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**CITY COUNCIL MINUTES**

**City Council Chambers, 7:00 P. M.  
Tuesday, January 10, 1961**

**Council met in regular session. Present on roll call 9: Bott, Cvitanich, Easterday, Murtland, Olson, Porter, Price, Steele and Mayor Hanson.**

**It was moved by Mrs. Price that the minutes of the meeting of December 27, 1960 be approved as submitted. Seconded by Mr. Steele. Voice vote resulted as follows: Ayes 9; Nays 0; Absent 0.**

**It was moved by Mr. Easterday that the minutes of the meeting of January 3, 1961 be approved as submitted. Seconded by Mr. Steele. Voice vote resulted as follows: Ayes 9; Nays 0; Absent 0.**

**HEARINGS & APPEALS:**

**This is the date set for the reconsideration of the action taken by the City Council on December 6, 1960 on the petition submitted by Mrs. Gertrude M. Southard, and Joseph M. and Louise A. McCaffrey for the rezoning of property located at the southwest corner of So. 38th and J Streets to be rezoned from an "R-3" District to a "C-1" District.**

**Mr. Easterday moved that the Ordinance be drawn to rezone this property at the southwest corner of So. 38th and J Streets to a "C-1" District. Seconded by Mrs. Olson.**

**Mr. Cvitanich said he has been advised that a petition had been circulated within a four-block radius of this particular site with 99.7% favoring the rezoning and that the 38th Street Business Men's Club also went on record as favoring this rezoning.**

**Mrs. Bradley of Pacific Brokers, representing the petitioners, said more than a majority of the residents within the 400-foot radius have signed a petition favoring the rezoning because they feel this piece of property is an eyesore, as well as a blind corner for traffic.**

**Mr. Steele explained after having voted on the prevailing side in support of the Planning Commission's recommendation, he asked for reconsideration of the rezoning of this property because of statements made by many of the residents in the area as to the topography of the property and the two old houses which have been an eyesore for some time. In view of these circumstances he would be in favor of the rezoning, he added.**

**Mr. Feist of the Planning Commission, said he has been active in the 38th Street Business Men's Club, and to his knowledge there has not been a petition circulated from the Club. He said they have not taken any stand on this issue.**

**Mr. Feist said he spoke with a few of the signers of the petition and was informed that some of them signed the petition only with the idea in mind of getting rid of the unsightly bank and knew nothing of the proposed gas station for the site. Others signed because they were dissatisfied with the tenants living in the old houses**

on the property. He said rezoning was not the proper method to use to rid a neighborhood of old houses or undesirable tenants. If this were used as a criteria throughout the City, the Planning Commission would be flooded with petitions to have every old house, etc., removed through Commercial Zoning.

Mr. Feist said he would like to explain to the Council some of the policies under which the Commission works, and also why the Commission voted to deny this rezoning. Some of the basic policies are: (1) The Commission continues to recommend against excessive amount of strip Commercial zoning on arterial streets. Traffic congestion is one of the most difficult of the City's problems, and as strip commercial development of an arterial street creates traffic congestion, it should be discouraged whenever possible. (2) The Commission continues to recommend any major expansion of an existing Business District so as to eliminate congested arterial streets. Where one half of a block is zoned Commercial on an arterial, and an expansion of the Business District is needed, the Commission has recommended zoning only on the remaining one-half block to the next street. (3) The Commission recognizes that all property abutting an arterial cannot be zoned solely for single family homes. They also recommended and will continue to recommend zoning for duplexes or low density multiple family dwellings at appropriate locations on arterial streets.

