

CITY COUNCIL MINUTES

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

Council met in regular session. Present on roll call 6: Bott, Easterday, Murtland, Olson, Price and Mayor Hanson. Absent 3: Cvitanich, Porter and Steele. Mr. Steele coming in at 7:15 P. M. and Mr. Porter at 7:20 P. M.

Mr. Easterday asked that Mr. Cvitanich be excused as he was unable to attend the meeting because he had to take one of his children to the hospital. Mr. Easterday then moved that Mr. Cvitanich be excused. Seconded by Mr. Bott. Voice vote taken. Motion carried.

Mr. Easterday moved that the minutes of March 6, 1962 be approved as submitted. Seconded by Mr. Bott. Voice vote taken. Motion carried.

COMMUNICATIONS:

Mayor Hanson explained that Mr. Richards would like to be heard regarding L I D 4703.

Mr. Teats, Attorney-at-Law represented Mr. Richards and stated, the property owners did not sign a petition for the area of North 32nd to North 33rd from Junett to Cedar which was included in this L I D. He said his client is not in favor of the improvement and requests that it be excluded.

Mr. Steele coming in at 7:15 P. M. Mr. Porter at 7:20 P. M.

Mr. Rowlands explained that the Ordinance providing for the improvement passed on January 30, 1962, and at that time the committee deleted the property of Mr. Saxton which was at the end of the alley as they felt his property was not being benefited. He said, inasmuch as the Ordinance has already been passed, it would require some action by the Council.

Mr. McCormick, City Attorney pointed out that the 30-day period has expired, whereby the Council could be divested from any authority. There are two ways in which an L I D can be created, one is by a petition method and the other by Resolution. The only reason that a petition is circulated is to indicate if the improvement is wanted by the property owners. However, the Council then has the authority to proceed

on the Resolution method even though it is not initiated by a petition; that is the procedure on some of the L I Ds', he added.

Mr. Murtland remarked that in reading the minutes of the L I D Committee, Mr. Richards was represented by Mr. Vejoda and asked if he had an objection at that time, why he did not pursue it further.

Mr. Richards said he had been out of town and had not had the opportunity to appear.

Mayor Hanson asked what the Councils' pleasure was in handling this L I D.

Mr. Easterday moved that the L I D be referred back to the L I D Committee.

Mr. Steele said he could see no reason to refer this back to the L I D Committee as it was thoroughly explored at their meeting.

Mayor Hanson said Mr. Easterday's motion fails for the want of a second. However, Mr. Teats was given the opportunity to speak on the L I D as requested. No action was taken on the request, therefore, the L I D remains status quo.

RESOLUTIONS:

Resolution No. 16957: (postponed from the meeting of March 14, 1962)

Authorizing the proper officers of the City to execute a warranty deed conveying property to Michael W. & Elizabeth L. Shea for Parcel #1 for part payment on property needed for the Yakima to "I" St. Transition.

It was moved by Mrs. Price that the Resolution be adopted. Seconded by Mr. Steele.

Mr. Rowlands explained that an M C 388 was sent to members along with a report from Mr. Schuster, Director of Public Works, pointing out that the house Mr. Shea intends to build will be 22 feet from the roadway and a retaining wall will not be necessary. Mr. Shea has agreed to conform with the ruling of the Board of Adjustments and the house located on parcel #2 and #3 will be razed.

Mr. Griffin, Attorney for Mr. Ensler who was present, said Mr. Bashey, City Engineer, stated that unless a sidewalk went in, there would be no reason to raze the house. He added that Mr. Shea wanted \$15,000 for his property although the City's appraisal was \$11,500. In order to complete negotiations the City agreed to deed parcel #2 and #3 valued at \$2,000 to Mr. Shea and the City would be obligated to raze the house and fill the basement at an estimated expense of \$500.

Mr. Steele explained the City had negotiated with Mr. Shea endeavoring to establish a transition way between 6th and 7th from Yakima to Eye Street.

Mr. Murtland asked Mr. Griffin if Mr. Ensler would be willing to move the house if it were required.

Mr. Griffin said Mr. Ensler did not want the property if the house had to be moved or razed.

Mr. Rowlands explained that the City expects to save from \$3,000 to \$4,000 by pursuing this course of action. If the house were left, the roadway would be only 7 inches from the bottom porch step, therefore, the City would have to build a retaining wall which would cost \$2500 to \$3000. The City is expecting to build a sidewalk but if the sidewalk were not put in, it still would constitute a hazard; it would cause the City to go into Court in the event of a damage suit because Mr. Shea feels he should be given \$15,000 for his property.

