

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, August 17, 1965

Council met in regular session. Present on roll call 8; Cvitanich, Finnigan, Haley, Herrmann, Johnson, Murtland, Price and Mayor Tollefson. Absent 1: Bott. Mr. Bott arriving at 4:10 P. M.

HEARINGS & APPEALS

a. This is the date set for hearing on the rezoning of property located at 8822 Pacific Ave. from an "R-2" District to a "R-4-L" District. Submitted by Darrell Sanders & Frank Risalvato.

William Dippolito, Attorney representing Darrell Sanders & Frank Risalvato, petitioners, explained the area in which the requested rezoning is located and stated that this would be a 26-unit apartment house.

No protests being made, Dr. Herrmann moved that the proper Ordinance be drafted approving the rezone. Seconded by Mrs. Price. Voice vote taken. Motion carried.

b. This is the date set for hearing on the appeal filed by the George D. Poe & Co. for the rezoning of the property located on the north side of No. 33rd St. west of Shirley St. from an "R-2" District to an "R-4" District.

Mayor Tollefson stated that there has been a request for a postponement of this hearing until September 14, 1965.

Mr. Stanley Willey, Acting Director of Planning, stated that they had notified several of the property owners of the request for postponement.

Mr. Thomas Johnson, 3306 No. Shirley, spokesman for a number of property owners, opposing the rezone, stated that it would probably be to their advantage to have the hearing postponed until September 14, 1965.

Dr. Herrmann moved to postpone the hearing for the rezoning of property petitioned by Geo. D. Poe & Co. until September 14, 1965. Seconded by Mr. Murtland. Voice vote taken. Motion carried.

Mr. Bott arriving at 4:10 P. M.

RESOLUTIONS:

Resolution No. 18411

Authorizing the sale of 198,000 Board Feet of Douglas Fir to Manke & Sons, Inc. for \$4,200.00 & 186,000 Board Feet of Alder &

35,000 Board Feet of Douglas Fir to Parker Logging Co. for \$3,150.00.

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

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

Resolution No. 18412

Awarding contract to Woodworth & Co. Inc. on its bid of \$60,374.75 incl. sales tax for L I D 4770.

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. 18413

Authorizing a 10-minute parking zone in front of 2506 Fawcett Ave.

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.

Resolution No. 18414

Authorizing the proper officers of the City to transfer and expend \$3,000 from the 1958 Storm Drain Bond Fund for construction of an extension of the St. Paul Ave. storm trunk line.

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.

FIRST READING OF ORDINANCES

Ordinance No. 17911

Amending Sections 1.12.100 & 1.12.110 of the official code of the City relative to the Compensation Plan.

The Ordinance was placed in order of final reading.

Ordinance No. 17912

Amending Chapter 13.06 of the official code by adding a new section to be known as Section 13.06.120 (45) including the area between So. 55th and So. 56th from Park Ave. to "G" in a "C-1" District. (Petitioner-Safeway Stores Inc.)

Mr. Rowlands stated that a letter was received from Mr. Buchholz, District Manager of Safeway Stores Inc., agreeing to the restrictions that were stipulated by the City Council.

Mayor Tollefson stated that the staff has received a number of letters from property owners in the area opposing the rezone and that they have requested to be heard even though this is the first reading of the ordinance.

Mr. Finnigan stated that he felt it was a closed matter as adequate time had been given to all parties involved to be heard.

Mayor Tollefson stated that he felt that the property owners should be heard if any new evidence is to be submitted.

Mr. Mike Antush of 5420 So. G St., stated that he felt that Safeway Stores Inc. had misrepresented the situation at the time of the hearing. He also presented a petition to the City Council opposing the rezone. He added, the number of families with small children in the area are concerned as there is no playground nearby and with traffic from a supermarket it would create a very dangerous situation. Several families have put up their houses for sale because of the prospective rezoning. He added, this is not healthy for any neighborhood, and he would persue the matter and have a breakdown of the number of actual property owners for the Council next week.

Mrs. Claus, property owner, read a communication that she had sent to the Mayor opposing the rezone. She felt that the recommendation of the Planning Commission, which was to deny the petition of Safeway Stores Inc., should be followed. Mrs. Claus also felt that the Safeway Store's representative had misrepresented their situation particularly when they stated that they had contacted all property owners within the area.

Mr. L. R. Ghilarducci, Attorney representing Safeway Inc., stated that in the beginning 109 properties were involved. He presented a map to the Council outlining the property owners in favor of the rezone.

Mr. Antush stated that four people favoring the rezoning have now rescinded their request.

The Ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES

Ordinance No. 17898

Authorizing the Director of Finance to close out inactive Local Improvement Districts and transfer funds thereto in the Local Improvement Guaranty Fund.

