

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, October 2, 1962

Council met in regular session. Present on roll call : 7: Bott, Finnigan, Haley, Herrmann, Price, Steele and Mayor Tollefson. Absent 2: Cvitanich and Murtland. Mr. Cvitanich and Mr. Murtland arriving at 4 10 P. M.

Mrs. Price moved that the minutes of September 18, 1962 be approved as submitted. Seconded by Mr. Haley. Voice vote taken. Motion carried.

HEARINGS AND APPEALS.

This is the date fixed for hearing on the petition submitted by Cornelius P. Kelly, et al. for the vacation of a portion of Pearl St. between So. 19th & So. 18th Sts. 347

No one appearing to protest. Mr. Steele moved that the Council concur in the recommendation of the Planning Commission to vacate the street and the City Attorney be instructed to bring in an Ordinance confirming the action. Seconded by Mrs. Price. Voice vote taken. Motion carried.

PETITIONS:

Petition submitted by Charles McPhail requesting the rezoning of 480 property located near So. 11th and Woodlawn St. to be rezoned from a "R-2" to a "R-4-L" District.

Petition submitted by Reed Strader requesting the rezoning of property located at 602 North Grant St. from a "R-3" to a "R-4" District. 434

Referred to the Planning Commission.

RESOLUTIONS:

Resolution No. 17213:

Fixing Monday, October 22, 1962 at 4:00 P. M. as the date for hearing on L I D 5356 for cast iron water mains in Asotin St. from So. 78th to So. 80th Sts.

Mr. Bott moved that the Resolution be adopted. Seconded by Mr. Finnigan.

Voice vote was taken on the Resolution.

The Resolution was then declared adopted by the Chairman.

Resolution No. 17214:

Authorizing the proper officers of the City to execute an assessment deed to Jardeen Bros. for property located on So. 8th between Stevens and Verde St. for the sum of \$35.00.

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

Voice vote was taken on the Resolution.

The Resolution was then declared adopted by the Chairman.

Resolution No. 17215:

Awarding contract to Electric Construction Co. for street lighting in L I D's 6787-94, 96 & 99 for proposal #2 in the amount of \$58,000.00 including taxes, which was determined to be the lowest and best bid.

Mr. Finnigan moved that the Resolution be adopted. Seconded by Mr. Steele.

Voice vote was taken on the Resolution.

The Resolution was then declared adopted by the Chairman.

Resolution No. 17216:

Transferring the sum of \$200.00 or so much as may be from the Cumulative Reserve Fund for Capital Outlay & M & O to the General Fund, Civil Defense Outlay category for the purpose of purchasing furniture and equipment for the Auxiliary Fire Training Bldg.

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

Voice vote was taken on the Resolution.

The Resolution was then declared adopted by the Chairman.

Resolution No. 17217:

Settling the claim of Slead's Septic Systems in the amount of \$750.00.

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

Voice vote was taken on the Resolution.

The Resolution was then declared adopted by the Chairman.

Resolution No 17218.

Appointing Lyle B. Swedberg as a member of the Board of Adjustment for the term commencing October 1, 1962 to September 30, 1963

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

Voice vote was taken on the Resolution

The Resolution was then declared adopted by the Chairman

FIRST READING OF ORDINANCES

Ordinance No 17176.

Vacating the east 15 feet of East "E" from East 3rd St. North ²⁵⁵
(Petition of Puget Sound Plywood, Inc.) ₄₁₉

The Ordinance was placed in order for final reading.

Ordinance No. 17177:

Amending Chapter 13.06 of the Official Code of the City by adding a new section 13.06 065-25 to include property located on the S. E. corner ³⁴² of No. 27th and Madison Sts. in the "R-4-L" Low Density Multiple-Family ₄₁₉ Dwelling District. (Petition of O. H. Brasier)

The Ordinance was placed in order for final reading.

Ordinance No. 17178:

Amending Chapter 13.06 of the Official Code of the City relating to zoning by adding a new section 13.06 120-30 to include property on the ³⁴⁵ north side of So. 12th St. between Puget Sound Ave. & Union in the "C-1" ₄₁₉ Commercial District. (Petition of Healy Bros. Inc.)

The Ordinance was placed in order for final reading.

