

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, Sept. 5th, 1967

Council met in regular session. Present on roll call 9: Bott, Cvitanich, Finnigan, Haley, Herrmann, Johnson, Murtland, Price and Mayor Tollefson. Absent 0.

Mr. Haley moved that the minutes of the meeting of August 22, 1967 be approved as submitted. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

HEARINGS & APPEALS:

a. This is the date set for hearing of the vacation of Jefferson Ave. north from So. 25th Street submitted by the Public Works Dept.

No one appearing and no protests being made, Mr. Finnigan moved to concur in the recommendation of the Planning Commission to approve the above vacation and that an ordinance be drafted approving same. Seconded by Mr. Murtland. Voice vote taken. Motion carried.

b. This is the date set for hearing of the vacation of the north 10 feet of East 34th St. between East M & N Sts., submitted by Tacoma School Dist. #10 (Rogers School).

No one appearing and no protests being made, Mrs. Price moved to concur in the recommendation of the Planning Commission to approve the above vacation, and that an ordinance be drafted approving same. Seconded by Mr. Haley. Voice vote taken. Motion carried.

c. This is the date set for hearing for the rezoning of the N. E. corner of No. 25th & Stevens St. from an "R-2" to an "R-4-L" District, submitted by Arthur J. Broback.

No one appearing and no protests being made, Mrs. Price moved to concur in the recommendation of the Planning Commission to approve the above rezone, and that an ordinance be drafted approving same. Seconded by Mr. Murtland. Voice vote taken. Motion carried.

RESOLUTIONS:

Resolution No. 19325

Fixing Monday Sept. 25, 1967 at 4 P. M. as the date for hearing on L I D 5444 for water mains in the Cedar View Development Company area.

Mr. Price moved that the resolution be adopted. Seconded by Mr. Murtland.

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

Resolution No. 19337

Fixing Monday, Sept. 25, 1967 at 4 P. M. as the date for hearing on L I D 2388 for grading and oil mat surface on Ea. 61st from Portland Ave. to East Q St.

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

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

Resolution No. 19338

Fixing Tuesday, October 3rd, 1967 at 4 P. M. as the date for hearing for the vacation of Ferdinand St. between Center and So. 28th Sts. (petition of Burkhardt Dental Supply Co.)

Dr. Herrmann 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. 19339

Awarding contract to Woodworth & Company on its bid of \$12,662.11 for L I D 3662.

Mr. Finnigan 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. 19340

Awarding contract to Lige Dickson Company on its bid of \$57,456 for Work Order No. 73953.

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

The Resolution was passed unanimously by voice vote.
Ayes 8; Nays 0; Absent 1, Haley (temporarily)

City Council Minutes - Page 3 - Sept. 5, 1967

Resolution No. 19341

Awarding contract to Glen A. Carmack for one Solo Motorcycle for the sum of \$701.00 and that all bids for the three-wheel cycle be rejected.

Mrs. Price moved that the resolution be adopted. Seconded by Mr. Cvitanich.

The Resolution was passed unanimously by voice vote.
Ayes 8; Nays 0; Absent 1, Haley (temporarily)

Resolution No. 19342

Awarding contract for the furnishing of nine trucks to International-Harvester, Irwin - Jones Motor Co. and South Tacoma Motor Company.

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

The Resolution was passed unanimously by voice vote.
Ayes 8; Nays 0; Absent 1, Dr. Herrmann. (temporarily)

Resolution No. 19343

Authorizing the release of a portion of a 50-foot easement by the City to property owners in exchange for a 14-foot easement abutting and lying southwesterly of the existing easement for sewer services in the vicinity of So. 84th and Alaska Street.

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

The Resolution was passed unanimously by voice vote.
Ayes 8; Nays 0; Absent 1, Dr. Herrmann. (temporarily)

Resolution No. 19344

Authorizing the execution of an agreement between the City of Tacoma and the State of Washington and Pierce County for the construction, erection and maintenance of an adequate outlet drainage facility in and about Ward's Lake in Pierce County.

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

Mr. Robert Anderson, City Engineer, explained that for a number of years severe flooding has occurred in this area, and this resolution will allow the construction of an adequate outlet drainage facility in and about Ward's Lake.

Mayor Tollefson suggested that the Metropolitan Park Board be informed of this facility as he knew they were considering developing a man-made lake in this particular area.

The Resolution was passed unanimously by voice vote.
Ayes 8; Nays 0; Absent 1, Dr. Herrmann. (temporarily)

Resolution No. 19345

Accepting a sealed bid for the purchase of real property situated within the Fawcett St. Urban Renewal Project No. Wash. R-3.

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

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

Resolution No. 19346

Authorizing the proper officers of the City to study the feasibility and practicability of adopting a work training program.