He added that the area in question is a congested arterial street and is the only east-west arterial serving the area. It is now directly connected to the Freeway with very heavy traffic volumes anticipated in the future. Strip commercial development along 38th Street should be limited so that traffic congestion can be kept to a minimum. This district is well served by north-south arterial access streets - Tacoma Avenue, G Street, Park Avenue, Yakima Avenue and Thompson Avenue. Zoning for expansion of the business district should be carried out and kept away from South 38th Street along these streets as needed. The frontage of 38th Street not zoned Commercial now, is zoned for duplexes. He further added that the Commission has also stated it would recommend zoning for low density multiple family dwelling in this area. The property should not be zoned Commercial because it would add strip zoning along 38th Street and encourage others in the area to seek Commercial zoning. The proposed use of the property is already being provided in the district and there are additional sites already zoned Commercial that could be utilized for these facilities, if needed. In fact, right now there is a new service station being constructed at 38th and Tacoma Avenue, which is already zoned commercial.

Mr. Feist said this property at So. 38th and J Streets could be developed for multiple family dwelling with complete excavation of the site not necessary. He said the existing high bank on the property does not constitute a great traffic hazard as there have been only four traffic accidents at this intersection during the past six years, none of which was due to visibility being obscured by the high bank.

Mr. Cvitanich said he felt it should be made clear that he was informed that the 38th Street Businessmen's Club had gone on record favoring the rezoning and not that they had circulated a petition.

Mr. Feist said no official action of any kind has been taken on this particular issue by the 38th Street Businessmen's Club.

Dr. Dabroe, a resident of the area, said he was very much in favor of this rezoning as he felt it would help the City and improve the District.

Mrs. Bradley said she helped circulate the petition and obtained over 50% of the signatures, and she advised the signer that a service station was anticipated for the site.

Mayor Hanson said this seems to be an unusual instance where the residents of a Residential area are advocating the placement of a Service Station, when usually residents complain about a service station being placed in a Residential area.

Mr. Devereaux said he has lived in the neighborhood for approximately 40 years and also felt this property was a blind corner. He said he knew of no one in the area who objected to this rezoning.

Mr. Bott said it has been brought up several times that this area is residential. He said he thought this was a stretch of the imagination because there is an Optometrist office across the street, a laundry and two Service Stations a block away. He said it may be residential, but without a doubt it is a Transitional Zone. He said he did not think anyone would go to the expense of building a duplex on top of a high bank, and for this reason he could not see why this should not be rezoned Commercial.

Mayor Hanson said the motion is to bring in the proper Ordinance to rezone this property at the southwest corner of So. 38th and J Streets to a C-1 District. He then called for a voice vote on the motion resulting as follows: Ayes 9; Nays 0; Absent 0. Motion carried.

This is the date set for hearing on the petition submitted by the Lexington Co. et al for the vacation of property located in East I Street between East 25th and Puyallup Avenue.

Mayor Hanson said this vacation has been recommended by the Planning Commission.

Mr. Rowlands said this is an industrial area, and this vacation will make it possible for the firm to expand and will also place this piece of property back on the tax rolls.

Mr. Easterday moved that the Council concur in the recommendation of the Planning Commission and that the proper Ordinance be drafted vacating the property located in East I Street between East 25th and Puyallup Avenue. Seconded by Mr. Cvitanich. Voice vote on the motion resulted as follows: Ayes 9; Nays 0; Absent 0.

#### COMMUNICATIONS:

Communication from Eugene P. Devereaux at 3817 So. J Street, requesting that a special meeting of the Council be set up to discuss the business practices of A&P Stores, Northwest Homes and Fanning Starkey, Realtors, in acquiring proposed sites for A&P Supermarkets in the City of Tacoma.

Mayor Hanson said on two occasions the Council has had rather lengthy discussions on this matter. He said if the Council feels that there is anything to gain by further discussion on the matter, then a meeting should be set up.

Mr. Murtland said, as he understands the communication, this has to do with future decisions rather than with the past.

Mayor Hanson said he is not opposed to having any discussion on the matter but if there has been any misrepresentation it would not be the problem for the City

Council to take action, but would be the responsibility of those affected to bring appropriate action in Court.

Mr. Bott said at the time this was under consideration, the matter of options was discussed and the Attorney advised the Council that this was out of their domain and that the people involved should seek an attorney to protect their interests.

