

CITY COUNCIL MINUTES

City Council Chambers  
February 13, 1973

The meeting was called to order at 7:08 p.m.

Present on roll call: 8 - Egan, Herrmann, Jarstad, Maule, Moss, Nalley, Schroeder and Sonntag. Absent: 1 - Mayor Johnston.

The Flag Salute was led by Mr. Schroeder.

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CONSENT AGENDA

Approval of the minutes of the meeting of February 6, 1973.

PETITIONS:

Weyerhaeuser Real Estate Company requesting rezoning of the area approximately 950 feet west of Mildred Street between South 15th and 17th Street extended east and being approximately 800 feet north of South 19th from an "R-P" District to an "R-3-PRD" District.

For referral to the Planning Commission.

RESOLUTIONS:

Resolution No. 22065 Fixing Tuesday, February 27, 1973 at 7:00 p.m. as the date for hearing the request for rezoning the northwest corner of South 15th and "J" Street from an "R-4" to an "R-4-T" District. (Health Services, Inc.)

Resolution No. 22066 Fixing Monday, March 12, 1973 at 4:00 p.m. as the date for hearing L.I.D. 8007 for paving along South 13th from Fife to Prospect Street, South 47th from Asotin to Sheridan Avenue and other nearby streets.

Resolution No. 22067 Fixing Monday, March 12, 1973 at 4:00 p.m. as the date for hearing L.I.D. 8011 for paving on Mullen from South 11th to South 12th Street.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Citizens Arterial Committee meeting of January 22, 1973.
- b. Minutes of Charter Review Committee meeting of January 24, 1973.
- c. Minutes of Land Use Review Board of Tacoma Model Cities Program meeting of February 5, 1973.
- d. Monthly report, Workload for Planning Commission and Board of Adjustment, January, 1973.
- e. Monthly report, Personnel Department, November, 1972.

- f. Monthly report, Tacoma Employees' Retirement System, purchases and sales of investments, October, 1972.
- g. Monthly report, Lucky Towing, January, 1973.
- h. Planning Department filing Community Improvement Program Quarterly Report No. 18, December, 1972.
- i. Public Works Department filing Update Cost Estimate for UAB 8-1-128(27) and UAB 8-1-128(04).
- j. City of Tacoma, 1973 Annual Budget.

Mr. Nolley moved that all of the items listed on the Consent Agenda, including Resolutions 22065, 22066 and 22067 be approved. Seconded by Mr. Schroeder. Voice vote was taken and carried. The items were declared approved.

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PROCLAMATIONS:

Deputy Mayor Jarstad proclaimed February 11 to February 17, 1973 as "Active 20-30 Week".

Deputy Mayor Jarstad proclaimed March 18 to March 24, 1973 as "National Wildlife Week".

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REGULAR AGENDA

PUBLIC HEARINGS  
AND APPEALS:

- a. This is the date set for hearing the request for rezoning the southwest corner of South 19th and Jackson Avenue from an "R-3" to an "R-4-L" District. (1-15-73 Planning Commission recommended approval 8-0, 1 absent) (Lea M. Polkinghorn)

Russell Buehler, Planning Department Director, reviewed the proposed rezone, pointing out that all the restrictions set forth by the Planning Commission had been agreed to by the petitioner.

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

This is the date set for hearing the request for rezoning the west side of Puget Sound Avenue approximately 132 feet north of South 74th Street from an "R-2" to a "C-2" District. (1-15-72 Planning Commission recommended approval 7-0, 2 absent) (Tacoma Outdoor Recreation)

Deputy Mayor Jarstad excused himself from sitting in on the hearing due to a possible conflict of interest.

Dr. Herrmann chaired the hearing as Acting Deputy Mayor.

Mr. Buehler reviewed the request for rezoning.

Mrs. Egan moved to concur in the recommendation of the Planning Commission. Seconded by Mr. Schroeder. Voice vote was taken and carried.

