

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.  
Tuesday, August 29, 1967

Council met in regular session. Present on roll call 7: Bott, Finnigan, Haley, Herrmann, Murtland, Price and Mayor Tollefson. Absent 2: Cvitanich and Johnson. Mr. Cvitanich coming in at 4:35 P. M.

Mr. Haley moved that the minutes of the meeting of Aug. 15, 1967 be approved as submitted. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

HEARINGS & APPEALS:

a. This is the date set for hearing on the appeal filed by David A. Hunt on the denial of the request for rezoning of property on the south side of 6th Avenue between Vassault and Defiance Sts. extended, from an "R-2" and "R-4-L" District to a "C-2" District.

Mr. Buehler, Director of Planning, explained in detail the reasons for the decision of the Planning Commission to deny this rezone. Mr. Buehler stated, the Planning Commission felt any development, whether it be low density residential or commercial, would generate a certain amount of traffic throughout the entire day on 6th Avenue. In addition, other traffic problems would be anticipated, since a good portion of the overall frontage is presently developed commercially, and desirable interior traffic circulation would be hampered.

He added, a reclassification of this nature would merely give economic advantage to the owner. Tax revenue would be received, but the Commission's point is that the health, safety and general welfare of the public must be the primary consideration and not an economic advantage.

The Planning Commission felt any additional rezoning for these rear properties should not be for new commercial developments, but for residential developments only. A commercial district of the size and location being proposed would not protect or promote the public health, safety and general welfare of the area and of the community.

Mr. Robert Strobel, Planning Commission Chairman, explained that it was feared that reclassification of the depth sought by Mr. Hunt would open up harmful strip-zoning and generate more traffic in an area already congested. He said the Commission believed its zoning of the property for apartments in 1965 had been the proper step, which created a desirable buffer.

Mr. E. L. Mills, Architect representing Mr. Hunt the petitioner, felt the traffic generated by professional offices would be minimal and would occur during non-peak hours, as opposed to the traffic of apartment dwellers. He noted they had worked with the City Traffic Division and had presented drawings and new layouts for the plan, and were told the plans were good and workable.

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He felt that the depth of this property, even under a modified plan would allow more than adequate parking. He felt the best use of the property would be for commercial development. Mr. Hunt has desirable leases for the building already on site parking.

Mayor Tollefson asked the time table for the future freeway off the Narrows Bridge.

Mr. Buehler stated it was to be completed by 1975.

Mayor Tollefson asked how many cars crossed the bridge each day.

Mr. Anderson, City Engineer, said there are about 17 to 18,000 cars.

Mr. Haley contended the construction of the freeway was seven years away and traffic on 6th Ave. is heading toward staggering proportions.

Mr. Hunt said he felt it was up to the owner of the property to see that the circulation pattern within the property is workable. He said it is their intent to make the egress and ingress very accessible to traffic. They are willing to work with the City under a modified plan.

Dr. Herrmann felt there is more than sufficient property already zoned commercial in the area and ample services and stores already in existence.

Mayor Tollefson said he could foresee problems in the traffic but felt no other development could go in this area except a "C-2" District. Under the circumstances, there will be problems in regard to access routes and traffic patterns but he felt the proposed development was logical.

After further discussion, Mr. Haley moved to concur in the recommendation of the Planning Commission to deny this rezone. Seconded by Mr. Finnigan. Roll call was taken on the motion, resulting as follows: Ayes 5; Nays, 3; Bott, Price and Mayor Tollefson. Absent 1, Johnson. MOTION CARRIED.

b. The City Planning Commission recommending denial of the request for rezoning of the S. E. corner of No. 21st & Orchard St. from an "R-2" to an "R-3" District, submitted by Forrester Realty Co.

The last day to file an appeal was Aug. 21st, 1967, and no appeal was filed.

Dr. Herrmann moved to concur in the recommendation of the Planning Commission to deny this request for a rezone. Seconded by Mr. Haley. Voice vote taken. Motion carried.

PETITIONS:

a. Louis J. Burkey requesting rezoning of property on the S. W. corner of No. 10th & Yakima Ave. from an "R-2" to an "R-4-L" District.

b. Orville R. Hanson requesting rezoning of property 130 feet north of So. 56th & east side of So. Sheridan from an "R-2" to a "C-2" District.

c. B. H. Petersen requesting rezoning of property located between 26th & 27th Sts. N. E. between 59th Ave. N. E. and Highline Rd. from an "R-2" to an "R-4-L" District.

c. Andrew Kuzmanich requesting rezoning of the west side of Alder approximately 150 feet south of So. 43rd from an "R-3" to an "R-4-L" District.

Referred to the Planning Commission.

RESOLUTION No. 19323

Fixing Monday Sept. 25, 1967 at 4:00 P. M. as the date for hearing on L I D 4823 for paving on No. Villard from No. 37th to No. 38th and other nearby streets.

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

The Resolution was passed unanimously by voice vote.  
Ayes 7; Nays 0; Absent 2, Cvitanich and Johnson.

Resolution No. 19324

Fixing Monday October 9, 1967 at 4:00 P. M. as the date for hearing on  
I D 6883 for street lighting in the area between East 60th to 64th St. from  
East B Street to McKinley Ave.