Voice vote was taken on the Resolution.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16963:

Fixing Monday, April 9, 1962 at 4:00 P. M. as the date for hearing on L I D 2340 for grading and drainage on Columbia Ave. from Portland Ave. to approximately 1,000 feet east.

It was moved by Mr. Easterday 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. 16964:

Fixing Monday, April 23, 1962 at 4:00 P. M. as the date for hearing on L I D 3537 for sanitary sewers in the vicinity of East 61st and East "S" Street.

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. 16965:

Authorizing the proper officers of the City to execute an easement to the State of Washington for the right to construct the proposed Secondary State Highway No. 5G in the vicinity of its intersection with East 108th Street extended.

It was moved by Mrs. Price that the Resolution be adopted. Seconded by Mr. Steele.

Voice vote was taken on the Resolution.

The Resolution was then declared adopted by the Chairman.

City Council Minutes - Page 4 - March 20, 1962

Resolution No. 16966:

Authorizing the proper officers of the City to enter into an agreement with the International Brotherhood of Electrical Workers, Local #483 concerning wages, hours and conditions of labor of the Light Division electrical workers, effective April 1, 1962.

It was moved by Mrs. Price that the Resolution be adopted. Seconded by Mr. Porter.

Mr. Benedetti, Assistant Utilities Director, explained that this contract is negotiated on a yearly basis.

Voice vote was taken on the Resolution.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16967:

Authorizing the proper officers to enter into an agreement with W. S. Walters for repair and replacement of sidewalks at 1722-1738 Pacific Avenue.

It was moved by Mr. Porter 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. 16968:

Awarding contract to E. J. Rody & Sons for L I D 3534 on their basic bid of \$3,882.94, plus their supplemental bid in the amount of \$2,656.16 including sales tax which was determined to be the lowest and best bid.

It was moved by Mrs. Price that the Resolution be adopted. Seconded by Mr. Steele.

Mr. Easterday commented that the basic bid including the supplemental bid of Rody & Sons totals more than the bid submitted by Tucci & Sons.

Mr. Rowlands explained that this was discussed at the Staff meeting and hereafter a foot note will be added for the supplemental bid. The supplemental bid means that the property owner will have the right to make a connection to the line to their house, if they desire, a contractor can do the work and they can select him at this supplemental bid price or select a plumber of their own choosing. The City is paying \$3,882.94 only. The next lowest bid is \$3,983.67. The City does not participate in the \$2,656.16 supplemental bid.

Voice vote was taken on the Resolution.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16969:

Awarding contract to George Madsen Co. for L I D No. 4693 on their bid of \$145,286.13 which was determined to be the lowest and best bid.

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

Seconded by Mrs. Price.

Voice vote was taken on the Resolution.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16970:

Awarding contract to Bosko Engineering for IMP No. 3007-D-2 on their bid of \$269,469.05 including sales tax which was determined to be the lowest and best bid.

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

Seconded by Mrs. Price.

Mr. Rowlands stated the bid was approximately \$2,000 more than the Engineer's estimate, however, on the previous L I D the City picked up approximately \$12,000.

Voice vote was taken on the Resolution.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16971:

Providing for an immediate running audit of all accounts and books of the City by a firm of Certified Public Accountants.

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

Seconded by Mr. Porter.

Mayor Hanson explained inasmuch as Mr. Cvitanich requested this Resolution, it would be proper to set this Resolution over one week until Mr. Cvitanich is present.

Mr. Porter moved that the Resolution be postponed until March 27, 1962. Seconded by Mrs. Olson. Voice vote taken. Motion carried.

Resolution No. 16972:

Authorizing the proper officers of the City to execute a local improvement assessment deed to Raymond B. Turner & Ethel Tweeden for property on the east side of Junett between So. 50th and 51st St. for the sum of \$20.00.

It was moved by Mr. Steele that the Resolution be adopted. Seconded by Mr. Porter.

Voice vote was taken on the Resolution.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16973:

Fixing Tuesday, March 27, 1962 at 7:00 P. M. as the date for hearing on the petition submitted by the Baker Investment Co. , & Lester Magoon for the annexation of property in the University Place east of Day Island.