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- c. This is the date set for hearing Ivory Crittendon's appeal on the Planning Commission's denial of his request for a Special Use Permit for a church and off-street parking area on the southerly side of East Morton Street between Roosevelt and Grandview Avenue. (12-18-72 Planning Commission recommended denial 4-3)

Mr. Buehler advised that a Special Use Permit had previously been denied on a portion of this property by the City Council. A Special Use Permit was again applied for after the petitioner purchased adjoining property for a parking area. However, the request was denied at a recent Planning Commission meeting.

Speaking in favor of the decision of the Planning Commission to deny the Special Use Permit were:

David Stewart, 2206 East 34th Street;  
Jenny Ashworth, 2037 East Morton;  
Rovella Ransom, 3536 East Roosevelt;  
Gino Patinelli;  
Jay Johnson, 3514 Roosevelt Avenue;  
Frieda Patton, 2042 East Harrison

Speaking in favor of the Special Use Permit were:

Ray VanFaylor, 410 6th Avenue;  
O.E. Wesley;  
John C. Frai, 1423 South 43rd;  
Tressy Valon, 2018 East 35th;  
Emma Carter, 2003 East 35th;  
Glen Ash, representing a group of businessmen on Pacific Avenue known as "Fellowship Christian Group of Leaders";  
John Hansler, Attorney representing Ivory Crittendon, spoke and urged approval of the Special Use Permit.

Ivory Crittendon spoke and answered questions of Council.

On question of Council, Mr. Buehler outlined the criteria for a church area, namely that the church be on an arterial, have adequate off-street parking and a large enough site for expansion.

Mr. Sonntag moved to concur in the decision of the Planning Commission to deny the Special Use Permit. Seconded by Mrs. Egan. Voice vote was taken and carried.

On proper motion, Council recessed at 8:30 p.m. for ten minutes.

The Council meeting reconvened at 8:45 p.m. with Mayor Johnston presiding.

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FINAL READING OF ORDINANCES:

Ordinance No. 19751 Amending Chapter 13.06 of the Official Code to add the Northerly side of FAI #5 between East "E" and "F" Streets from an "R-4" to a "C-2" District. (David V. Shean & Associates, Inc.)

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Roll call 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. 19752     Appropriating the sum of \$15,142.00 or so much thereof as  
may be necessary from the General Fund and transfer of said  
sum from the Contingency Fund for the purpose of paying  
salary and fringe benefits for position of Director of  
Police Services Bureau and declaring an emergency.

Roll call 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. 19753     Authorizing the condemnation of necessary rights-of-way,  
utility and construction easements for the improvement of  
South 56th from Cedar to "A" Street.

Roll call was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

Ordinance No. 19754     Authorizing condemnation of necessary rights-of-way, utility  
and construction easements for the improvement of South 74th  
from Puget Sound Avenue to SR #5 and South 72nd from SR #5  
to McKinley Avenue.

Roll call 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. 19755     Appropriating the sum of \$67,083.95 from the General Fund  
and \$58,614.86 from the Cumulative Reserve Fund-Transit  
System, or so much thereof as may be necessary to the  
Tacoma Municipal Transit System Fund for the purpose of  
paying operational costs for year 1972.

Roll call was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 19756 Amending Chapter 13.06 of the Official Code to add the South side of 6th Avenue between Yakima Avenue and South "G" Street from an "R-5-T" to a "C-2" District. (Marion V. Williamson)

Mr. Buehler advised Council that a public hearing has been held on this. All of the restrictions have been agreed to and everything is in order to proceed with the rezone.

The Ordinance was set over for final reading next week.

Ordinance No. 19757 Appropriating the sum of \$9,300 or so much thereof as may be necessary from the General Fund to the Metropolitan Park District for the purpose of providing two weeks additional supervised playground activities for the summer of 1973.

Speaking against the Ordinance was O.E. Wesley.

Speaking in favor of the Ordinance was Ted Amell, 629 St. Helens.

The Ordinance was set over for final reading next week.

Ordinance No. 19758 Amending Chapter 1.12 of the Official Code to establish certain training classifications.

