

CITY COUNCIL MINUTES

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City Council Chambers, 4:00 P. M.
Tuesday, March 14, 1967

Council met in regular session. Present on roll call 6: Bott, Cvitanich, Haley, Johnson, Murtland and Mrs. Price. Absent 3: Finnigan, Herrmann and Mayor Tollefson.

In the absence of Mayor Tollefson and Deputy Mayor Herrmann, Mrs. Price presided as Acting Mayor.

Mr. Bott moved that the minutes of the meeting of February 24, 1967 and the special meeting of March 8, 1967 be approved as submitted. Seconded by Mr. Johnson. Voice vote taken. Motion carried.

Presentation of a Suggestion Award.

Acting Mayor, Mrs. Price, presented Mrs. Mary I. Fontaine of the Finance Department with a \$100.00 award for her suggestion for simplifying and improving of the financial record keeping of City-owned investments.

The recipient was congratulated by Acting Mayor Mrs. Price, John Sankovich, Assistant City Manager and members of the City Council.

HEARINGS & APPEALS:

The City Planning Commission recommending denial of the request by Leo B. Seiwerath for rezoning of property located on the northeasterly side of Ruston Way between Junett and Oakes Streets from an "M-2" to an "R-4" District.

Appeal filed by Leo B. Seiwerath and the suggested date for hearing is April 25th, 1967.

Mr. Johnson moved that Tuesday, April 25, 1967 be set as the date for hearing on Leo B. Seiwerath's appeal. Seconded by Mr. Murtland. Voice vote taken. Motion carried.

PETITION:

Petition submitted by Morley Brotman requesting re-establishment of a "C-P-C" district located on the N. W. corner of So. 19th & Stevens Street.

Mr. Cvitanich asked that the Planning Commission give this petition very deep consideration as this was rezoned a number of years ago and the petitioner has not seen fit to build anything on the property until this time.

Referred to the Planning Commission.

RESOLUTIONS:

Resolution No. 19078

Fixing Tuesday, April 11, 1967 at 4:00 P. M. as the date for hearing for

the vacation of the west 5 feet of "I" Street between So. 9th and 10th Streets, and the north 5 feet of So. 10th between I and alley between I and J Streets. (petition of Faith Temple Church)

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

The Resolution was passed unanimously by voice vote.

Ayes 6; Nays 0; Absent 3, Finnigan, Herrmann and Mayor Tollefson.

Resolution No. 19079

Fixing Tuesday, April 11, 1967 at 4:00 P. M. as the date for hearing for the vacation of property located on McKinley Ave. between East 26th and 27th Streets, except for the east-west alley. (petition of Container Corporation of America)

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

The Resolution was passed unanimously by voice vote.

Ayes 6; Nays 0; Absent 3, Finnigan, Herrmann and Mayor Tollefson.

Resolution No. 19080

Fixing Monday, April 10, 1967 at 4:00 P. M. as the date for hearing on L I D 6880 for street lighting on Pine St. from So. 74th to So. 76th; Warner from So. 62nd to So. 66th; Alder from So. 60th to So. 66th Street.

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

The Resolution was passed unanimously by voice vote.

Ayes 6; Nays 0; Absent 3, Finnigan, Herrmann and Mayor Tollefson.

Resolution No. 19081

Fixing Monday, April 10, 1967 as the date for hearing on L I D 6889 for street lighting on East 34th from Portland Ave. to Roosevelt Avenue.

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

The Resolution was passed unanimously by voice vote.

Ayes 6; Nays 0; Absent 3, Finnigan, Herrmann and Mayor Tollefson.

Resolution No. 19082

Fixing Monday, April 10, 1967 at 4:00 P. M. as the date for hearing on L I D 5436 for water mains in Titlow Road from 6th Ave. to So. 17th; So. 17th from Titlow Road to Walters Road.

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

The Resolution was passed unanimously by voice vote.

Ayes 6; Nays 0; Absent 3, Finnigan, Herrmann and Mayor Tollefson.

