

CITY COUNCIL MINUTES

City Council Chambers, 7:00 P. M.
Tuesday, February 20, 1962

Council met in regular session. Present on roll call 6: Cvitanich, Easterday, Murtland, Olson, Price and Mayor Hanson. Mr. Bott and Mr. Porter coming in at 7:05 P. M.

Mrs. Price asked that Mr. Steele be excused from the Council meeting as he had been asked to appear on a program in regard to the Tacoma Industrial Airport. Mrs. Price then moved that Mr. Steele be excused. Seconded by Mr. Murtland. Voice vote taken Motion carried.

Mr. Easterday moved that the minutes of February 6, 1962 be approved as submitted. Seconded by Mrs. Price. Voice vote was then taken. Motion carried

Mayor Hanson introduced Mr. Bill Asher, Scout Master, who was present with his Troop of Boy Scouts from the Washington School District.

HEARINGS & APPEALS:

a. This is the date fixed for the meeting with the initiating parties for the annexation of the area in University Place, So. 19th to 27th, known as the Bakerwood Add. etal., and the Lester Magoon property southeast and contiguous to the Baker Property.

Mr. David C. Sahlin and Mr. Lester Magoon, petitioners, were present.

Mayor Hanson explained, the question is now whether or not the Council will accept the petition and consider the annexation of the area free of any excess millage levies or bonded indebtedness.

Mr. Murtland moved to accept the proposed petition and to proceed with the next step set up by law. Seconded by Mr. Porter.

Mrs. Olson asked if it had been determined what the cost would be to the City relative to providing services to the area.

Mr. Rowlands said from the standpoint of Fire and Police protection, it can be absorbed in the City's present arrangement, however, as far as the improvements are concerned, it would be under the same L I D method as being used by the City.

Mrs. Olson asked how many homes would the area include.

55-58
55-75

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Mr. Buehler advised there were 120 or more homes to be built. The sites are quite large and the cost will be approximately \$10,000 per building site.

Mayor Hanson called for a voice vote on Mr. Murtland's motion to accept the proposed petition.

Voice vote taken. Motion carried.

Mr. Rowlands explained if this particular area were to assume the bonded indebtedness based on excess millage, it would be 6 43 mills.

Mayor Hanson said, to be consistent with their policy of being in favor of annexation, they should not expect the newly acquired property owners to assume excess millage levies that have been passed by the City.

Mr. Murtland moved that the petition before the Council not be required to assume the existing bonded indebtedness of the City. Seconded by Mrs. Price.

Voice vote was taken. Motion carried.

Mr. Rowlands explained that Mr. McCormick had drawn a tentative Resolution pending the action taken by the Council. This Resolution as drawn will formalize the action taken by the Council for future reference.

Mr. McCormick asked that an amendment be made to the Resolution after the words, "Be It Resolved" in the second line after the word "the" to insert the words "Petition For".

Mayor Hanson said, inasmuch as this Resolution was not on the Agenda, he would entertain a motion to suspend the rules to consider Resolution No. 16942.

Mr. Porter moved to suspend the rules to consider Resolution No. 16942. Seconded by Mrs. Price. Voice vote taken. Motion carried.

Resolution No. 16942:

Authorizing the proposed annexation petition submitted by John S. Baker Investment Co. & Lester E. Magoon and further that the City will not require the assumption of existing City indebtedness by the area to be annexed.

It was moved by Mr. Easterday that the Resolution be adopted. Seconded by Mrs. Olson.

Mr. Murtland moved to amend the Resolution to insert after the words "Be It Resolved" in the second line after the word "the" the words "Petition For". Seconded by Mr. Porter. Voice vote taken. Motion carried.

Voice vote was taken on the Resolution as amended

The Resolution was then declared adopted by the Chairman.

Mayor Hanson asked Mr. McCormick what would be the next step.

Mr. McCormick said the next step would be for the petitioners to file their formal petition according to law, and then the Council will set a date for hearing; then final action can be taken.

b. This is the date set for hearing W. O. SCF #62 for construction and reconstruction of sidewalks, curbs, and driveways in various parts of the city 91

Mr. McFadden, appeared for Mrs Elizabeth A. Folk, property owner at 405 Borough Road, to protest reconstruction of a sidewalk for the reason she is a widow living on a limited income and could not afford to pay her assessment of \$480.00.

Mr Rowlands said that this particular sidewalk had been inspected and there were some bad spots which are dangerous for people who use the walk The City is liable for a lawsuit if someone were to fall and be injured.

Mr. Ben W. Gibson, 1618 South 15th, protested the amount he was charged and felt the City should pay more than 25% of the cost.