Odd A. Lund, Personnel Director, advised Council that a few weeks ago an ordinance was passed adopting Section 1.24.585 Non-Competitive Training positions. The Council was advised that as position vacancies were identified a recommendation would be made to establish training classifications for these vacancies. He advised Council that this is the first group of classifications. Five training classes for eleven vacancies.

Fred Van Camp, Business Representative of the Civil Service League, pointed out that Ordinance No. 19744 adopted January 16, 1973 provides that prior to Council's action on designating classifications for non-competitive positions for trainees that the matter is to be approved by the Civil Service Board. He pointed out that to his knowledge this has not come to the Civil Service Board. Mr. Lund confirmed that the Civil Service Board was going to hear the matter at its next meeting prior to final reading of ordinance.

Mrs. Egan moved that the citizens be permitted to speak on the ordinance on final reading next week. Seconded by Mr. Moss. Voice vote was taken and carried.

Mr. Schroeder moved to remove the Ordinance from the Agenda for proper processing by the Civil Service Board prior to its being considered by the Council. Seconded by Mr. Sonntag. Voice vote was taken and carried.

The Ordinance was removed from the Agenda.

Ordinance No. 19759 Amending Chapter 13.06 of the Official Code to add the Northeasterly side of Marine View Drive and southerly of Highline Road from an "R-2" and "R-3" to an "RM-2" District. (Jones Chemicals, Inc.)

Mr. Buehler advised that this petition had a hearing before Council recently. He pointed out that in the deed restrictions there is one questionable name. He would check the matter out prior to next week's Council meeting and if it does pose a problem, he will call it to Council's attention.

The Ordinance was set over for final reading next week.

Ordinance No. 19760 Vacating the alley lying northerly of North 30th Street and between Whitman Street and Narrows Drive; also, alley between the North 32nd Street cul-de-sac, west of Whitman Street, and alley lying between Whitman & Narrows Drive. (Public Works Department)

Mr. Buehler advised that this petition also had a hearing before Council and all is in order now for the final processing.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Resolution No. 22062 (Continued from the meeting of February 6th)  
Authorizing the proper officers of the City to make application to Washington State Planning and Community Affairs Agency for Law Enforcement Assistance Act funds in the amount of \$75,000 to be utilized for the Public Defender Project of the Model Cities Department during Second Action Year.

Dr. Herrmann moved that the Resolution be adopted. Seconded by Mrs. Egan.

Mr. Palmquist outlined for Council the need for the Resolution and introduced Mr. Murray Anderson, practicing attorney who spoke in favor of the Resolution and suggested that a staff of three would be necessary to implement this program.

Judge Filis Otto spoke in favor of the Resolution, outlining the need for such a program.

Also speaking in favor of the Resolution were Stan Wagoner, Ted Amell, Betty McGhee, Chairman of the Minority Concerned Task Force; Hank Mitchell, Attorney for Pierce County Legal Services; Thomas Dickson, Executive Director to Tacoma Urban League.

Speaking against the Resolution was O. E. Wesley.

After further discussion, voice vote was taken and carried.

The Resolution was declared adopted. Mr. Jarstad left the meeting at 10:30 p.m.

Resolution No. 22068 Acknowledging certain listed goals and policies as guides relative to annexation.

Mr. Schroeder moved that the Resolution be adopted. Seconded by Mr. Maule.

George Hoivik of the City Planning Department, reviewed the draft on the goals and policies of annexation.

Mr. Sonntag moved to amend the draft No. 2 entitled "Expand Tacoma's Boundaries in a Manner that will Benefit the Citizens of Tacoma and the Citizens of the Area to be Annexed" by deleting subsections "c" and "e" under Section 1 and delete Section 2. On the second page under the Title "Preserve Established Neighborhoods and Community Identity", delete Section 2. Seconded by Mr. Nalley.

Roll call was taken, resulting as follows:

Ayes: 2 - Nalley and Sonntag

Nays: 6 - Egan, Herrmann, Maule, Moss, Schroeder, Mayor Johnston  
Absent: 1 - Jarstad

The motion on the amendment was declared failed.