Resolution No. 19083

Fixing Monday, April 10, 1967 at 4:00 P. M. as the date for hearing on L I D 5438 for water mains in So. 8th from Shirley to Orchard Street.

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

The Resolution was passed unanimously by voice vote.
Ayes 6; Nays 0; Absent 3, Finnigan, Herrmann and Mayor Tollefson.

Resolution No. 19084

Authorizing the Tacoma Municipal Belt Line Railway Dept. of Public Utilities to lease 1000 feet of track and ground to Hooker Chemical Company, for a rental fee of \$500.00 a year.

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

The Resolution was passed unanimously by voice vote.
Ayes 6; Nays 0; Absent 3, Finnigan, Herrmann and Mayor Tollefson.

Resolution No. 19085

Authorizing the proper officers to execute a sewer easement release between So. 91st & 92nd Sts. and Ash Street extended.

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

The Resolution was passed unanimously by voice vote.
Ayes 6; Nays 0; Absent 3, Finnigan, Herrmann and Mayor Tollefson.

Resolution No. 19086

Authorizing the proper officers of the City to disburse and pay to Lt. Maurice J. Buchholz of the Tacoma Police Dept., the sum of \$13.00 per diem for all expenses incurred by him, plus travel expenses during the time he is attending the F. B. I. National Academy during the 90 day period.

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

Mr. Sankovich, Assistant City Manager, stated Lt. Buchholz will be billeted in quarters in Washington, D. C. for a period of ninety days. Information has been supplied regarding transportation, board and room and miscellaneous supplies. The staff feels that \$13.00 a day would be a sufficient amount.

The Resolution was passed unanimously by voice vote.
Ayes 6; Nays 0; Absent 3, Finnigan, Herrmann and Mayor Tollefson.

Resolution No. 19087

Authorizing the proper officers to execute an agreement for and on behalf of the City of Tacoma with Pierce Co. and Whitacre Engineers, Inc. providing

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for certain services by Whitacre Engineers concerning future space needs of both the City and County in the County-City Bldg.

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

Mr. Sankovich, Assistant City Manager, explained that this resolution goes in with Ordinance No. 18241 which is on the agenda for final reading. The ordinance appropriates the sum of \$15,000 or so much thereof as may be necessary for the purpose of paying the cost of the City's participation in a joint engineering study with Pierce County for design studies and costs in connection with the expansion of the County-City Bldg.

The Resolution was passed unanimously by voice vote.
Ayes 6; Nays 0; Absent 3, Finnigan, Herrmann and Mayor Tollefson.

Resolution No. 19088

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. Mortland.

Mr. Richmond, Director of Urban Renewal, explained the time-table of the procedures effecting this two-story building at 1140 Pacific Ave. on a 25 foot lot, occupied by Sportland on Pacific Ave. and Victory Tavern on Commerce Street, owned by Francis and Walter Browne. He noted that after the City has acquired the property, the tenant has 90 days to remain on the premises, but he was hopeful the City will be able to start demolition in June.

He added, this acquisition will leave just one building to be acquired by the City in the 1100 block on the west side of Pacific Ave. That particular building is occupied by Club Cigar and Friedman's Clothes, the owners are willing to sell, however, there are leasehold interest problems.

Mr. Richmond informed the Council that the Urban Renewal Dept. had sold their preliminary loan notes as of March 14, 1967 and they were very pleased at the interest rate which was 2.77 percent on nearly \$6,000,000.

The Resolution was passed by voice vote.
Ayes 5; Nays 1, Cvitanich; Absent 3, Finnigan, Herrmann and Mayor Tollefson.

FIRST READING OF ORDINANCES:

Ordinance No. 18242

Amending Section 13.06.260 of the official code to change use regulations in a "T" District. (Zoning Ordinance Text Amendment) 209

The ordinance was placed in order of final reading.

Ordinance No. 18243

Authorizing the condemnation of property in the Green River Watershed, to protect the water supply from pollution.

Mr. Benedetti, Assistant Director of Utilities, explained that this ordinance will allow the City to complete its acquisition program under which it would own and control all lands along the Green River above the City's headworks.

