

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, March 23, 1965

Council met in regular session. Present on roll call 8: Bott, Cvitanich, Finnigan, Haley Herrmann, Johnson, Price and Mayor Tollefson. Absent 1, Murkland. Mr. Murkland arriving at 4:05 P. M.

Mr. Haley moved that the minutes of the meeting of March 9, 1965 be approved as submitted. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

Mr. Murkland arriving at this time.

HEARINGS & APPEALS:

a. This is the date set for hearing on the petition submitted by Willbridge Co. for the rezoning of property located at So. 15th & Union Ave. from an "R-2" to a "C-1" District.

Mr. Olson, representing the Willbridge Co. explained they intend to build a modern service station in the area.

Mr. Bentley, representing the First Assembly of God Church, stated, the church owns 8 1/2 acres in this area and it intends to construct a new church and a home for the aged on Union Ave. abutting the proposed service station. He added, they are opposed to rezoning the property to a "C-1" District.

Mrs. Price said, this area is now non-conforming and as long as it is being used as such it would be better to have the proper zone for the service station.

Mr. Johnson thought this district is gradually being upgraded and added, this will be an improvement over the present service station.

Dr. Herrmann and Mr. Finnigan agreed that it was a reasonable request for rezoning, to upgrade the present operating business.

Mrs. Price moved to concur in the recommendation of the Planning Commission and that the proper Ordinance be drafted approving the rezone. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

b. This is the date set for hearing on the petition submitted by the City Planning Commission for the rezoning of property located at the west side of Cedar between So. 45th & So. 47th from an "R-3" to an "R-4-L" District.

Mr. Buehler, Director of Planning, explained this application was initiated and recommended for approval by the Planning Commission in lieu of

an "R-4" zoning request originally submitted by Mr. Walter C. Witte, owner of the north half of the block between So. 45th and So. 47th Sts. At the hearing of the Planning Commission the "R-4" request was denied and no appeal was filed. He said this request includes the remainder of the property to So. 47th Street. He stated the Commission feels the "R-4-L" zone will be proper since So. 47th St. may become a future arterial and the general character of the surrounding area is of an older nature.

Mr. Witte stated the area is run down considerably and this proposed construction will enhance the area. He added, they have had preliminary plans drafted on the proposed building. If the rezoning is approved by the City Council, plans will immediately be prepared.

Mr. Sheffield, owner of the property on the opposite side of Cedar St. stated, he was also interested in having his property rezoned.

Mr. Johnson moved to concur in the recommendation of the Planning Commission that the proper Ordinance be drafted approving the rezone. Seconded by Mrs. Price. Voice vote taken. Motion carried.

PETITIONS:

Petition submitted by Palmer Peterson requesting the rezoning of property located at the east side of Pearl St. between No. 14th & 18th from an "R-2" to an "R-4-L" District.

Referred to the Planning Commission.

RESOLUTIONS:

Resolution No. 18215 (postponed from the meeting of March 16, 1965)

Authorizing the City Manager to execute and file an application with the Housing and Home Finance Agency to aid in financing the purchase of 34 new 43-passenger diesel transit buses.

Mrs. Price moved that the Resolution be adopted. Seconded by Mr. Johnson.

Mr. Rowlands stated the Transit bill will be discussed tomorrow morning in the Ways and Means Committee and there are several amendments which many of us feel are unnecessary. He said they hoped to have the vote of the House by Wednesday and then in the Senate by next Thursday or Friday.

Mr. Johnson stated he had decided to reverse his opinion from a week ago as he did not feel this should be delayed until it is known where the matching funds will come from, since this would commit the City to raise \$300,000, the 1/3 share. He added, they will have to spend at least this amount to keep the buses going. He said he would vote in favor of passage of the Resolution.

Mr. Finnigan said the Council would be making a mistake if it commits the City to raise \$300,000 as it is not known at this date from where the revenue will be coming. He said they will be faced with additional subsidies year after

year plus paying for this installment. He stated, the City couldn't take advantage of every bargain that comes along or they would soon run out of money.

Mr. Bott agreed, they should wait until after the Legislature votes on the transit bill.

Mr. Rowlands said if the Legislature sees fit not to pass this bill, he thought there would be a tremendous outcry from all over the State on the tactics that have been utilized. For example, they will be responsible for an increase in transit fare in Seattle which will happen if they do not pass on the bill favorably and, "will they want to be responsible for the City of Tacoma to lose \$600,000 in Federal funds?"

Dr. Herrmann stated the City was committed when it began operation of the Transit System. He said if the City is going to continue to operate the system it is going to have to buy new buses. He thought the Council was obligated to pass this resolution to acquire the buses with the help of Federal funds.