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

The Resolution was passed unanimously by voice vote.  
Ayes 7; Nays 0; Absent 2, Cvitanich and Johnson.

Resolution No. 19325

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

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

Mr. McCormick, City Attorney, asked that this resolution be postponed  
for a week as the Utility Dept. has requested that a change be made in the  
resolution.

Mr. Haley moved that Resolution No. 19325 be postponed until Tuesday,  
Sept. 5, 1967. Seconded by Mr. Murtland. Voice vote taken. Motion carried.

Resolution No. 19326

Awarding contract to Northwest Painters, Inc. on its bid of \$3,811.12 for  
painting of the administration building of the Tacoma Transit System.

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

The Resolution was passed unanimously by voice vote.  
Ayes 7; Nays 0; Absent 2, Cvitanich and Johnson.

Resolution No. 19327

Awarding contract to M. A. Wright & Sons Roofing Company on its bid  
of \$6,110.12 for reroofing of the Transit Buildings.

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

The Resolution was passed unanimously by voice vote.  
Ayes 7; Nays 0; Absent 2, Cvitanich and Johnson.

Resolution No. 19328

Awarding contract to Tucci & Sons on its bid of \$9,243.91 for W. O.  
No. 91120.

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

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The Resolution was passed unanimously by voice vote.  
Ayes 7; Nays 0; Absent 2, Cvitanich and Johnson.

Resolution No. 19329

Accepting certain offers to sell real property situated within the New Tacoma Urban Renewal Project No. Wash. R-14.

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

The Resolution was passed unanimously by voice vote.  
Ayes 7; Nays 0; Absent 2, Cvitanich and Johnson.

Resolution No. 19330

Authorizing the proper officers of the City to execute an agreement with the U. S. Government for activation and deactivation of the foghorns at the Pt. Defiance Light House.

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

Mr. Frank Phillips, Airport Manager, explained that the United States Coast Guard, Dept. of Transportation, has proposed an agreement whereby the City Airport personnel will activate and deactivate the fog warning system at the Point Defiance light and fog signal at the same time, the fog warning system is activated and deactivated on the Tacoma Narrows Bridge. He added, the Coast Guard will compensate the City for the service.

Mr. Rowlands explained that the next resolution is in conjunction with this one, as an agreement has also been proposed whereby the State will install the necessary and appropriate remote control devices and the City personnel will activate and deactivate the fog warning devices, for which service the State will compensate the City according to the terms of the agreement. This has been brought about because the foghorns can no longer be activated by the State Highway personnel, since the maintenance of highway convey service has been discontinued by the State.

The Resolution was passed unanimously by voice vote.  
Ayes 7; Nays 0; Absent 2, Cvitanich and Johnson.

Resolution No. 19331

Authorizing the proper officers of the City to execute an agreement with the State of Washington whereby the City Airport personnel will activate the foghorns on the Tacoma Narrows Bridge.

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

The Resolution was passed unanimously by voice vote.  
Ayes 7; Nays 0; Absent 2, Cvitanich and Johnson.

Mr. Cvitanich arriving at 4:35 P. M.

Resolution No. 19332

Authorizing the proper officers of the City to negotiate with the State of Washington and Day's Tailor-D Clothing Co. for the leasing of Freeway right of Way adjacent to Day's Clothing from the State and the subleasing thereof to Day's for parking purposes.

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

Mr. Rowlands explained that the City must enter into a contract with the State of Washington, and then in turn sublease the property to Day's for parking purposes. The beautification and improvement will be entirely at the expense of the Day's Tailor-D Clothing Co.

Mr. McCormick, City Attorney, explained that the State of Washington Highway Commission has asked that this agreement be consummated, since the location is in the Freeway right of way. They want to be sure it is properly maintained.

Mr. Bott asked if it would be possible to negotiate with the State in the same manner relative to the diamonds at 56th and So. Sprague and So. 72nd and Hosmer Streets. He felt, perhaps they could be used for parking for a nominal fee.

Mr. Rowlands stated the staff would check into the matter.

Mayor Tollefson felt Mr. Bott's point was well taken, as people should not be allowed to use City or State land on a gratis basis, unless their contributions in lieu thereof have something to do with beautification.

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

Resolution No. 19333

Authorizing the proper officers to execute extension of agreements to (5) industrial customers for power contracts to August 15, 1968.

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

Mr. Benedetti, Assistant Director of Utilities, explained that the contracts of the five Industrial customers covered by this resolution would have expired January 15, 1968. The extension of these contracts to Aug. 15, 1968 will allow, during the interim period, a complete rate review and analysis as has been suggested in the Ford, Bacon & Davis report. This will enable the department to recommend revised or updated rate schedules including Ohio Ferro Alloys. Each of the contract customers involved has executed a contract extension agreement, indicating concurrence in proceeding in the manner suggested.

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

Resolution No. 19334

Authorizing the proper officers to execute a quit claim deed to the State of Washington Highway Commission for certain access rights to Primary State Highway No. 5, Fern Gap to Glenoma.