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was declared passed by the Chairman.

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Ordinance No. 17899

Authorizing the establishment of an Investment Committee to conform with Chapter 46 of House Bill No. 392 passed at the Extraordinary session of 1965.

Mayor Tollefson stated that he had had a request to postpone this Ordinance for a week.

Mr. Finnigan moved that Ordinance No. 17899 be postponed until August 24, 1965. Seconded by Mr. Haley. Voice vote taken. Motion carried.

Ordinance No. 17900

Establishing a Civic Art Commission jointly with Pierce County.

Mayor Tollefson stated that he had had a request to postpone this Ordinance from the Beautification's Committee as they wished to meet with the Council on this matter.

Mr. Haley moved that Ordinance No. 17900 be postponed for three weeks, until September 7, 1965. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

Ordinance No. 17901

Amending Chapter 13.06 of the official code by adding a new section 13.06.120-44 to include property east of the N. E. corner of 72nd & Pacific Ave. in a "C-1" District. (petition of P. J. Gallagher)

Roll call was taken on the Ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1: Mrs. Price (temporarily).
The Ordinance was declared passed by the Chairman.

Ordinance No. 17902

Relating to elections and precincts by amending Sec. 1.14.020 of the official code and repealing Sec. 1.14.021 thru 1.14.370 and reenacting in lieu thereof Secs. 1.14.021 thru 1.14.256.

Mr. McCormick stated that corrections have been made in this Ordinance as follows:

Page 4, Line 5 of Section 1.14.032 should be amended to read "North 4th Street" instead of "14th Street". Page 8, the end of the third line in Section 1.14.048 should be amended to read "South Trafton" instead of "Trafton". Page 27, amend the second line of Section 1.14.123 to read "South "L" Street", instead of "South "N" Street". Page 42, in Section 1.14.178, the third word from the end of the tenth line should read "southerly" instead of "south-easterly". Page 44, substitute new page 44, rewriting Section 1.14.185. Page 55, in Section 1.14.223, insert the word, "projected" in the 12th line before the words "to the intersection".

Dr. Herrmann moved that the Ordinance be adopted as amended. Seconded by Mr. Cvitanich. 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.

Ordinance No. 17903

Providing for the improvement of L I D 5402 for watermains in So. 90th St. from Ainsworth Ave. to Alaska St. & Alaska & Asotin Sts. from So. 90th St. to approx. 320 feet North.

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. 17904

Providing for the improvement of L I D 6858 for intersection street lighting on No. 48th St.; Pearl to Vassault and other streets.

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. 17905

Providing for the improvement of L I D 3601 for sanitary sewers on McKinley Ave. from Ea. 80th to Ea. 82nd & in easement 160 feet west of McKinley Ave. from 82nd to 84th Sts.

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. 17906

Approving and confirming the assessment roll for L I D 3573 for storm drains in So. 19th St. from Jackson Ave. to Meyers St. and other streets.

Roll call was taken on the Ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1; Johnson (temporarily).

The Ordinance was declared passed by the Chairman.

Ordinance No. 17907

Approving and confirming the assessment roll for L I D 3572 for permanent paving on So. 76th St. from Alaska St. to Sheridan Ave. and other nearby streets.

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. 17908

Approving and confirming the assessment roll for L I D 6841 for intersection street lights in the area bounded by "A" St. and "F" St. from Ea. 65th to Ea. 68th Sts.

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. 17909

Approving and confirming the assessment roll for L I D 6842 for intersection street lights in the area bounded by "A" St. and "E" St. from Ea. 69th to 72nd St.

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. 17910

Approving and confirming the assessment roll for L I D 6845 for intersection lighting on No. 10th St. from Proctor to Stevens St.

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was declared passed by the Chairman.

UNFINISHED BUSINESS

The Director of Public Works presents the following Assessments for hearing:

- a. L I D 4740 for permanent type paving on Puget Sound Ave. from So. 62nd St. to So. 64th St.
- b. L I D 6836 for installation of modern lights on No. 24th from Stevens to Huson and No. 14th St. from Stevens to Orchard Sts.
- c. L I D 6847 for installation of modern lights on ornamental standards along So. Oakes from So. 46th to So. 56th Sts.

Mr. Finnigan moved that Monday, September 13, 1965, at 4:00 P. M. be set as the date for hearing on the assessment rolls for L I D 4740, L I D 6836 and L I D 6847. Seconded by Mr. Cvitanich.

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Voice vote taken. Motion carried.

REPORTS

a. Report from the L I D Committee recommending to the City Council that L I D 3604 for sanitary sewers on East "C" St., 82nd to 84th Sts. and other streets be abandoned.