Mrs. Price thought they should proceed and make application for the funds as the \$50,000 in payments would soon be used on the old buses for labor, parts, etc. and they would still have old equipment.

Mr. Cvitanich stated the Police, Fire and Public Works Departments all need new equipment as well as the Transit System. They have to look at this realistically, "where is the money coming from?" He stated they could not be sure of the outcome of the Transit bill; he thought they should wait.

Mayor Tollefson said the buses have to be replaced regardless. This application is a wise investment even if it is based on the regular income of the City as each year the real property tax brings in a little more money, also the utilities, and so on. He said this \$300,000 can be borrowed and be repaid at \$48,000 per year for seven years. The City needs the Transit System and he is positive that this is a good investment as the City will save by using the Federal contribution.

Roll call was taken on the Resolution resulting as follows:

Ayes 6; Nays 3, Bott, Cvitanich and Finnigan. Absent 0;
The Resolution was declared passed by the Chairman.

Resolution No. 18224 (postponed from the meeting of March 16, 1965)

Awarding contract to C. J. Rockey Co. on its bid of \$15,120.00 for
L I D 4735 Unit B.

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

Mr. Rowlands stated Mr. Schuster, Director of Public Works, has conferred with Mr. Rockey and the matter has been resolved; Mr. Rockey said he is willing to go along with the original bid.

The Resolution was passed unanimously by voice vote.
Ayes 9; Nays 0; Absent 0.

Resolution No. 18235

Awarding contract to E. J. Rody & Sons for L I D 3595 on its bid of \$9,266.87 including sales tax.

Mr. Haley moved that the Resolution be adopted. Seconded by Mrs. Price.

The Resolution was passed unanimously by voice vote.
Ayes 9; Nays 0; Absent 0.

Resolution No. 18236

Authorizing the proper officers of the City to execute an agreement with the Washington State Highway Commission providing for certain maintenance, repairs and construction to portions of Primary State Highway #1 and #5.

Mrs. Price moved that the Resolution be adopted. Seconded by Mr. Haley.

The Resolution was passed unanimously by voice vote.
Ayes 9; Nays 0; Absent 0.

Resolution No. 18237

Appropriating the sum of \$1200.00 or so much as may be necessary from the Cumulative Reserve Fund for Capital Outlay & M & O for the purpose of purchasing two car radios for inspectors in the Bldg. Division of the Public Works Dept.

Mr. Haley moved that the Resolution be adopted. Seconded by Mrs. Price.

Mr. Bott asked if they could take advantage of the items purchased through Civil Defense relative to these radios.

Mr. Schuster stated there has not been any funds available for the last two or three years toward the purchase of this equipment.

Mr. Bott wondered if they had checked to see if reconditioned radios are available as they would be less expensive.

Mr. Rowlands said they would explore that possibility.

The Resolution was passed unanimously by voice vote.
Ayes 9; Nays 0; Absent 0.

Resolution No. 18238

Amending Resolution No. 17993 by adding thereto the purchase of 18 single-head meter cases and timers for the purchase price of \$1200.00.

Mrs. Price moved that the Resolution be adopted. Seconded by Mr. Haley.

Mr. Schuster explained that these meters will be placed at the new

meter locations which were approved by the Council several months ago. He said 18 meters were inadvertently left out of the order which left the City short 18 single-headed meters.

Mr. Bott wondered if some of the meters that were not paying could be moved to other locations.

Mr. Schuster said that matter is being checked periodically.

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

Resolution No. 18239

Fixing Monday April 12, 1965 at 4:00 P. M. as the date for hearing on L I D 3596 for sanitary sewers in East L from 49th to 51st Sts. and East 51st from L to K and other nearby streets.

Dr. Herrmann moved that the Resolution be adopted. Seconded by Mr. Cvitanich.

The Resolution was passed unanimously by voice vote.
Ayes 9; Nays 0; Absent 0.

Resolution No. 18240

Fixing Monday April 12, 1965 at 4:00 P. M. as the date for hearing on L I D 3598 for sanitary sewers on Highland St. from So. 11th to So. 12th; No. 16th from Hason to Ferdinand; alleys west of Orchard & Villard from No. 37th to No. 38th Sts.

Mr. Haley moved that the Resolution be adopted. Seconded by Mr. Cvitanich.

The Resolution was passed unanimously by voice vote.
Ayes 9; Nays 0; Absent 0.

FIRST READING OF ORDINANCES:

Ordinance No. 17802

Vacating the alley between So. 34th & So. 35th Sts. between Fife to Pine Sts. (petition of Lige Dickson)

Mr. Rowlands stated the petitioner originally requested two areas to be vacated; the alley between Junett St. and Pine St. from South Tacoma Way to the N. P. R. R. tracts and the alley between Pine and Fife Sts. from South 34th to South 35th Streets. However, the petitioner has decided to amend his request to vacate only the alley between Pine and Fife from So. 34th to So. 35th St. and the other alley will be needed for travel. A letter has been received attesting

to this change for the vacation and the ordinance has been drafted to reflect this change.

