

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, October 18, 1966

Council met in regular session. Present on roll call 6: Finnigan, Haley, Herrmann, Johnson, Price and Mayor Tollefson. Absent 3: Bott, Cvitanich and Murtland. Mr. Bott coming in at 4:10 P. M. and Mr. Murtland at 4:15 P. M.

Dr. Herrmann moved that the minutes of the meeting of October 4, 1966 be approved as submitted. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

Mr. Rowlands presented safe driver awards to three employees of the Fire Dept.: Arnold W. Ketler and Richard Meenk with 20 years of service each and Robert W. Frace with 10 years of service. Mr. Rowlands explained there were six other employees who were not able to attend.

Safe driver awards were presented to Harry R. Lunetti with 20 years of service and George W. Unger with 5 years of service from the Health Dept. Frieda Gilligan with 15 years of service and Harry Strickland with 10 years of service were unable to be present.

All the recipients were congratulated by Mayor Tollefson, Mr. Rowlands and members of the City Council.

Mayor Tollefson welcomed a group of Jr. League women to the Council meeting.

HEARINGS & APPEALS:

a. This is the date set for hearing on the vacation of Roosevelt Ave. between East 68th and East 71st St. extended, submitted by the City Planning Commission.

No one appearing and no protests being made, Mrs. Price moved that the proper ordinance be drafted approving the vacation. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

b. This is the date set for hearing on the vacation of State St. lying between the north line of South Tacoma Way and the south line of the N.P. R. R. r/o/w located to the north, submitted by the Northwest Chair Company.

No one appearing and no protests being made, Mr. Finnigan moved that the proper ordinance be drafted approving the vacation. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

c. The City Planning Commission recommending denial of the petition submitted by Lester E. Schneider for the rezoning of property located on the east side of Vassault and between No. 23rd & No. 25th St. extended from an "R-1" and "R-2" to an "R-4-L" District.

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Communication was received by Mr. Schneider on Oct. 8, 1966 waiving his right of appeal and requesting the petition be referred back to the Planning Commission for reconsideration.

Mr. Stan Wiley, Assistant Director of Planning, explained that Mr. Schneider's petition was heard before the Planning Commission on October 3, 1966. At that time the Commission recommended denial.

He added, the appeal period would have been up at 4:00 P. M. on Oct. 17, 1966. However, on Oct. 8th a letter was received from Mr. Schneider requesting that his right of appeal be waived and that he be allowed to amend his application from an "R-4-L" to a "P-R-D" district.

Mr. Rowlands stated this was discussed Monday at a staff meeting and having two items, on the same agenda such as this, was an exception rather than the rule. However, there is an opportunity of modifying the application so that it might be more compatible with the thinking of the Planning Commission.

Mayor Tollefson asked if the planned residential development Mr. Schneider is contemplating, comes within the limitations of an "R-4-L". He wondered why the Planning Commission had not recommended to the City Council a planned residential development for this property from their meeting.

Mr. Wiley agreed that they could have amended the petition but this was not discussed.

Mayor Tollefson said, generally speaking, if the Planning Commission feels the particular area needs modification regarding the zoning and makes that recommendation to the Council, then the applicant is advised as to whether or not the Council accepts or rejects his modified petition.

Mr. Haley explained that he attended this particular hearing and he felt sure that the applicant understood the position of the commission. This does, in effect, call for a rehearing and re-notification to the neighborhood.

Mr. Bott felt in fairness to the applicants it should be referred back to the Planning Commission.

Mr. Wiley said he felt the commission would not feel it was an unreasonable request and the modification would be a substantial change.

Mr. Johnson felt the Council should take action approving the denial recommended by the Planning Commission and then refer the petition back to the Commission for their further consideration.

Mr. Bott moved that the Council concur in the recommendation of the Commission in regard to the denial of the petition as presently submitted, and then grant the request to refer the petition back to the Planning Commission to permit the applicant to modify the petition in accordance with the terms of the letter. Seconded by Mr. Finnigan. Voice vote taken Motion carried.

d. The City Planning Commission recommending denial of the petition submitted by The Hardman Company for the rezoning of property located between K & L Sts. from So. 18th to So. 19th Sts. from an "R-3" to a "C-1" District.