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

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

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FINAL READING OF ORDINANCES:

Ordinance No. 18361 (postponed from the meeting of Aug. 29, 1967)

Amending Title 9 of the official code of the City by adding a new chapter 9.17 whereby abutting property owners will be responsible for injuries and damages arising out of defective and dangerous conditions relative to sidewalks, etc.

Mr. Ed Snell, 5201 So. Puget Sound Ave., wanted to know if this ordinance was drafted from other sources.

Mayor Tollefson stated that there is no exact law that is drafted by any statutory body. This is what is called 'case law' that comes down by Court decision, except as it might be modified by statutory law.

Mr. McCormick, City Attorney, remarked that the principal reason for putting this in ordinance form, is to have a definite definition of the liability of the property owner and the City, relative to sidewalks, parking strips and right of way. He felt such an ordinance is a benefit to both the property owner and the City, as it will result in a saving for both parties. If there are defects caused by the City it will be liable, but if the property owner has caused them, he would be liable. However, the property owner can now notify the City as to the defects that had not been caused by him. However, he added, each case stands on its own facts.

Rev. Putnam, property owner at 4014 No. 26th, asked if the insurance rates to the property would be increased due to the passage of this ordinance.

Mayor Tollefson felt that the rates should be reduced instead, as this ordinance gives the property owner a chance to reduce his liability.

Mr. Johnson remarked that the property owner is responsible for the maintenance and repair of his property, and he is required to notify the City of any defects that exist. The defects may or may not be his responsibility, but he is responsible of alerting the City to any defects. Then it is the City's responsibility to see that the defect is corrected. If it is the City's fault they will pay it and if it is the property owner's fault, he would be responsible for payment.

Mr. Rowlands stated that the Public Works Dept. has a man in the field at all times checking for defects, and if it is a small defect, the City repairs the sidewalk without any charge to the property owner. This is another service provided by the City. If the property owner notifies the City as this ordinance requires, litigation will be reduced.

Mayor Tollefson stated, if there is a major repair, the property owner is notified of the costs no matter who is responsible.

Roll call was taken on the ordinance, resulting as follows:

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

Ordinance No. 18377

Amending Chapter 13.06 of the official code by adding a new section 13.06.113-5 to include property on the S. W. corner of So. 84th St. Freeway Offramp and Hosmer St. in a "C-F-V" District. (petition of Victor L. Lyon)

Roll call was taken on the ordinance, resulting as follows:

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

Ordinance No. 18378

Repealing Section 12.06.251 of Chapter 12.06 of the official code and re-enacting a new section 12.06.251 relative to Electric Energy-Regulation and Rates.

Roll call was taken on the ordinance, resulting as follows:

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

Ordinance No. 18379

Amending Chapter 12.06.100-a of the official code relative to Metering of electric energy.

Roll call was taken on the ordinance, resulting as follows:

Ayes 7; Nays 1, Bott; Absent 1, Dr. Herrmann.
The Ordinance was declared passed by the Chairman.

Ordinance No. 18380

Providing for the improvement of L I D 3660 for storm drainage on So. Pine from 62nd to 70th Street.

Roll call was taken on the ordinance, resulting as follows:

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

Ordinance No. 18381

Providing for the improvement of L I D 4816 for paving on So. 17th from Cushman to Ainsworth, also concrete alley paving between M & Sheridan from So. 19th to So. 21st; and between No. J & K St. from No. 10th to No. 11th and other nearby alleys.

Mr. Rowlands explained that protests in the amount of 52% have been filed against the alley between No. 27th and No. 28th St. from Washington St. to Adams Street. Also protests in the amount of 48 1/2% have been filed against the paving on So. 17th St. from Cushman to Ainsworth Avenues.

Mr. Fred T. Pedersen stated he had been one of the petitioners for the alley improvement between No. 27th and No. 28th from Washington-Adams Street, and he felt this alley should be paved because of the excess traffic generated by the postal employee trucks.

A number of property owners protested the alley paving and felt it was of no benefit to them.

Mr. Bott moved that the alley paving between No. 27th and No. 28th from Washington St. to Adams St. be deleted from L I D 4816. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

Discussion was held relative to the deletion of the pavement on So. 17th from Cushman to Ainsworth Ave. which had 48 1/2 % protests.

Mayor Tollefson concluded, there being no motion to delete that section, he would ask for a roll call on the ordinance.

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

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

Ordinance No. 18382

Providing for the improvement of L I D 6893 for street lighting with underground wiring on So. I from So. 12th to So. 25th Street.

Roll call was taken on the ordinance, resulting as follows:

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

Ordinance No. 18383

Approving and confirming the assessment roll for L I D 4783 for alley paving on So. J & K Sts. from So. 21st to So. 23rd and other northend alleys.

Mr. Matt Novak, residing at 3830 Ea. J St. protested the alley paving between So. 21st and 23rd Sts. He stated he does not feel that he should be assessed for this improvement as he is the only one in the neighborhood who has no access to the alley.