Mr. Devereaux said these people and their business methods, while based on the very hairline of legality, still have caused irreparable damage through their approach on this matter, not only to the people in this area, but to many other people in the City of Tacoma. Inasmuch as it is too late to do anything for the people that are directly involved in this at present, there is still time to bring this before the Council and the Public through the Press and protect other people from being subjected to this sort of a thing in the future. If a meeting can be arranged with the Council, all of the people involved can be heard.

Mr. Steele said, as he recalls, much discussion was held on this matter and many people were given an opportunity to be heard. He said he did not see where anything could be gained by reviewing the matter again.

Mr. Devereaux said at the time of the hearing the deal was still in progress but now the Real Estate firms have gone back on their deal and have left these people not knowing what to do and many have purchased other homes, and also since that time the property has depreciated. He said the method of their approach is what is doing the harm to the people involved.

Mr. Murtland said, although he sympathizes with Mr. Devereaux, he believed this was a private matter. The options were signed before the matter was even presented to the Council and any rights that were given under these options were strictly private rights, and the Council did not affect or influence them in any way because of the action taken by the Council. If there were any misdealings, the matter should be referred to someone other than the Council, he added.

Mayor Hanson said, even if the facts were brought out to the extent that there was actual fraud, it would serve no purpose to bring this to the Council's attention. If there were some conditions which could be placed in the Ordinance to protect people from this type of thing, it would be different, but there is nothing that can be done.

Mr. Cvitanich said he feels that this is a legal problem. If there is a question of malpractice, it should go through the proper channels. Furthermore, he felt that a private session would not breed any faith in the Council or the people who are involved.

Mayor Hanson asked Mr. McCormick, City Attorney, his opinion on the matter.

Mr. McCormick said if he remembers correctly this was discussed and rediscussed at several meetings, and it was his opinion that it was not in the prerogative of the City Council to determine the legal contract rights of every person that appears. He said if these people had been properly protected and had the right kind of an agreement, they would not be in this predicament. In his opinion, nothing could be done by the City Council. This concerns private rights and private contract rights. Even though a hearing is held, under the State Statutes the Council has no judicial right to determine anything of this nature. The Real Estate agents have their own association and this can be reported to them, if necessary.

Mr. Murtland asked that the Manager and his staff make an investigation of the 38th Street District in reference to the rezoning granted to A&P Stores for construction of a Supermarket. He said if the Supermarket is not to be built, then he felt the property should be rezoned to its former status.

Mrs. Olson said a point has been raised which has bothered her, and that is in determining when it is proper to rezone and when it is proper not to rezone. She said at times the Council is told that an area should not be rezoned because it would be spot zoning, and again they are told that although it is obviously spot zoning, it should be rezoned for other reasons. She said she often found herself confused by this, and for that reason she would once more request that the Council meet with the Planning Commission with the idea in mind of arriving at some policy by which the Council can be guided, and also the prospective builders.

Mayor Hanson said he believed such a meeting could be arranged.

Communication from the Tacoma Employees Retirement System regarding an increase of the minimum disability pension from \$85 to \$100 per month for those pensioners who are not receiving Social Security.

Mayor Hanson said this is the estimate of the cost of the proposed increase in disability pensions.

It was requested that an Ordinance be brought in providing for this increase.

**RESOLUTIONS:**

**Resolution No. 16392:**

Fixing Tuesday, February 7, 1961 at 7:00 P. M. as the date for hearing on the vacation of So. 67th Street between Bell and "A" Streets abutting Pacific Avenue Addition. (Petition of Walter Parkinson.)

It was moved by Mr. Murtland that the Resolution be adopted. Seconded by Mr. Easterday.

Voice vote was taken on the Resolution resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

**Resolution No. 16393:**

Fixing Tuesday, February 7, 1961 at 7:00 P. M. as the date for hearing on the vacation of Windom Street between Center and So. 35th and on Beam Street from Center to Lawrence. (Petition of Nalley's, Inc.)

It was moved by Mr. Cvitanich that the Resolution be adopted. Seconded by Mr. Easterday.