Mrs. Howard Morgan, 405 North 7th said her sidewalk was in good shape and did not need repair.

Mr. Waldo F. Stone, 716 North C Street, representing himself, also his neighbors who were present living at 716 North C through 809 North C, including 211 Borough Road. His remarks were directed to Items 92 through 101. He said they protested the construction First of all, he added, there have never been any sidewalks in the area. Their parking strips are all landscaped. Furthermore, he added, this is a dead end street that has a minimum amount of foot and vehicle traffic. He trusted that this is a valid reason for exclusion of this area.

Mr. Trayle, 1614 South 15th, said he represented the property owners of 1614, 1618 and 1622 South 15th and they had a contractor give them an estimate for the repair of their sidewalks which was considerably less than what the City is charging.

Mr. Bott asked Mr. McCormick, City Attorney, if Mr. Trayle and his neighbors had the work contracted out, if the City would still pay 25%.

Mr. McCormick said they would still participate 25% providing that the contractor performed the work up to City specifications

Mr. Sulgrove, Attorney, spoke on behalf of the property at 518-24 North Yakima, and admitted that the sidewalk does need repair. He said he was not objecting to the assessment but to the method of construction. He objects to having a 6 foot sidewalk and then as it extends down the street it is narrowed to 5 feet because of trees, which detracts from the appearance of the walk. He believed if it is to be a 6 foot sidewalk, that the entire block should be the same.

Mrs. Wm. B. Tahell, 1520 South 9th, protested as they are retired and couldn't afford to pay the \$500.00 assessment. She said there are some

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trees that would have to be taken up at a cost of \$85.00 a tree which seemed unreasonable

Rose Franceen, 804 S. Ainsworth said that her sidewalks were in good condition until the City put in the water meters and did not repair the sidewalks properly

Mr. Farmer, 1316 So. Tacoma Avenue, suggested that his sidewalk should be extended to the curb as there is a space of about 2 feet from the sidewalk to the curb.

Mrs. Demos, 808 South Ainsworth, and L. D. Felice at 1622 So. 15th said their walks just needed repairs and wanted to know if that could be done instead of replacing the entire sidewalk.

Mayor Hanson announced that all of the complaints made were recorded and that the Engineer from the Public Works Dept. would contact each person to try and correct the problems involved. Prior to the final hearing on the sidewalk program a full re-analysis of all the problems will be held

Mayor Hanson entertained a motion for postponement for 3 weeks, until March 14, 1962, so that all of the areas could be inspected before final passage of the Ordinance

Mr. Murtland moved to postpone the hearing on the sidewalk construction until March 14, 1962. Seconded by Mrs. Price. Voice vote taken. Motion carried.

RESOLUTIONS:

Resolution No. 16933:

Fixing Monday, March 12, 1962 at 4:00 P. M. as the date for hearing on L I D 2337 for grading and oil mat surface on Vassault St. from No. 37th to No. 42nd; North 42nd from Vassault to Whitman Street.

It was moved by Mrs. Price 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.

Resolution No. 16934:

Fixing Monday, March 12, 1962 at 4:00 P. M. as the date for hearing on L I D 2339 for an oil mat surface on So. Ash from So. 39th north 300 feet.

It was moved by Mr. Bott that the Resolution be adopted. Seconded by Mr. Cvitanich.

Voice vote was taken on the Resolution.

The Resolution was then declared adopted by the Chairman.

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Resolution No. 16935:

Fixing Monday, April 23, 1962, at 4:00 P. M. as the date for hearing on L I D 3536 for Sanitary sewers in Trafton St. from So. 12th to South 14th Street.

It was moved by Mr. Cvitanich 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.

Resolution No. 16936:

Fixing Monday, April 23, 1962 at 4:00 P. M. , as the date for hearing on L I D 6792 for Street lighting in North 42nd and 43rd from Orchard to Highland; North 44th from Orchard to Shirley; North 44th from Winnifred to Highland Avenue.

It was moved by Mr. Bott that the Resolution be adopted. Seconded by Mr. Easterday.

Voice vote was taken on the Resolution.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16937:

Fixing Monday, March 26, 1962 at 4:00 P. M. as the date for hearing on L I D 5312 for cast iron water mains in the area bounded by Pacific Avenue, East 80th; McKinley Avenue and East 96th Street.

It was moved by Mrs. Frice 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.

Resolution No. 16938:

Authorizing the proper officers of the City to execute a supplemental agreement with the Railroad Companies to increase the City's contract rates by 8.36% per car retroactive to June 1, 1961.