Ordinance No. 17179:

Amending Chapter 13.06 of the Official Code of the City by adding ³⁴⁵ a new Section 13.06 120-31 to include property on the east side of So. ₄₂₀ Manitou Way approx. 150 feet north of So. 66th St. in the "C-1" Commercial District. (Petition of Healy Bros. Inc.)

The Ordinance was placed in order for final reading.

Ordinance No. 17180:

Amending Section 1.12.130 of the Official Code of the City in reference to Allowance for Employees at Isolated Locations.

Mr. A. Bennedetti, Assistant Director of Utilities, stated this Ordinance would provide an allowance for permanent employees to relocate their residence in one of the isolated locations, which otherwise would be an additional expense to them during the time they are relocating.

The Ordinance was placed in order for final reading.

Ordinance No. 17181:

Amending Chapter 12.06 of the Official Code of the City by adding a new section 12.06.242 entitled "Interruptible Power Rate-Schedule CP-2."

Mr. A. Bennedetti, explained that interruptible power is classified as surplus power and is available only at certain times of the year. This Ordinance would authorize the Utilities Dept. to sell this power when it is available to Industries in Tacoma.

The Ordinance was placed in order for final reading.

Ordinance No. 17182:

Amending Section 6.60.060 of the Official Code of the City relating to License Fees for dogs.

Mr. Rowlands said this Ordinance was drafted to provide extra revenue to the Tacoma Pierce County Humane Society in the approximate amount of \$9,000 which is needed to enforce the leash law. This would also provide for an additional man for the night and early morning shift. He asked Mr. Fidler, Manager of the Humane Society, to give a brief account of the work the Society has in enforcing the leash law.

Mr. Fidler, stated the Society had issued 205 warnings, 18 citations and has impounded 475 dogs during the months of July, August and September.

Mr. Rowlands explained the reason this Ordinance is requested at this time is that the new receipt books will have to be ordered prior to the sale of the new licenses that go on sale December 15, 1962. As he understands it, some people buy these licenses to give away as Christmas gifts.

The Ordinance was placed in order for final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 17168:

Authorizing the proper officers of the City to enter into a contractual³⁸² agreement with the Tacoma School District No. 10 to barricade and post with⁴⁰² signs on No. 13th St. from the alley between Yakima Ave. and No. 1 St. westerly to the easterly boundary of No. 1 between the hours of 8:00 A. M. and 4:00 P. M. during school sessions.

VERBATIM as requested by Mr. Cvitanich

"I am going to change my vote. I originally voted against the vacation of the street. However, after additional serious thought, as Mrs. Price mentioned, we do have a moral responsibility to the, for the, safety of the youngsters even though the Council at the present time would not be held liable in the event of an accident or a fatality there. I do feel that we could completely eliminate any likelihood of an accident occurring by placing a barricade. So, therefore, I am going to vote in favor of the vacation at the present time."

End of Verbatim

Mayor Tollefson said the Lowell School originally had asked for a barricade, and he thought they should pass this Ordinance as it could be superseded by a vacation Ordinance if this does not work out.

Mr. Murtland said he did not think Mayor Tollefson's reasoning was sufficient because there is still the safety factor. He urged those who might be in favor of a vacation even if it takes two weeks to get the machinery going to vote against this Ordinance.

Mr. Steele thought it would be better to vote this Ordinance down as a Resolution has been prepared setting a new date for hearing for the vacation.

Mr. Bott noted the Council members have changed their minds several times on this matter. It appeared in the paper about pressure groups contacting some of the Council members and it is rumored that they will change their minds at the meeting.

Mayor Tollefson said he thought people have a right to go to any Council member and present their views concerning any issue, and every Council member has a right to change his mind.

VERBATIM as requested by Mr. Cvitanich.

"This will be the second time in over two years that I have changed my vote on the City Council, and would like to add and point out that number (1) there was no pressure applied what-so-ever, and it is a matter of record that I don't change my mind very often once I take a position I stick by it; and the newspaper, of course, doesn't influence me one bit either, but if I am wrong I will own up to it; and in this particular instance I think that I voted unwisely in the first place and that's why I am changing my vote at the present time."

End of Verbatim

Roll call was taken on the Ordinance resulting as follows:

Ayes 3; Nays 6; Cvitanich, Haley, Herrmann, Murtland, Price and Steele. The Ordinance was declared LOST by the Chairman.