Voice vote was taken on the Resolution resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

**Resolution No. 16394:**

Awarding contract to Morris Construction Co. for L I D 3514 on their basic bid of \$24,050.16 and on the supplemental bid in the amount of \$12,409.60 plus sales tax which was determined to be the lowest and best bid.

It was moved by Mr. Easterday that the Resolution be adopted. Seconded by Mr. Cvitanich.

Voice vote was taken on the Resolution resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Mayor Hanson said before proceeding with the First Reading of Ordinances, there are several Resolutions to consider which do not appear on the Agenda.

Mr. Steele moved that the rules be suspended in order to consider Resolutions No. 16395, 16396, and 16397, which do not appear on the Agenda. Seconded by Mr. Easterday. Voice vote on the motion to suspend the rules resulted as follows: Ayes 7; Nays 2, Bott, Murtland; Absent 0.

Mr. Bott said he thought there was an understanding that the Council would be given an opportunity to study any Resolutions or Ordinances before they are presented for adoption.

Mayor Hanson said the Council will have an opportunity to postpone action on these after a preliminary discussion, if they wish.

**Resolution No. 16395:**

**BY REQUEST OF OLSON:**

Authorizing the Mayor to appoint a committee to investigate and study the possible establishment of a junior college and the feasibility of using the old City Hall and Public Safety Building for such facilities.

It was moved by Mrs. Olson that the Resolution be adopted. Seconded by Mr. Cvitanich.

Mrs. Olson said several propositions have already been proposed for the possible use of the old City Hall and the Public Safety Building, but she feels that it would be a very fine addition to our County and City if a Junior College could be established. While these facilities may not be completely adequate for this purpose at least they could be a beginning, she added. The reason she has asked that this Resolution be prepared and introduced this evening was that the Council would be meeting with the Legislators next Monday evening, and she was hopeful that some action could be taken on this Resolution before then. At that time they could inform the Legislators of the Council's actions and what steps that the Council should take in order to have some help while the Legislature is in session. If this is not taken up at this time, the Council might have to wait for two more years.

Mrs. Olson said she thought some legislation will be introduced relative to Junior Colleges this session but was not able to get any information on the matter. This particular Resolution will create a committee for the purpose of studying and

making possible recommendations.

Mr. Rowlands said representatives of Allied Arts propose to outline to the Council next week detailed plans for their new modified approach for the conversion of the Public Safety Building to an art center. A report will be sent out with the Agenda Friday, he added.

Mr. Cvitanich asked Mr. Rowlands if he knew how Clover Park's plans were coming along in regard to a Junior College.

Mr. Rowlands said he would check into the matter.

Mr. Bott asked if this wouldn't be a topic more properly introduced by the School Board rather than by the Council.

Mayor Hanson said he thought that the Council could consult with educators as the program proceeds, and possibly will contemplate having representation from the educational field on the committee, but since we are actually searching for a productive use for that building, it would seem that this would be an appropriate move.

Mayor Hanson said this Resolution is merely a method of gaining information and will not prevent the Allied Arts group from continuing with their investigation.

Mr. Bott said this again, is a good example, that if the Council had sufficient time to digest this information before it was submitted for passage, they would know what they were discussing.

Mr. Cvitanich, at this time, asked Mayor Hanson how the Committee for studying the Unemployment situation was progressing.

Mayor Hanson said he had no progress to report at the present time. In fact, he said, it would be moving quite slowly until the Legislature is well under way.

Voice vote on the Resolution resulted as follows:

Ayes 8; Nays 1, Bott; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16396:

Awarding the bid to First Boston Corp. & Associates for the purchase of \$550,000 par value of General Obligation Airport Bonds of the City of Tacoma to be dated February 1, 1961.

It was moved by Mrs. Price that the Resolution be adopted. Seconded by Mr. Steels.

Mayor Hanson said they were well pleased with the low interest rate of 2.8212%.