Communication was received by Mr. Walter Hardman, Jr. waiving his right of appeal and requesting that the petition be referred back to the Planning Commission for reconsideration.

Dr. Herrmann moved that the Council concur in the recommendation of the Planning Commission in regard to the denial of the petition as presently submitted, and then refer the petition back to the Commission to permit the applicant to modify the petition in accordance with the terms of his letter. Seconded by Mr. Finnigan.

Mr. Murtland felt that the petitioner should refile his petition rather than denying the petition and modifying the original petition.

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Mr. Finnigan asked Mr. Wiley if this request for modification was worthy of consideration.

Mr. Wiley said there is a substantial change and he felt this would be justified to refer back to the Planning Commission.

Mayor Tollerson stated he thought this was certainly an extraordinary route that hasn't been used before, when the Council has the right to refer these petitions back after a hearing. He felt that something could have been worked out on a modification basis to the best interests of the community. The petitioner should have made his modification before the Planning Commission meeting instead of having the original petition denied.

Mr. Jack Ostlund, representing Mr. Hardman, said there was a time element involved in requesting that the Council refer this back to the Commission for modification, as the plat map could not be prepared in time, which would note the additional property involved.

Dr. Herrmann asked if the denial was based on the fact that the plot plan was not acceptable or was it based on the fact they did not want a "C-1" district in that area.

Mr. Wiley said the Planning Commission did not feel the site plan had been adequately worked out, but he said the staff has no prerogative, but they did feel it would be worth re-consideration.

Mrs. Price stated, if these petitioners have conferred with the Planning staff and they were led to understand that it could be referred back to the Planning Commission, she felt in all fairness to the petitioners, the Council should go along with the recommendations of the staff.

Mr. Haley still felt this should have been discussed with the Planning Commission.

Voice vote taken. Motion carried.

RESOLUTIONS:

Resolution No. 18902

Fixing Monday, Nov. 28, 1966 at 4:00 P. M. as the date for hearing on L I D 4803 for alley paving between Ea. 60th and Ea. 61st; Ea. 61st and Ea. 62nd Street from East K to L Street.

Mr. Bott moved that the resolution be adopted. Seconded by Dr. Herrmann.

The Resolution was passed unanimously by voice vote.
Ayes 8; Nays 0; Absent 1, Mr. Cvitanich.

Resolution No. 18903

Fixing Monday Nov. 14, 1966 at 4:00 P. M. as the date for hearing on L I D 5428 for water mains in No. 33rd from 515 feet east of Pearl St. to Shirley St.; Shirley from No. 33rd to No. 35th; No. 35th from Shirley west 270 feet.

Mrs. Price moved that the resolution be adopted. Seconded by Dr. Herrmann.

The Resolution was passed unanimously by voice vote.
Ayes 8; Nays 0; Absent 1, Mr. Cvitanich.

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Resolution No. 18904

Awarding contract to O'Brien Manufacturing Co., Inc. on its bid of \$4,120.00 plus tax for the furnishing of two dual-speed bucket machines.

Mrs. Price moved that the resolution be adopted. Seconded by Dr. Herrmann.

Mr. Rowlands asked Mr. Schuster to explain the usage of this piece of equipment.

Mr. Schuster, Director of Public Works, stated that the bucket machines are used in cleaning out the sewer lines. They are placed on cables just near the manholes and this intensifies the speed of the operation.

The Resolution was passed unanimously by voice vote.
Ayes 8; Nays 0; Absent 1, Mr. Cvitanich.

Resolution No. 18905

Settling the claim of Roy and Emily Ann Cook in the amount of \$1750.00.

Mr. Finnigan moved that the resolution be adopted. Seconded by Mr. Haley.