Mayor Tollefson stated that State Law sets up the method of assessment and once in a long time there is a situation where there is actually no benefit to the property owner.

Mr. McCormick, City Attorney, explained that this alley does benefit Mr. Novak's property to some extent because it is paved and also benefits the entire area.

A number of Councilmen felt this alley should not be deleted because of the improvement to the entire area.

Mr. Finnigan who sat in on the L I D Committee felt since Mr. Novak does not have access to the alley in any way, his property should not be assessed.

After some discussion, Mr. Haley moved that Mr. Novak's property assessment be deleted from the assessment roll. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

Roll call was taken on the ordinance with the deletion of Mr. Novak's property from the assessment roll:

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

Ordinance No. 18384

Approving and confirming the assessment roll for L I D 4787 for alley paving between No. 14th and 15th from Junett to Pine St. and the alley between Cushman & Sheridan from Division to So. 5th Street.

Roll call was taken on the ordinance, resulting as follows:

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

Ordinance No. 18385

Approving and confirming the assessment roll for L I D 6863 for street lighting in the vicinity of No. 46th to No. 49th from Huson to Pearl Street.

Roll call was taken on the ordinance, resulting as follows:

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

MC-498--Progress Report on City Airport, Urban Renewal & other City Programs.

Mr. Rowlands remarked, this was an informative progress report.

COMMENTS:

Mr. Rowlands remarked that the proposed Preliminary Budget has been submitted this evening for the Council's perusal.

Mr. Rowlands called the Council's attention to a meeting that has been called for Friday, Sept. 8, 1967, at 2 P. M. at the Swept Wing Inn, by the Sub-Committee on Industrial Development. This will be a hearing on the Secondary Highway, System 6. Representatives from Pierce County, Port of Tacoma and Weyerhaeuser Co. will be present. He added, the State Highway Commission will reiterate its position favoring System 6. He asked that the Council members who wish to attend advise the City Manager.

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Mr. Rowlands distributed MC-499 relative to the possibility of reducing the transit fares for elderly citizens. He added, this program is being undertaken in Olympia and Seattle. The staff has worked closely with the Council on Aging on this matter.

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Mr. Hendry, Director of Transit, explained if monthly passes at a rate of \$2.00 a month were secured by 20% of the 30,000 or more citizens, revenue to the City from passes would approximate some 80% of the estimated fare loss. A rough estimate indicates that an additional \$30,000 to \$35,000 yearly would be necessary to finance this program.

Rev. Putman, a member of the Council on Aging, stated the reason that many of the elderly do not ride the buses is that their incomes have been reduced, and it has resulted in decreased mobility due to inability either financially or physically to maintain a car. Isolation and resultant loneliness is one of the saddest and most unhealthy conditions to experience. He felt the City has a responsibility for approximately 30,000 of these people.

Mr. Rowlands stated, these passes would permit holders to ride the buses in off-peak hours, from 9 A M to 3 P M daily and after 6 P M each evening as well as all day Saturday and Sunday. He added, perhaps, a three month trial period would be in order.

Mr. Rowlands remarked that the suggested recommendation for the program was for those persons over 65 whose income, above any pension or social security payment received, does not exceed \$1200 a year.

Mr. Cvitanich felt the income should not be considered if the age is set at sixty-five.

Mr. Johnson asked if this program could include the handicapped.

Mr. Rowlands stated adjustments could always be made at a later date if the Council wished.

Mr. Bott requested that an ordinance be drafted instituting a \$2.00 a month pass on the buses for off-peak hours, for persons 65 and over, on a trial period of three months.

Mr. Rowlands reminded the Council that the First Class Cities meeting will be held on Wednesday, Sept. 13th, 1967 in Vancouver, Wash.

Mr. Cvitanich asked what had transpired relative to the sewage treatment plans in the Port Industrial area.

Mr. Rowlands stated that several meetings with the Port officials have been held, to the end that the City will work with them in developing the arterial street systems and sewage plans.

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Mayor Tollefson stated he had not been able to contact all members of the Council in regard to the names to be proposed for the Human Relations Commission. He added that the terms for each member have not yet been determined and read the names as follows: Sandra Richard, Rev. Ernest Brazill, John L. Epps, Jack Powell, Swan Johnson, Rev. Thomas Pitsch, Dr. George A. Tanbara, Mrs. Grace Kipp, Bruce Brennan, Victor Lyon and

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City Council Minutes - Page 9 - Sept. 5, 1967

and Myron Taylor. He said he felt these persons represented a good cross section of very concerned and understanding people.

Mr. Finnigan suggested that a resolution be drafted appointing these persons and their terms to the Human Relations Commission for next week's meeting.

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

AAA Jolleyson
Mayor of the City Council

Attest: Josephine Melton
City Clerk