Voice vote was then taken on the Resolution resulting as follows:

Ayes 7; Nays 2, Cvitanich, Easterday; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16397:

Awarding the bid to First Boston Corp. & Associates for the purchase of \$850,000 par value of General Obligation Transit System Bonds of the City of Tacoma to be dated February 1, 1961.

It was moved by Mrs. Price that the Resolution be adopted. Seconded by Mr. Cvitanich.

Mayor Hanson said this again is an extremely low interest rate of 2.7432%. This illustrates one of the reasons why a better rate can be obtained for Municipal Bonds than through private financing. The reason for the low interest rates is there is no risk in terms of the general obligation of the City; and also that the income from the bonds is exempt from any income tax.

Mr. Murtland said he was the only member who has dissented in this regard but the Council has made this move and he intends to cooperate with the majority.

Mr. Dynaski spoke again on the legality of the City purchasing the Transit Company.

Mr. Bott said an opinion has been received from the Legal Department that this purchase is legal and the Council has proceeded on that basis.

Mr. King said he was in favor of the City acquiring a transit system. However, rather than purchasing the old Transit System, he felt the purchase of new buses should be considered by the Council if they have not already gone too far. He realizes Tacoma needs a bus system but it needs a modern one. He said he has heard many remarks that the buses that are being purchased were not appraised at their fair value.

Mayor Hanson remarked that the buses have been appraised by several different groups and the Council has absolutely no reason to believe that the appraisal is incorrect.

Voice vote was then taken on the Resolution resulting as follows:

Ayes 8; Nays 1, Murtland; Absent 0.

The Resolution was then declared adopted by the Chairman.

#### FIRST READING OF ORDINANCES:

##### Ordinance No. 16716

Condemning property in the area of Geiger Street between So. 12th & So. 15th Street for street purposes.

Read by title and placed in order of final reading.

##### Ordinance No. 16717

Vacating Alder Street and adjacent alleys between So. 38th and So. 40th Streets. (Petition of Washington Gas Co.)

Read by title and placed in order of final reading.

Mr. Steele moved that the rules be suspended in order to consider Ordinance No. 16718 which does not appear on the Agenda. Seconded by Mr. Cvitanich. Voice vote on the motion resulted as follows: Ayes 8; Nays 1, Murtland; Absent 0.

##### Ordinance No. 16718

Amending Section 12.06.220 of Chapter 12.06 of the Official Code entitled "Electric Energy - Regulations and Rates." Read by title.



Mayor Hanson said this Ordinance was drawn at the request of Mrs. Price and himself. It is a matter that has been previously considered by the Council who at that time did not feel they could go along with the recommendation from the Utility Board. However, he added, the matter of school construction is immediately pending and he believed this would be proper at this time.

Mr. Barline, Director of Utilities, explained that this has been discussed previously at great length. In review, this revision would require a minimum load of 200 kilowatts rather than 500 kilowatts for institutions to qualify for the semi-wholesale rate, and is designed to make electric heating more attractive for Elementary Schools. He pointed out that the school load is a non-peak load, and is thereby profitable to the Utility Department.

Mr. Murtland said, as he understands it, the larger schools, etc., will still be paying the same rate, and this Ordinance will allow Elementary Schools to come under this rate.

Mr. Barline said that is correct.

Mayor Hanson said, inasmuch as Mrs. Price and he requested the Ordinance and that only his name appears, he would like to have the Ordinance amended so as to include Mrs. Price's name also.

The Ordinance was then placed in order of final reading.

#### FINAL READING OF ORDINANCES:

Ordinance No. 16675: (Postponed from meeting of December 27, 1960)

Amending certain sections of the Official Code in reference to public safety and morals. Read by title.

Mr. Steele said since this Ordinance has been amended, he has not had an opportunity to review it, and there are some sections which he was particularly concerned about, and would like to discuss this further with the City Attorney. He said he would like to have the section under "Disorderly Persons" on page 4, under A and B, checked, and also the wording of "Loitering and Late Hours." On page 5, under Paragraph I, "Association with Drunks", he said he thought this was quite broad. He said he thought some of these could be combined.

