

53

C I T Y C O U N C I L M I N U T E S

City Council Chambers, 4:00 P. M.
Tuesday, October 26, 1965

Council met in regular session. Present on roll call 6: Bott, Finnigan, Haley, Herrmann, Johnson and Mrs. Price. Absent 3: Mayor Tollefson, Mr. Murtland and Mr. Cvitanich. Mr. Murtland arriving at 4:10 P. M. and Mr. Cvitanich arriving at 4:25 P. M.

In the absence of Mayor Tollefson, Deputy Mayor Herrmann presided.

Deputy Mayor Herrmann stated, if there were no objections they would defer approval of the minutes of October 6, 1965 until next week.

Mrs. Price moved that the minutes of the meeting of October 13, 1965 be approved as submitted. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

Presentation of Safe Driver Awards.

Mr. Rowlands explained that two Depts. are represented this evening for the presentation of Safe Driver Awards.

Mr. James N. Enochs and Neil E. Johnson of the Police Dept. and Fred V. Brown, Joseph E. Harville, Jr. and Fred E. Lange of the Public Works Dept. were present to receive their awards. Nick P. Nicholas of the Police Dept. and Lloyd Collett and LeRoy J. Schlosstein were unable to be present. Deputy Mayor Herrmann and Mr. Rowlands, City Manager congratulated the recipients in behalf of the City Council.

Mr. Murtland coming in at 4:10 P. M.

HEARINGS & APPEALS:

a. This is the date set for hearing on the petition submitted by Forrester Realty & Mortgage Co. for the rezoning of property located at the N. W. corner of So. 72nd St. and Portland Ave. from an "R-2" and "C-1" District to a "C-P-N" District.

Mr. Novotney, owner of Novotney's Grocery on 72nd and Portland Ave. stated he would like a postponement of this hearing until Forrester Realty & Mortgage Co. submits in writing an agreement that they will exercise their option before the rezoning is approved. He added, he knew that this request for rezoning was for a new shopping center and he is requesting the City Council to protect his interests.

Mr. Bott stated that he felt Mr. Novotney should be protected. He added, the City Council must be cautious of developers who "buy support" with low cost options which never are picked up.

Mr. Murtland felt the Council should not delve in any way between the parties on an option.

Stan Wiley, Ass't Director of Planning, stated in a "C-P-N" classification the developer is required to have either the area under single ownership or unified control.

Deputy Mayor Herrmann stated that the Forrester Realty and Mr. Novotney would have to come to some reasonable settlement before the "C-P-N" zoning could be accomplished.

Mr. Bott asked Mr. McCormick if an option could be considered as unified control.

Mr. McCormick, City Attorney, explained that an option gives exclusive rights to a certain individual to buy a certain piece of property, and until the exercise of an option, the buyer has no control of the property.

Mr. Haley stated it was his understanding that the property to the north would, perhaps, be forced into a commercial zone and he felt this would not be right.

Mr. Wiley stated, the Planning Commission, in recommending the rezoning, was under the impression that the applicant had control of these two parcels of land because these ownerships are side by side and reasonable development for single family use would be virtually nullified if this were to be approved. The Commission felt that the solution to the problem was to have the two parcels of land under one ownership and then developed into an apartment house or a transitional type use such as a medical clinic.

Mrs. Johnson, owner of one of the properties on the north side of the proposed rezone, stated they did not sign an option because they did not wish to tie themselves up for a year.

Mrs. Sides, the other property owner, stated they wished their property rezoned.

Mrs. Price stated that there is a 65 foot setback from the back of the proposed buildings.

Mr. Wiley thought perhaps a street could be dedicated and proper screening is always required in this type of rezone.

Mr. Cvitanich coming in at 4:25 P. M.

Mr. Haley said he is concerned that the rezoning will eventually require the commercial rezoning of some landlocked property to the north. He added that he had been led to believe during the Planning Commission hearing that this property was to be picked up by Forrester Realty.

After further discussion Mr. Bott moved that the hearing be set over until next week, November 2, 1965, since the proponents were not present. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

b. This is the date set for hearing on the vacation of the southerly portion of Waterview St. between McIntosh & Dale Sts; westerly portion of Dale St. between Waterview & Forrest Sts.; a portion of Forrest St. immediately west of Dale St. & the alley lying between Waterview and Forrest St. immediately west of Dale St. (Petition submitted by Public Works Dept.)

Mr. Rowlands stated this request for a vacation by the Public Works Department is in connection with a sewage treatment plant to be located in Mason Gulch.

No protest being made, Mrs. Price moved that the proper Ordinance be drafted approving the vacation. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

PETITIONS:

a. Petition of J. J. Corbett requesting the rezoning of the property located at the N. E. corner of No. 46th & Shirley Sts.

b. Petition of Robert W. Haglund, D.M.D. requesting the rezoning of the property located at the S. E. corner of So. Yakima Ave. & 40th St.

Referred to the Planning Commission.

RESOLUTIONS:

Resolution No. 18479

Awarding contract to George Madsen Co., Inc. for L I D 4760 on its bid of \$8,571.67.

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, Mayor Tollefson.