He added, the acquisition program on which the Department has proceeded was developed in cooperation with responsible public health authorities. The land included in this ordinance will allow the City to obtain all of the additional rights and ownership in order to implement the plan for the one-half mile buffer strip. The Department recommends proceeding with the acquisition of these additional lands in order to protect the fresh-water supply from pollution.

Mr. Haley asked if the acquisitions would ease the threat to Tacoma's water supply posed by the Forest Service to open its watershed lands to recreation.

Mr. Benedetti stated, when the Forest Service proposed its recreation program the City of Tacoma owned only 3,000 acres. Now they own 8,500 acres and with this ordinance, the City will be acquiring 20,000 acres more. This gives the Department the opportunity to maintain a green belt on either side of the river which solves a lot of problems.

The ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 18240

Amending Section 1.12.160 of the official code providing for straight time pay for required attendance at off-duty training programs.

Mr. Bixel, Director of Personnel, explained, that in the last year a training program was established by the City Council. As a result, there are programs that require attendance in other than normal hours. This ordinance provides that payment for actual time of attendance may be paid at the straight time rate for all employees except those designated by the City Manager or Director of Utilities as Class D. Overtime compensation shall not apply to training programs.

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

Ayes 5; Nays 0; Absent 4, Finnigan, Herrmann, Tollefson and Murtland(temporarily)
The Ordinance was declared passed by the Chair man.

Ordinance No. 18241

Appropriating the sum of \$15,000 or so much thereof as may be necessary from the General Fund for the purpose of paying the cost of the City's participation in a joint engineering study with Pierce County for design studies and costs in connection with the expansion of the County-City Bldg.

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

Ayes 6; Nays 0; Absent 3, Finnigan, Herrmann and Mayor Tollefson.
The Ordinance was declared passed by the Chairman.

UNFINISHED BUSINESS:

The Director of Public Works presents the assessment roll for the cost of improvement for L I D 3628 for sanitary sewers on East B from East 92nd; East D from East 86th south of East 90th Street 100 feet.

Mr. Haley moved that Monday, April 24, 1967 at 4:00 P. M. be set as the date for hearing on L I D 3628 . Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Report from the Traffic Court for the month of February 1966 & 1967.
- b. Report from the City Planning Dept. for the month of February 1967.
- c. Report from the Director of Finance for January 1967.

COMMENTS:

Mr. Sankovich, Assistant City Manager, called the Council's attention that March 21st will be Student Government Day. The program will begin at 8:45 A. M. There will be five High Schools represented this year, Stadium, Wilson, Mt. Tahoma, Lincoln and Bellarmine.

Mr. Johnson requested that he be excused from the next two meetings, March 21st and 28th, 1967.

Mr. Haley moved that Mr. Johnson be excused. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

Mr. Haley requested that he be excused from the meeting of March 21st.

Mr. Johnson moved that Mr. Haley be excused from the March 21st, 1967 meeting. Seconded by Mr. Murtland. Voice vote taken. Motion carried.

Mr. Cvitanich referred back to the first reading of Ordinance No. 18242, relative to Transitional offices along Frontage Roads. He noted that the Council consistently is concerned about property that had been rezoned and not developed. In this particular ordinance, a conditional use permit shall become void after the expiration of six months. He wondered if the City's legal staff could find some way to make rezonings conditional on development.

Mr. McCormick, City Attorney, said if the Council wishes to pass such an ordinance, he would do his best to defend it in court. However, the Washington State Supreme Court has never passed directly on the question. He remarked that the placement of conditions on zonings is illegal in most States.

Mr. Haley left at 5:05 P. M.

Mr. McCormick noted that in Las Vegas they are experimenting with a procedure whereby its Council passes a resolution of intent to rezone and waits to approve the actual rezoning after the development is completed.

Mr. Buehler, Director of Planning, stated developers in Las Vegas are having difficulty obtaining mortgage money before the rezonings are formally approved.

He added, the Planning Department is endeavoring to have a report for the Council in the near future of the rezonings within the City and what has transpired.

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

JAM Jolley
Mayor of the City Council

Attest *Josephine Macton*
City Clerk