Mrs. Price moved that the Ordinance be postponed for one week. Seconded by Mr. Bott.

Mr. Cvitanich said, as pointed out in the interdepartmental communication distributed with this Ordinance, he contacted the City Attorney's office relative to adding a new section relating to carrying loaded weapons in a vehicle. This section is taken from the State Code, and was added at his suggestion, he added.

Voice vote was then taken on the motion to postpone action for one week, to January 17, 1961, resulting as follows: Ayes 9; Nays 0; Absent 0. Motion carried.

Ordinance No. 16676:

Amending the Official Code of the City by enacting Chapter 8.46 relating to the conduct of business on Sunday. Read by title.

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Mr. Cvitanich moved that Ordinance No. 16676 be postponed for one week to January 17, 1961. Seconded by Mrs. Olson. Voice vote on the motion resulted as follows: Ayes 9; Nays 0; Absent 0. Motion carried.

Mr. Bott leaving at this time.

Ordinance No. 16711:

Vacating that portion of So. 18th Street between Seashore Drive and Walters Road. (Petition of N. A. Hansen, et al.) Read by title and passed.

Roll call was then taken on the Ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Mr. Bott.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 16712:

Repealing Ordinance No. 15269 entitled: "General Street and Bridge Construction Fund of 1955", and authorizing the transfer of all fund assets to the "General Street and Bridge Construction Fund of 1958." Read by title and passed.

Roll call was then taken on the Ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Mr. Bott.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 16713:

Repealing Ordinance No. 15270 entitled: "General Street Lighting Construction Fund of 1955" and authorizing the transfer of all fund assets to the "General Street Lighting Construction Fund of 1958." Read by title and passed.

Roll call was then taken on the Ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Mr. Bott.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 16714:

Appropriating the sum of \$45,000 or so much as may be necessary from the Firemen's Relief & Pension Fund for the purpose of paying retroactive pension payments. Read by title.

Mr. Cvitanich asked Mr. McCormick if it would be proper for him to vote on this Ordinance. Mr. McCormick replied that it would be proper.

Roll call was then taken on the Ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Mr. Bott.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 16715:

Authorizing the proper officers of the City to transfer the sum of \$18,787.55 or so much as may be necessary from the General Fund to the Police Relief and Pension Fund for payment of retroactive pensions. Read by title.

Mr. Cvitanich asked Mr. McCormick if it would be proper for him to vote on this Ordinance. Mr. McCormick answered that it would be.

Roll call was then taken on the Ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Mr. Bott.

The Ordinance was then declared passed by the Chairman.

REPORTS:

Mr. Bott coming in at this time.

Report from the City Clerk in reference to L I D 4671.

Mr. Rowlands said since the passage of the Ordinance there have been protests filed in the amount of 60.08%, but if two contract buyers are not included, the protests would be 59.17%. He said this is extremely close, and it is a question of whether or not the Council would want to include the two contract buyers who are opposed to the L I D, thus making the protest 60% and automatically killing the L I D. He explained that a new L I D could be initiated for the one area where the protests are relatively small, if it is so desired.

Mrs. Price said she did not see how a contract buyer could be ignored, as they are in essence the person who will have to pay for the improvement.

Mr. Easterday moved that the contract buyers' protests be considered, which would automatically kill the L I D. Seconded by Mr. Cvitanich.

Mr. McCormick, City Attorney, said the language of the statute governing L I D's states that an L I D may be killed when signed by the owners of the property within a proposed local improvement district subject to 60% or more of the total cost of the improvement, etc. The question here is who is considered the owner of the property. He said the Supreme Court held at one time that the contract buyer has no real property interest. However, in other cases where this matter has come up, they have held that the contract buyer in some cases has an interest in the real property. Inasmuch as the amount of protests are so close, he suggested that the motion be made to bring in an Ordinance repealing the Ordinance creating the L I D.