The Resolution was passed unanimously by voice vote.
Ayes 8; Nays 0; Absent 1, Mr. Cvitanich.

Resolution No. 18906

Approval of the claim of the Broadcast House, Inc. (KMO) in the sum of \$1753.92 for damages to lighting fixtures and broadcasting equipment.

Mr. Haley moved that the resolution be adopted. Seconded by Mr. Finnigan.

The Resolution was passed unanimously by voice vote.
Ayes 8; Nays 0; Absent 1, Mr. Cvitanich.

Resolution No. 18907

Accepting the offer of KAM Construction, Inc. to purchase Parcel B-25-C in the Center St. Urban Renewal Project Wash. R-1 for the amount of \$14,360.00.

Mrs. Price moved that the resolution be adopted. Seconded by Dr. Herrmann.

Mr. Rowlands asked Mr. James Wright, Assistant Urban Renewal Director, to explain how the sale price compares with the acquisition price of the property.

Mr. Wright explained that the acquisition price was \$9850 and the sale price was higher, at \$14,360.

The Resolution was passed unanimously by voice vote.
Ayes 8; Nays 0; Absent 1, Mr. Cvitanich.

Resolution No. 18908

Authorizing the sale of 850 track feet of 60 pound rail to Western Washington Forest Industries Museum which is surplus to the needs of any other department of the City.

Mr. Haley moved that the resolution be adopted. Seconded by Mr. Finnigan.

The Resolution was passed unanimously by voice vote.
Ayes 8; Nays 0; Absent 1, Mr. Cvitanich.

Resolution No. 18909

Authorizing the Dept. of Civil Defense to sell to the Dept. of Public Works one used civil defense communication bus for use in the City's equipment pool for the sum of \$100.00 or so much thereof as may be necessary.

Mr. Haley moved that the resolution be adopted. Seconded by Mr. Finnigan.

The Resolution was passed unanimously by voice vote.
Ayes 8; Nays 0; Absent 1, Mr. Cvitanich.

Resolution No. 18910

Authorizing the transfer of approximately 1800 track feet of 70 pound rail of trackage to the Belt Line Division which is surplus to the needs of the Light Division.

Mr. Haley moved that the resolution be adopted. Seconded by Dr. Herrmann.

The Resolution was passed unanimously by voice vote.
Ayes 8; Nays 0; Absent 1, Mr. Cvitanich.

Resolution No. 18911

Authorizing the sale of three single-phase transformers to Atlas Foundry for the sum of \$1,572.38 incl. tax, that are surplus to the needs of the Light Division.

Mr. Haley moved that the resolution be adopted. Seconded by Mr. Finnigan.

The Resolution was passed unanimously by voice vote.
Ayes 8; Nays 0; Absent 1, Mr. Cvitanich.

Resolution No. 18912

Authorizing the proper officers of the City to execute for and on behalf of the City of Tacoma a modification agreement with TideAir Inc. embodying the terms and condition of a Fixed Base Operator's Agreement at the Tacoma Industrial Airport.

Mr. Finnigan moved that the resolution be adopted. Seconded by Mr. Haley.

Mr. Phillips, Airport Manager, explained that this modification agreement with TideAir Inc. will enable TideAir to build a hanger in the "Option Area" of the original agreement. This, of course, will comply with City, Federal and State standards.

The Resolution was passed unanimously by voice vote.
Ayes 8; Nays 0; Absent 1, Mr. Cvitanich.

FIRST READING OF ORDINANCES:

Ordinance No. 18161

Amending Chapter 13.06 of the official code of the City by adding a new section 13.06.060-09 to include property on the west side of So. M between So. 8th and 9th Sts. in an "R-4" District. (petition of John Pavlic et al)

The ordinance was placed in order of final reading.

Ordinance No. 18162

Changing the name of Winthrop Ave. between So. 21st & Phyllup Avenue to Dock Street.

The ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 18153

Adopting the annual budget for the fiscal year 1967.

Roll call was taken on the ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Mr. Cvitanich.
The Ordinance was declared passed by the Chairman.