Resolution No. 18480

Fixing Tuesday, November 16, 1965 at 4:00 P. M. as the date for hearing on the rezoning of property located on the No. side of So. 56th St. from the alley between Pine & Oakes Sts. to the alley between Prospect and Wapato Streets. (Petition of Ernest Yerbick.)

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

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

Resolution No. 18481

Fixing Tuesday, November 9, 1965 at 4:00 P. M. as the date for hearing on the "Recreation & Open Space Plan for Tacoma, Wash., 1965-1975".

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

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

Resolution No. 18482

Fixing Tuesday, November 22, 1965 at 4:00 P. M. as the date for hearing on L I D 4775 for permanent paving on Ea. "L" St. from Ea. 48th to Ea. 51st St. and other nearby streets.

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

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

Resolution No. 18483

Fixing Tuesday, November 22, 1965 at 4:00 P. M. as the date for hearing on L I D 4776 for permanent paving on No. 25th St. from Adams St. to Washington St. and other nearby streets.

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

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

REPORTS:

a. MC-465 - 51st Annual Conference of the International City Managers' Association.

b. Report of the Division of Municipal Corporations from the State Auditor for the period ending December 31, 1964.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Report from the Tacoma Police Department for Sept. 1965.
- b. Report from the Traffic Division of the Tacoma Police Dept. for the month of Sept. 1965.
- c. Report from the Director of Finance for the month of Sept. 1965.

COMMENTS:

Mr. Rowlands announced that on Wednesday, November 3, 1965 at 7:30 a meeting of the Citizens Committee will be held at the Utility Bldg. 51 + 90

On Thursday, November 4, 1965 at 7:00 P. M. the AWC meeting will be held at the Towers Restaurant.

Mr. Rowlands explained that in the National League of City Manager's bulletin it was noted that 2339 local governments now levy sales taxes, and, he added, this ties in with the problem that the Washington State Cities face relative to the initiative for next spring's elections.

James W. Reiser, Fire Chief, said he had directed a communication to the State Highway Dept. in May of 1965 in regard to fire protection for the Narrows Bridge. Since the tolls and personnel had been removed from the bridge the department felt that the bridge was being subjected to unnecessary risks from fire and also from other hazards. Chief Reiser recommended four items for protection of the bridge: (1) That a public emergency reporting phone system with 22 emergency recording phone boxes be installed on the Narrows Bridge; (2) An automatic fire detection system be installed throughout the buildings and storage areas on the approaches to the Narrows Bridge; (3) Communication and control cable facilities from the fire alarm central office be placed to the Narrows Bridge; (4) A water line be placed on the bridge to furnish water in the event of a fire. 54-329 + 59-84

Chief Reiser added, in order to draw up an agreement with the State Highway Dept. informal bids were requested. The total cost would be \$39,934.96. The Highway Dept. has approved this agreement which embodies generally the above suggestions. However, the Legal Dept. has raised the question if the City as an agent of the State can accomplish this work without calling for formal bids. If this were done it would involve securing the services of an engineering firm to write specifications and blueprints. The additional cost

would be approximately 15% of the total contract price, and would also delay completion of this important work for some time.

Chief Reiser added, to avoid this delay, the Council's opinion is requested on two questions: (1) Will the Council approve the agreement on the basis of informal bids and (2) Shall the City be required to re-negotiate this agreement on the basis of a formal bid?

Mr. Rowlands explained the cost would be underwritten by the State and they were in full agreement with the staff that it should be done as soon as possible.

Mr. Rowlands said a Resolution will be prepared by the Legal Dept. approving the agreement with the State Highway Dept. and presented to the Council for their approval.

Mr. Bott asked if fire hydrants had been placed on the Port Dock when it was rebuilt after the fire in 1963. 59

Chief Reiser stated a proposed ordinance had been presented to the committee for their approval, composed of the Chamber of Commerce officials, Port officials, etc.

Mr. Rowlands stated it has been a difficult matter to get sprinkler systems in open-space areas as insurance companies have not given it enough consideration premium-wise to make it an incentive for people to install these systems.

Mr. Rowlands stated the Chicago Cubs baseball team want an ownership agreement in their negotiations with the City and County regarding the use of Cheney Stadium. The management of the team will probably be in Tacoma within the next two weeks. ✓
66

Mr. Haley asked about the development that the Port of Tacoma is creating on Taylor Way and asked whether any trunk sewers are being put in. 60-261

Mr. Schuster, Director of Public Works, stated they do have a plan for drainage ditches in the port area. However, in the Six-Year Capital Improvement program there is a plan to put in a trunk sewer line for NE Tacoma, across the industrial area along Lincoln Ave. into the Central Treatment Plant which would then give an interceptor line within the industrial area.

City Council Minutes - Page 7 - October 26, 1965

Mr. Rowlands announced that on November 18, or November 20, 1965, Mr. Prah of the State Highway Dept., the City Council, the County Commissioners and the Port Commissioners should meet for a discussion relative to the seven alternatives for roads into the industrial area from the freeways.

501

Mr. Haley asked to be excused from the meeting of November 2, 1965.

Mrs. Price moved that Mr. Haley be excused. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

There being no further business to come before the Council, upon motion duly seconded and passed the meeting adjourned at 5:30 P.M.


Mayor of the City Council

Attest: 
City Clerk