It was moved by Mrs Price that the Resolution be adopted Secnded
by Mr Easterday

Mr Benedetti explained that this Resolution authorizes the
acceptance of a rate increase which has been re-negotiated with the
Railroad Companies

Mr Murtland said he assumed that in arriving at this increase,
charges of other Cities were taken into consideration

Mr Benedetti explained that Tacoma is rather unique in their
railroad operations as there are very few cities that have Belt Lines
Voice vote was taken on the Resolution.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16939:

Autho rizing the proper officers of the City to execute and
approve amended Exhibits "C" and "D" to the Bonneville Power
Administration Wheeling Contract

It was moved by Mrs Price that the Resolution be adopted Secnded
by Mr Murtland.

Mr Benedetti explained that this Resolution is merely a modi-
fication of an agreement with Bonneville Power Administration because
of the construction of additional transmission lines.

Voice vote was taken on the Resolution

The Resolution was then declared adopted by the Chairman

Resolution No. 16940:

Authorizing the proper officers of the City to execute a supple-
mental agreement with the Dept of Fisheries relating to the construction,
operation and Maintenance of a fish hatchers on the North Fork of the
Shokomish River to provide for payments to be made on a calendar year
rather than a fiscal year basis.

It was moved by Mr. Porter that the Resolution be adopted Secnded
by Mr. Easterday

Voice vote taken on the Resolution.

The Resolution was then declar ed adopted by the Chairman.

Resolution No. 16941.

Accepting the final Plat of Ploegerna Addition, in So. 65th and
South Manitou Way.

It was moved by Mr. Easterday that the Resolution be adopted.

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Seconded by Mr. Cvitanich.

Voice vote was taken on the Resolution

The Resolution was then declared adopted by the Chairman

FINAL READING OF ORDINANCES:

Ordinance No 16992.

Amending Section 13 06 235 & 375 of the Official Code of the City by providing that Mobile Home Parks receive site approval in the "R-4-L" District in accordance with Sec. 13 06 375 -Special Property Uses & amending the rear yard set back requirements for Mobile Home Parks Read by title and passed.

Roll call was taken on the Ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Steele.

The Ordinance was then declared passed by the Chairman.

Ordinance No 16993:

Amending Sec. 2 16 020-140 and 145 of the Official Code of the City by amending certain sections of the Building Code regulating Trailer Courts and Mobile Home Parks. Read by title.

Mr. Bott asked if they could have an explanation of Section 2 16 020 in reference to "Parking Automobile House Trailers or Mobile Homes".

Mr. Buehler, Director of Planning, explained that this section has already been in effect on the parking of the trailers. The only thing this Ordinance does is to combine the building code and the zoning code.

Mr. Cvitanich asked if this will prohibit visitors from parking in the driveways etc

Mr. Buehler said this was a point in which they were now gathering information to present to the Council.

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

Ayes 8; Nays 0; Absent 1, Steele.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 16994:

Amending Section 6. 54. 050 of the Official Code of the City by amending the Rules & Regulations for Trailer Courts and Mobile Parks. Read by title and passed.

Roll call was taken on the Ordinance resulting as follows.

Ayes 8; Nays 0 Absent 1. Steele

The Ordinance was then declared passed by the Chairman

Ordinance No 16995.

Amending Section 13 06 290 & 350 of the Official Code of the City by allowing Miniature Golf Courses in a "C-2" Commercial District and providing for off Street Parking standards. Read by title and passed

Roll call was taken on the Ordinance resulting as follows.

Ayes 8, Nays 0; Absent 1, Steele.

The Ordinance was then declared passed by the Chairman.

Ordinance No 16996:

Providing for the improvement of L I D 5314 for cast iron water mains in the area bounded by Wilkeson St., So. 25th, Steel Street and South 24th Street Read by title and passed.

Roll call was taken on the Ordinance resulting as follows.

Ayes 8, Nays 0, Absent 1, Steele

The Ordinance was then declared passed by the Chairman

Ordinance No. 16997:

Creating a special fund designated as the Baseball Park Revolving Fund and repealing Ordinance No. 16549 passed April 11, 1960. Read by title.

Mr Bott asked if this were in accordance with the State Auditor's recommendation

Mr. Rowlands said that it was.

Roll call was taken on the Ordinance resulting as follows:

Ayes 8, Nays 0; Absent 1. Steele.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 16998:

Approving and confirming the Assessment roll for L I D 5330 for cast iron Water mains in 41st and 43rd Sts. N. E from 45th to 49th Avenues, N. E , 45th Ave. N. E. from 41st to 43rd Sts. N. E Read by title and passed.