Mr. Steele moved that the Rules be suspended to consider Resolution No. 17219. Seconded by Dr Herrmann Voice vote taken. Motion carried.

Resolution No. 17219:

Fixing Tuesday, October 23, 1962 at 4:00 P. M. as the date for hearing on the vacation of the area of No. 13th St. between I and the alley 400 between I and Yakima Avenue 431

Mr. Steele moved that the Resolution be adopted. Seconded by Mr. Murtland.

Myron Calkins, Engineer, submitted to the Council members a diagram, showing the location in which they expect to construct a cul-de-sac on North 13th Street. He said it would take off five feet of the original vacation request. It is anticipated that the cul-de-sac would eliminate the traffic from the alley. The school would still have the street vacated for the protection of the children, and the parents would have a place to drop off their children at school by this method.

Voice vote taken on the Resolution.

The Resolution was then declared adopted by the Chairman.

Mayor Tollefson stated, the Council will now continue with the regular order of business.

Ordinance No. 17169:

Appropriating the sum of \$10,000 or so much as may be necessary from the General Fund to the Airport Fund for the purpose of paying the cost of necessary consulting and expert fees in connection with the recertification of the Certificate of Public Convenience & Necessity for Local Services by West Coast Air Line, Inc.

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

Ayes 8; Nays 1; Civtanich. Absent 0.
The Ordinance was then declared passed by the Chairman.

Ordinance No. 17170:

Vacating the area of East 26th & M Streets. (petition of Fred Berto) 384

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

Ayes 9; Nays 0; Absent 0.
The Ordinance was then declared passed by the Chairman.

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Ordinance No. 17172:

Providing for the improvement of L I D 5358 for cast iron water mains and Fire Hydrants in So. 84th St. from Ainsworth Ave. to a point 1100 feet west.

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 17173:

Providing for the improvement of L I D 6807 for street lights on East L and M Streets from East 64th to 72nd St. and on East G from 51st to 56th Streets.

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 17174:

Approving and confirming the assessment roll for L I D 5343 for cast iron water mains in Cushman Ave. from So. 58th to 60th Street produced.

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 17175:

Approving and confirming the assessment roll for L I D 6785 for street lights at intersections in the area between Pacific Ave. & Park from So. 65th to 72nd Streets.

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was then declared passed by the Chairman.

REPORTS:

Report from City Manager on the Street & alley vacation of So. 17th⁵⁶⁻⁴ and Lawrence St. submitted by the First Assembly of God Church.

Mr. Rowlands explained a memorandum was submitted to the Council members in their agenda explaining what has transpired to date concerning the request of the First Assembly of God for a vacation of portions of So. 17th, So. 18th and Warner Sts. in the vicinity of So. Puget Sound and So. Lawrence Streets. He added, the Planning Staff and Planning Commission have suggested that this be referred back to them so that the alternative can be reviewed more carefully so that a more finalized recommendation can be submitted.

Mr. Steele moved to refer the matter back to the Planning Commission for further study. Seconded by Mr. Murtland. Voice vote taken. Motion carried.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Report from the Fire Dept. for the month of August 1962
- b. Report from the Tacoma Police Dept. for the month of August 1962.
- c. Report from the Light, Water & Belt Line Division for the month of August 1962.

COMMENTS:

Mr. Steele mentioned he was a member of a committee to reduce election costs and was sponsoring the endorsement of SJR-1 which will increase the levy period for Capital Improvements and M & O for School Districts. HJR-1 relates to Cities and Towns increasing their levy periods up to four years; thereby decreasing election costs. He wanted to encourage everyone to actively support the adoption of SJR-1 and HJR-1 at the polls on November 6th.

Mayor Tollefson said he endorsed SJR-1 and HJR-1 and asked the Council if they had an opportunity to pass the word around.

Mr. Murtland explained the reason that he had not attended the previous evening's budget hearing was that he had to teach a law class.

Mr. Murtland also mentioned since he was late in attending this meeting, he would like to have some corrections made on his verbatim portion of the minutes of Sept. 18, 1962, and would point them out so they can be corrected before next week.

Meeting recessed until 7:00 P. M. for the Budget Hearing.