Mrs. Price moved that L I D 3604 be abandoned. Seconded by Mr. Haley. Voice vote taken. Motion carried.

b. 1966 - 1971 Capital Improvement Program.

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ITEMS FILED IN THE OFFICE OF THE CITY CLERK

Report from the Municipal Court for July 1964 and 1965.

COMMENTS

Mr. Rowlands stated, in reference to the 1966-1971 Capital Improvement Program, that a study session should be held on this program at a later date since this is flexible and subject to amendment and modifications by the Council.

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Mr. Rowlands stated that on Friday, August 20, 1965, at 9:30 A. M., there will be a ribbon cutting ceremony on the McKinley Ave. diagonal which will eliminate a very dangerous right-angle turn near the Northern Pacific Hospital. The staff will have transportation for any Council member who wishes to attend.

Mr. Rowlands reminded the Council that the County-City Night at Cheney Stadium will be observed on Friday, August 27, 1965. He hoped that they would all be able to attend as not too many games are left on the schedule.

Mr. Rowlands stated that the Neighborhood Youth Corporation program is progressing very satisfactorily and 31 young people are now at work.

Mr. Haley stated that the Julia Gulch Road should be in operation this fall and he hoped that a ceremony would be planned at that time.

Mr. Rowlands stated that another development on 19th St. involving Pierce County, Fircrest, Tacoma Schools, and the City should be finished soon.

Mr. Johnson felt that the first Tacoma Narrows bridge, known as "Galloping Gertie", could be used as an advertisement of great attraction for our City. He informed the City Council that an Engineer at the University of Washington at one time had a working model of the first bridge, and he felt it could be made available for demonstration purposes. A display of the model and the many photographs of the first bridge would make a very excellent tourist attraction. He hoped that the Council would consider this matter.

Mrs. Opal Davis of 8219 "C" St. asked the Council if they had received a communication from the Health Dept. stating that sanitary sewers on East "C" St., 82nd to 84th Sts in L I D 3604 should be installed.

Mr. Rowlands distributed the memorandum to the Council.

Mrs. Price stated that the L I D Committee explained to the people at the L I D meeting on Monday, August 9th, 1965, that even though a 60% protest had been filed, if the Health Dept. felt it necessary the district could be created.

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Mr. Murtland asked how many homes were involved.

Mr. Schuster, stated that there are a few new homes in the area with septic tanks.

After further discussion, Mr. Haley moved to reconsider the Council's action under "Reports" in abandoning L I D 3604. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

Mr. Haley then moved to rescind the abandonment of L I D 3604. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

Mr. Wisheart and Mr. Husk, property owners, stated that the other property owners were serviced by the sewers on 84th Street; however, since their property was located in the middle of the block the sewers were badly needed.

Mrs. Price stated that there were three areas in the L I D. She wondered if all of these areas would be included for reconsideration.

Mr. Bott moved that the Council reconsider only one district, "C" Street. Seconded by Mrs. Price. Voice vote taken. MOTION FAILED.

Mr. Finnigan moved that L I D 3604 be referred for reconsideration to the L I D Committee at their meeting, September 13, 1965; furthermore, all people involved should be notified. Seconded by Mr. Haley. Voice vote taken. MOTION CARRIED.

Mr. Bott inquired as to why the Health Dept. approved the septic tanks for the new homes and he felt that this should be investigated.

Mr. Rowlands stated that this is getting to be one of the most acute problems in the entire area.

Dr. Harold Bass, pastor of the Hillside Community Church, stated that he felt that the City Council should replace the signs on the City buses, which had been purchased by the Peace Committee of his church, for they were neither obscene nor unAmerican.

Mr. John K. Alego, representing Rhodes Post of the American Legion said that the post supported the intervention of the United States in Viet Nam. He added, we are in South Viet Nam at the request of its government.

Mr. Haley stated that he felt the Council meeting should not be used as a forum to debate American foreign policy. He felt the basic question in the sign controversy was one of contractual rights.

Dr. John G. Gill, former Unitarian minister and substitute high school teacher, asked that he be recognized to speak on "freedom".

Mayor Tollefson stated that this was not pertinent to the subject at hand.

Mr. Rowlands stated that in the City's agreement with the transit advertising company, as authorized by Council ordinance, he was given the right to object to any advertising signs which might be in "bad taste".

Mr. Haley stated he felt the matter was properly an administrative one and should be left to the Manager.

Mrs. Price and Mr. Finnigan agreed with Mr. Haley.

After further discussion, Mr. Haley moved that the Council no longer discuss the matter. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

Mr. Cvitanich asked that as a matter of record the letters sent to Mayor Tollefson in regard to the bus signs be filed.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 6:00 P. M.

Attest:

Josephine Melton
City Clerk

W. M. Tollefson
Mayor of the City Council