The Ordinance was placed in order of final reading.

Ordinance No. 17803

Amending Chapter 13.06 of the official code by adding a new section 13.06.115-7 to include property on the north side of 74th St. between Pacific and D in a "C-P-N" District. (petition of Walter Firth)

The Ordinance was placed in order of final reading.

Ordinance No. 17804

Amending Chapter 13.06 of the official code by adding a new section 13.06.115-8 to include property between Portland Ave. & East N from Ea. 54th to Ea. 56th St. in a "C-P-N" District. (petition of John T. Steward, Inc.)

The Ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 17799

Vacating a section of right-of-way at the northwest corner of So. 84th and Alaska Sts. (petition of Hokold, Inc.)

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 17800

Amending Chapter 13.06 of the official code by adding two new sections 13.06.055 and 065-42 to include property on the east side of Wapato St. between So. 72nd and So. 74th Sts. in an "R-4-L" and "R-3-PRD" District. (petition of Arthur C. Yeager)

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 17801

Repealing Sec. 4.02.280 of the official code and amending Title 4 and adding a new chapter consisting of (18) sections known as Chapter 4.04 relating to Harbor regulations.

Mayor Tollefson stated a communication has been received from the Tacoma Chamber of Commerce complimenting the City on the proposed harbor regulation ordinance. He added, a question was raised by them in regard to Section 4.04.130 on the fifth page of the Ordinance in the first line relative to the words "at rest" after the word "watercraft" and before the word "in". They suggested that the word "moored" be inserted in place of "at rest".

Dr. Herrmann moved to substitute the word "moored" for the words "at rest" in Section 4.04.130. Seconded by Mr. Haley. Voice vote taken. Motion carried.

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

Ayes 9; Nays 0; Absent 0.

The Ordinance was declared passed by the Chairman.

REPORTS:

a. Report from the City Clerk advising that at the time of the passage of Ordinance No. 17776 on Feb. 16, 1965, providing for the improvement of L I D 4765 for paving on No. 27th from Mullen to Hason; Sunray Drive from Jackson to Mt. View and other streets, protests in the amount of 20% had been filed against the formation of the district. The 30-day period for filing protests expired on March 18, 1965 and additional protests have been filed in the amount of 5 1/2% bringing the total protests against the district to 25 1/2%. 155-

Mr. Hagenau residing at 1534 So. Aurora, presented protests of his area which amounted to over 60% and asked that the area be deleted from the district.

Marshall McCormick, City Attorney, explained that after an ordinance is passed providing for the improvement no specific area can be deleted from the district. He said the Council can do two things, ignore the protests which amount to 25 1/2 % against the entire district or abandon the district and form a new one.

Mr. Cvitanich said at the L I D hearing he had told the property owners that they had 30 days in which to obtain sufficient signatures to have their streets excluded.

Dr. Herrmann another member of the L I D Committee said he also was under that impression, if over 60% remonstrances were filed in the 30 day period on a non-contiguous area, it could be deleted.

Mr. McCormick said the 30-day period is provided for the filing of additional protests, but the weight of the protests must then go to the entire district. He said he did not think the matter of excluding segments within this period has ever come up before.

After some discussion, Mr. Cvitanich moved that Ordinance No. 17776 be repealed and that the matter be referred back to the Public Works Dept. and that a new district be formed deleting the areas with the strong protests. Seconded by Mr. Murtland. Voice vote was taken. Motion carried.

b. Report from the Assistant City Attorney relative to limiting the number of service stations within the city limits.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Report from the Fire Dept. for the month of February 1965.
- b. Report from the Personnel Dept. for the month of Feb. 1965.
- c. Report from the Tacoma-Pierce County Health Dept. for October-December 1964.

COMMENTS:

Mr. Finnigan asked if the stop and go light could be kept going all night on 10th St. between Pacific Ave. and A St. going toward the bridge. He said it was difficult to observe small cars on account of the fence.

Mayor Tollefson said he will be in Washington D. C. next week as he has been invited to attend a White House meeting with the President next Tuesday. This comes in conjunction with the Legislative Conference of the League of American Cities which starts next week.

Mr. Joseph Fortier, representing the Civil Service League, stated they are taking a wage survey for City employees for next year. He said presently City employees are working below the standard wages of outside employment. He said there has been comments made, that salaries may be cut to meet obligations.

Mayor Tollefson replied that he hoped it would not be necessary to cut salaries.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 7:00 P. M.



Mayor of the City Council

Attest:



City Clerk