Ordinance No. 18154

Fixing the amount of tax levies necessary to raise the amount of the estimated expenditures for the General Fund for the fiscal year 1967.

Roll call was taken on the ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Mr. Cvitanich.
The Ordinance was declared passed by the Chairman.

Ordinance No. 18155

Amending Chapter 13.06 of the official code by adding (6) new subsections relative to Automatic Car Washing Facilities.

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Roll call was taken on the ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Mr. Cvitanich.
The Ordinance was declared passed by the Chairman.

Ordinance No. 18156

Providing for the improvement of L I D 5427 for the construction of water mains in Pacific Ave. from So. 96th St. to So. 99th St.

Roll call was taken on the ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Mr. Cvitanich.
The Ordinance was declared passed by the Chairman.

Ordinance No. 18157

Approving and confirming the assessment roll for L I D 3612 for sanitary sewers in So. Mullen St. from So. 58th to So. 64th St. and other nearby streets.

Roll call was taken on the ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Mr. Cvitanich.
The Ordinance was declared passed by the Chairman.

Ordinance No. 18158

Approving and confirming the assessment roll for L I D 4774 for cement concrete curbs and gutters on west side of Alaska St. from So. 23rd to So. 25th St.; cement concrete sidewalks on Narrows Dr. from No. 23rd to No. 24th and Orchard from 6th Ave. to So. 11th St.

Roll call was taken on the ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Mr. Cvitanich.
The Ordinance was declared passed by the Chairman.

Ordinance No. 18159

Approving and confirming the assessment roll for L I D 6822 for street lighting on Shorecliff Drive from Brown's Point Blvd. to 33rd St. N. E. and along 33rd St. N. E. from Shorecliff Dr. to Brown's Point Blvd.

Roll call was taken on the ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Mr. Cvitanich.
The Ordinance was declared passed by the Chairman.

Ordinance No. 18160

Approving and confirming the assessment roll for L I D 6843 for street lighting on So. Yakima to So. "J" from So. 72nd to So. 78th; Thompson Ave. from So. 76th to So. 78th; So. "I" from So. 72nd to So. 78th St.

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Roll call was taken on the ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Mr. Cvitanich.
The Ordinance was declared passed by the Chairman.

REPORTS:

The L I D Committee recommending denial of L I D 4799 for sidewalks on So. 12th from Geiger to Mildred since there was a 62% protest filed against the improvement.

Mr. Bott moved that L I D 4799 be abandoned. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

COMMENTS:

Mr. Rowlands submitted an invitation to the Council members to participate in the Air Pollution Control Association meeting to be held in Seattle on Nov. 3rd and 4th, 1966 at the Olympic Hotel. He added, he would appreciate it if the members attending would let the staff know so they can send in their reservations.

Mr. Bott moved that a resolution be drafted publicly expressing the Council's appreciation and recognition of the many years of service that Mr. Abner R. Bergersen has devoted to the welfare of the City of Tacoma as Public Works Commissioner. Seconded by Mr. Finnigan. Voice vote taken. Motion carried. He noted that Mr. Bergersen passed away on Oct. 15, 1966.

Mr. Johnson asked Mr. Schuster if there was an L I D in the process for sidewalks and for the widening of Jackson Ave.

Mr. Schuster said there might be a petition circulating, but he was not aware of an L I D.

Mr. Johnson stated that the intersection at 12th and Jackson seems to be in a highly unfinished state.

Mr. Haley moved that a resolution be drafted stating that the City Council does hereby endorse Propositions A and B submitted by the Tacoma School District No. 10 to the voters of said district. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

Mayor Tollefson felt this would be appropriate as School District No. 10 does support Initiative No. 226. He further stated that they do take opposition to the W. E. A. for their position of saying that the cities do not know what they are doing so they do not need any money. The Council does admit that schools need to be taken care of by the school people and we heartily support them.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 5:55 P. M.

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Wm Jollyson
Mayor of the City Council

Attest Josephine Meeton
City Clerk