After further discussion, voice vote was taken on the Resolution and carried. The Resolution was declared adopted.

Resolution No. 22069 Authorizing the execution of an application for a grant under the Omnibus Crime Control and Safe Streets Act of 1968 in the amount of \$2,155 to assist in providing certain specialized training of police personnel.

The Resolution was set over to next week for second reading.

Resolution No. 22070 Authorizing the issuance of certain project temporary loan notes in connection with Neighborhood Development Program No. Wash. A-3.

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. 22071 Authorizing the execution of Neighborhood Development Program Master Agreement, and Funding Agreement No. Wash. A-3 (IG) with HUD.

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

Resolution No. 22072 Authorizing the execution of an agreement between the Tacoma Model Cities Department and Urban Renewal Department for implementation of the Neighborhood Development Program.

On recommendation of the Staff, Mayor Johnston moved to remove this Resolution from the Agenda. Seconded by Mr. Schroeder. Voice vote was taken and carried. The Resolution was removed from the Agenda.

Resolution No. 22073 Authorizing the execution of an agreement with Pierce County for the construction of a Tacoma-Pierce County Communications Center and authorizing an agreement with Seifert, Forbes & Berry for architectural & engineering services.

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

Mayor Johnston moved to suspend the rules to consider one additional Resolution concerning Charter Amendments. Seconded by Mr. Sonntag. Voice vote was taken and carried.

Resolution No. 22074 Intention to submit to the electorate of the City of Tacoma at a special election to be held March 27, 1973, certain propositions relating to amendments to the Tacoma City Charter.

Mayor Johnston advised that the Charter Review Committee has held their last meeting and made all their recommendations. The School Board is going to have a special election on March 27, 1973 and it would be a savings to the City to hold the Charter amendments election at that time. However, there was not time to submit the individual resolutions for each proposed amendment at this meeting. In order to submit this for the March 27th ballot, it is necessary that the County Auditor be so advised immediately. Therefore, a Resolution of intent to submit 20 amendments has been prepared.

Mr. Maule moved to amend the Resolution in the last paragraph after the words "Tacoma City Charter" which is on the sixth line by placing a period after the word "Charter" and delete the rest of the sentence and add "numbering approximately 20 amendments". Seconded by Mrs. Egan. Voice vote was taken and carried. The Resolution was amended.

Roll call was taken on the amended Resolution, resulting as follows:

Ayes: 6 - Egan, Herrmann, Maule, Moss, Sonntag, Mayor Johnston

Nays: 2 - Nalley and Schroeder

Absent: 1 - Jarstad

The amended Resolution was declared adopted.

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COMMENTS BY MEMBERS OF THE CITY COUNCIL:

There was discussion among Council members regarding holding a special meeting when the Charter Review Committee could be present prior to the adoption of the various proposed Charter changes.

Mr. Maule moved to have a special City Council meeting, Monday, February 19, 1973 at 7:00 p.m. to consider the proposed Charter changes. Seconded by Mr. Sonntag.

Elizabeth Brown, 830 East 66th Street, a worker at the election polis, commented on the poor turnout at school elections.

Roll call was taken, resulting as follows:

Ayes: 6 - Egan, Herrmann, Maule, Moss, Sonntag, Mayor Johnston

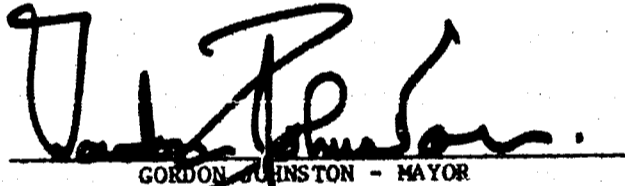
Nays: 2 - Nalley and Schroeder

Absent: 1 - Jarstad

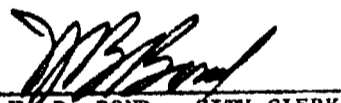
The motion carried.

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On proper motion, the meeting adjourned at 11:55 p.m.

  
GORDON JOHNSTON - MAYOR

ATTEST:

  
H. B. BOND - CITY CLERK