Mr. Easterday then withdrew his motion, and moved that an Ordinance be brought in repealing the previous Ordinance creating the L I D. Mr. Cvitanich said he would withdraw his second, and second the substitute motion. Voice vote on the motion resulted as follows: Ayes 9; Nays 0; Absent 0. Motion carried.

COMMENTS:

Mr. Rowlands explained Mr. Buckley was to be in town next Monday to present the map for the final versions which have been developed on the Airport, and asked what time would be convenient for the Council to meet for this presentation.

It was agreed that 12:30 P. M. would be the most convenient time for the Council.

Mr. Rowlands said that the report on the One-Way Street study is now being assembled and will be ready for distribution as soon as it is completed.

Mrs. Olson said at last week's Council meeting, the Council passed an Ordinance which rezoned an area from an "M-1" District to an "M-2" District. After checking the map later, it appeared to her that this was an example of spot zoning. She said the Council was informed at that time that the person who applied for the change in zoning had started to construct a building before he had petitioned for the rezoning. She said in order to discourage this practice, she moved for reconsideration of this particular rezoning, not necessarily with the idea of changing it but with the idea of bringing it up for discussion when the Council meets with the Planning Commission in the next two weeks on the clarification of policies. Seconded by Mr. Porter.

Mayor Hanson said he thought Mrs. Olson's point was a good one. He said perhaps the Council should consider amending the Master Plan rather than depending upon each individual parcel owner requesting a rezoning.

Voice vote was then taken on the motion to reconsider Ordinance No. 16708, the Holroyd Petition for rezoning of property at East 26th and J Street to an "M-2" District, which resulted as follows: Ayes 9; Nays 0; Absent 0. Motion carried.

Mr. Bott asked if the Holroyd Company had been informed that the Ordinance had passed effecting the rezoning.

Mrs. Olson then moved that the reconsideration of Ordinance No. 16708 be continued for two weeks. Seconded by Mr. Porter.

Mr. Easterday moved to amend the motion to reconsider the Ordinance in one week, instead of two. Seconded by Mr. Murtland.

Mr. Bott said it seemed to him that when a decision is made that affects construction or some business, that the greatest amount of speed should be used in order to facilitate matters. He felt the reconsideration should be made as soon as possible.

Mr. Porter said he thought it would be well to have it postponed two weeks in order that this be discussed with the Planning Commission.

Mrs. Price said if the Council should vote to postpone this for one week, and at that time did not feel that sufficient time was had to study the matter, it could be extended for another week.

Mayor Hanson called for a voice vote on the motion to amend Mrs. Olson's motion to one week postponement, which resulted as follows: Ayes 7; Nays 2. Cvitanich and Porter; Absent 0.

Mayor Hanson called for a voice vote on the motion as amended to postpone the reconsideration of Ordinance No. 16708 for one week to January 17, 1961, which resulted as follows: Ayes 9; Nays 0; Absent 0.

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Mrs. Olson asked if it would be proper then to ask for a meeting with the Planning Commission within this week.

Mayor Hanson said they would try to arrange such a meeting.

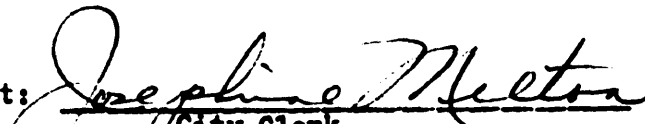
Mr. K. J. Beaty of Parvenu spoke before the Council again on the creation of an advertising and Public Relations Fund for a trial period, not to exceed six months. He said his plan is to bring people downtown in increasing numbers by giving the public something for nothing, and will not only halt decentralization but will reverse it in a very short period of time. 51:555

Mayor Hanson thanked Mr. Beaty for his presentation and said each individual member would no doubt look over the additional information provided them by Mr. Beaty. However, he said, the principal problem of course is the legality of the City spending tax funds in this manner.

There being no further business to come before the meeting, upon motion duly seconded and passed, the meeting adjourned at 9:15 P. M.

  
Mayor of the City Council

Attest:

  
City Clerk