growth and traffic pollution, the larger cities in Japan are experiencing evacuation of the city to the suburbs. He reported that the Sister City Program was the concept of President Eisenhower, who felt the best way to overcome conflict in the future was to develop a Sister City Program wherein the people living in them could develop a family relationship. After visiting the Sister City, Mayor Johnston felt that this is a valuable, working program.

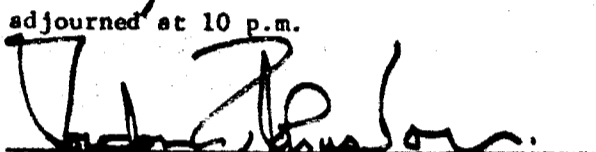
CITIZENS REQUEST TO BE HEARD:

Mr. Paul E. Perceful advised Council that on September 29, 1971, after a 30 day trial period, the Central Employment Agency signed an invoice for a copy machine which they have not paid for to date. He had been advised by

the City Attorney's office that this could not be a claim against the City as the Central Employment Agency is a contracting agency of the Model Cities program. However, he felt the cost of a court suit was prohibitive and that since the Model Cities Department is connected with the City, he has come to the Council for their assistance.

Mayor Johnston asked Mr. Donaldson to request Mr. Russell to make a report to Council on this matter.

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



GORDON JOHNSTON - MAYOR

ATTEST: 

H. B. BOND - CITY CLERK