Roll call was taken on the Ordinance resulting as follows:

Ayes 8, Nays 0; Absent 1, Steele

The Ordinance was then declared passed by the Chairman

Ordinance No 16999.

Approving and confirming the assessment Roll for L I D 5336 for cast iron water mains in So 31st from Tyler to Bantz Blvd. Bantz Blvd from So 31st to Center and in Center St from Bantz Blvd to Orchard Street Read by title and passed

Roll call was taken on the Ordinance resulting as follows:

Ayes 8, Nays 0; Absent 1, Steele

The Ordinance was then declared passed by the Chairman

REPORTS:

a MC - 385 Fireworks Licenses approved

Mr Rowlands explained that information was sent out to the Council members explaining that there were 25 applications applying for licenses on December 8th, 1961, listed in order of filing which the Council had previously made their determination on the basis of one stand per 8,000 people

Mr Bott asked what happens if some of these applicants do not meet the building specifications and the alternate would not have enough time to build a stand

Chief Fisk said it would be very simple to conform with the building specifications

Mr. Murtland asked, how and where were these applications accepted.

Chief Fisk explained, he arrived at his office at 7:40 A. M. on December 8, 1961 and that 5 people were waiting. Mr. Martin, who was one of the persons waiting, stated he was the first person to arrive. Mr. Martin presented 18 applications which were taken in order and filed. Chief Fisk said he heard there were other people standing outside since 3:00 A. M. before the office was opened.

Mr. Murtland said he felt it was a little out of line for one person to be filing 18 applications.

Mr. Don Fisher, owner of the Hay's Fireworks Co. of Federal Way, objected to the way the permits were issued, because they were told to stand before the door by the totem pole and they had waited for hours. Mr. Martin who arrived later knew of another door to enter the office and was able to get his applications filed first.

Mr. George Marsico, Attorney, said that nothing had been said that a representative from a wholesaler, namely Zebra Fireworks the Company he represented, could not file 18 applications for stands for different organizations. He didn't think there was anything wrong with Mr. Martin filing 18 applications

Mr. Porter asked Mr. McCormick, City Attorney, if he felt these licenses were issued in accordance with the Ordinance passed by the Council in relation to the issuance of licenses.

Mr. McCormick said the licenses were issued on a first come, first serve basis and were issued according to the terms of the Ordinance.

Mr. Bott explained that inasmuch as there are five organizations of which he is a member that have obtained licenses, he will have to eliminate himself from voting.

Mr. Porter moved that the applications that have been filed be granted. Seconded by Mr. Easterday.

Mr. Murtland moved that this matter be continued for two weeks to March 6, 1962. Seconded by Mrs. Olson. Voice vote taken. Motion failed.

Mr. Bott asked to be excused at this time from voting

Mr. Porter moved that they suspend the rules to let Mr. Bott leave the room. Seconded by Mr. Easterday. Voice vote taken. Motion carried.

Roll call was taken on Mr. Porter's motion that the applications be granted.

Ayes 6, Nays 1, Murtland; Absent, Bott, Steele. -- Motion carried.

b. Report from the L I D Committee on the postponement of L I D 5331.

It was moved by Mr. Easterday to concur in the recommendation of the L I D Committee to postpone the L I D 5331 until February 26, 1962. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

UNFINISHED BUSINESS:

The Director of Public Works presents the assessment roll for L I D 3520 for Sanitary Sewers in Locust & Linden Lane; 6th Ave. to So. 12th St.

It was moved by Mrs. Price that Monday, April 23, 1962 at 4:00 P. M. be set as the date of hearing on the assessment roll for L I D 3520. Seconded by Mr. Murtland. Voice vote taken. Motion carried.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

a. Report from the Light, Water & Belt Line Div. for the month of December, 1961.

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b Report from the Tacoma Police Dept. for the month of January, 1962.

COMMENTS:

Mr. Rowlands asked D M. McDonough, Mechanic in the Radio 63 Division to give a report on the installation of microphones in the City 174 Council Chambers

Mr McDonough explained the only possible way to install a P. A system in the Council Chambers that would be satisfactory, would be to install drapes on the back and front wall of the room which would cost approximately \$1,000.00.

Mrs. Price requested that a Resolution be brought in next week favoring the proposition for the schools for acquiring property to build a Junior College

Mayor Hansen announced that a new L I D committee for March April and May will be Mr. Bott, Mrs Price and Mrs. Olson.

Mr. Porter said inasmuch as he is in favor of both of the School propositions he would request a Resolution indorsing the other proposition of the Schools.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 9:40 P. M.

Carl Hansen
Mayor of the City Council

Attest: *Josephine Melton*