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

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

Resolution No. 19335

Authorizing the proper officers to execute an owner participation agreement with certain participants in the Fawcett St. Urban Renewal Project, Wash. R-3.

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

The Resolution was passed by voice vote. Ayes 7; Nays 1, Cvitanich; Absent 1, Johnson.

Mr. Haley moved that the Rules be suspended to take up Resolution No. 19336 which does not appear on the agenda. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

Resolution No. 19336

Authorizing the City Council of the City of Tacoma to request the Civil Service Board to take such steps and proceedings as may be necessary, so as soon as possible, inaugurate and maintain the job training program within the framework of the City Charter.

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

Mr. Bixel, City Personnel Director, explained that the City Charter provides for apprenticeship training. He added, Mr. McCormick, City Attorney, has checked with the State auditor to confirm its legality.

Mr. Bixel further stated, that rule changes by the Civil Service Board would be necessary to allow a salary schedule for trainee positions, a progress evaluation and a flexibility of assignment so that an employee could be placed where he was best suited.

Mr. Bixel added, apprentices could not be placed in permanent positions without passing civil service examinations, however. The State set up a program last week, creating positions for field and office trainees.

Mayor Tollefson explained that this resolution would call for the City Council to request the Civil Service Board to take such steps that are necessary to change the rules so that the proposed on-the-job training program could operate.

Mr. Cvitanich suggested, since the State Employment Security Dept. has already initiated a program such as this, that it would be a source of help to the City.

Mr. Bixel explained that the City lacked equipment to administer certain tests and might have to call on the school district for assistance.

Mr. Rowlands explained that the City would work closely with the Civil Service Board and that he saw no difficulty in the development of ground rules for the training program. Changes in any civil service rules and regulations would go to the City Council for final approval, he added.

Fred Van Camp, assistant business representative for the Civil Service League, asked if the Council had considered training for persons currently employed by the City.

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Mayor Tollefson replied, the first concept of this resolution is one of an emergency, but the Council feels they should also consider further training of persons already in civil service positions.

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

FIRST READING OF ORDINANCES:

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 & Hosmer St. in a "C-F-V" District. (petition of Victor L. Lyon)

The ordinance was placed in order of final reading.

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 & Rates.

The ordinance was placed in order of final reading.

Ordinance No. 18379

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

The ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 18361 (as amended and postponed from the meeting of Aug. 8, 1967)

Amending Title 9 of the official code 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.

Dr. Herrmann moved that the ordinance be postponed for one week, until Sept. 5, 1967. Seconded by Mr. Haley. Voice vote taken. Motion carried.

Mrs. Jenia Ristvedt, 8447 So. G., felt the ordinance would create a hardship for senior citizens whose incomes are below par.

Mayor Tollefson explained that the Council was postponing action and that the meaning and intent of the ordinance could be explained in a published notice to the public.

Mr. McCormick, City Attorney, explained that with or without the ordinance, property owners are already liable in certain situations. However, in many cases, the owner could take care of a defect or notify the City of a hazard.

Mayor Tollefson stated that a rule prevails in the law by which a person has no case for damages if he chooses to walk on a sidewalk covered with snow and ice.

Ordinance No. 18376

Amending the official code of the City by adding a new Chapter 8.94.010 relating to Malicious Damage to Fire Alarm Apparatus.

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

Yeas 8; Nays 0; Absent 1, Johnson.  
The Ordinance was declared passed by the Chairman.

UNFINISHED BUSINESS:

The Director of Public Works presents the assessment roll for the cost of L I D 6873 for street lights on So. 51st from G to So. D and along So. 53rd from So. G to So. D.

Mr. Haley moved that Monday, Oct. 9, 1967 be set as the date for hearing on the assessment roll for L I D 6873. Seconded by Mr. Flanigan. Voice vote taken. Motion carried.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Report from the Light & Belt Line Division for the month of July 1967.
- b. Personnel report for the month of July 1967.

COMMENTS:

Mr. Rowlands informed the Council that Governor Evans will be speaking next Wednesday, Sept. 6th at 6:30 P. M. at a banquet at the First Baptist Church. The Hilltop Area Improvement Council is sponsoring the dinner. He asked that his staff be informed as to how many Councilmen will be able to attend.

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Mr. Rowlands reminded the Council that on Wednesday, Sept. 13th, 1967 a special state wide conference of those cities over 20,000 population will be held in Vancouver, Wash. A number of Legislators will be in attendance, he added.

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Mrs. Price asked if anything has been done to install a light at 6th Ave. and Junett St.

Mr. Rowlands stated that Mr. Kosai, Traffic Engineer, informed him that since this intersection is just one block away from the light at 6th Ave. and Pine, most unusual circumstances would be the only reason that one would be installed.

Mrs. Price felt that if the lights on Steele, Prospect, Fife, Anderson, Dakes and Pine have been justified, one on Junett should be justified.

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Mr. Rowlands stated the matter would be checked.

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Mr. Bott asked that Mayor Tollefson invite the candidates for the City Council to attend the Study Sessions as well as the City Council meetings.

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



*W. J. Johnson*  
Mayor of the City Council

Attest: *Josephine Melton*  
City Clerk