It was moved by Mr. Steele that the Resolution be adopted. Seconded by Mrs. Price.

Mayor Hanson explained this Resolution is one of the next steps prior to the hearing next week.

Mr. Bott said he felt the Council was rushing the processing of the Petition as the people in the surrounding area were not in agreement.

Mayor Hanson explained the people in the immediate area to be annexed were in agreement.

Voice vote was taken on the Resolution.

Mr. Bott explained he voted no for the reason he was not in favor of rushing the matter.

The Resolution was then declared adopted by the Chairman.

FIRST READING OF ORDINANCES:

Ordinance No. 17020:

Vacating So. 31st & Fawcett Ave. and the alley between So. 30th and 31st St. in the vicinity of the Holy Rosary Church. Read by title. 55-91-

The Ordinance was then placed in order of final reading.

Ordinance No. 17021:

Setting forth qualification for licensees for temporary lodging during the Seattle World's Fair between April 15, to October 31, 1962. Read by title.

Mr. Rowlands explained this Ordinance was drafted because of the many inquiries received concerning the potential rental of rooms during the Century "21" Fair for the period from April 15, to October 31st, 1962. The Landlord would have to conform with the Sanitation and the Housing Code of the City, also register whether it is a hotel, motel, boarding house or private home. The suggested license fee is \$10.00 per room, not to exceed \$25.00 total license fee; apartments \$15.00 per rental unit, not to exceed \$100.00. Newly constructed apartment houses in any residential area, where normally hotels or motels would be prohibited, these units only could be used in the apartment house zone for hotel or motel purposes. Therefore, older units would not comply; it also would prohibit a tenant from being ejected from his premises.

City Council Minutes - Page 7 - March 20, 1962

Mayor Hanson said this Ordinance is up for first reading and before final action next week the Council should analyze it very thoroughly.

Mrs. Olson remarked that in Section 4 on the first line of the Resolution where it states, "The City of Tacoma ^{may} ~~shall~~" she asked if the word "~~shall~~" can be changed to "^{may} ~~shall~~" unless the premises have been inspected in the last two weeks.

Mr. Murtland thought that should be left up to the discretion of the Inspector.

Mayor Hanson said he thought that any amendments suggested could be considered at the final reading of the Ordinance.

Mr. Steele suggested that copies of this Ordinance be sent to all interested rental agents in the City prior to final reading.

The Ordinance was then placed in order of final reading.

Ordinance No. 17022:

Providing for the issuance of temporary permits for Trailer Parks and Trailer Camps. Read by title.

Mr. Rowlands explained that on Page (4) in Section 12 of the Ordinance, which is quite a significant section, as it takes care of friends, relatives and visitors coming into the City with trailers. This will permit them to park a trailer only in the back of their lot or driveway with the understanding that they can use the facilities of the home. He pointed out due to the amount of complaints received by the City in the past two years, they have been trying to eliminate the amount of trailers licensed, but during an emergency this was a suggested way of taking care of the situation.

The Ordinance was then placed in order of final reading.

Ordinance No. 17023:

Amending Ordinance No. 2393 passed May 24, 1905 to include a 9.4' x 10' piece of property in the alley between "G" & Tacoma Ave. at approximately 21st Street which was inadvertently omitted in the vacation Ordinance. Read by title.

The Ordinance was then placed in order of final reading.

Ordinance No. 17024:

Providing for the construction & re-construction of sidewalks, curbs and driveways in various parts of the City. Read by title.

91
122

Mr. Rowlands explained every one who had protested at the previous meetings as been contacted.

The Ordinance was then placed in order of final reading.

Ordinance No. 17025:

Amending Sec. 11. 34. 130 of the Official Code of the City designating Arterial Streets. Read by title.

The Ordinance was then placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 17014:

Amending Chapter 1. 30 of the Official Code of the City to reflect the changes in the Pension Plan approved by the City Employees at the election held Feb. 8, 1962. Read by title.

Mrs. Esther Campbell, Manager of the Retirement System, explained that an amendment was submitted to the Council members, on the 3rd line of Sec. 1. 30. 365, under the item, "Contributions by Belt Line for Prior Service" to insert after the word pensions, "and any membership service pension that is not funded." Also in Section 1. 30. 530, page 7, line 3, insert "and 1. 30. 365."

Mr. Steele moved that the Ordinance be amended as pointed out by Mrs. Campbell. Seconded by Mr. Porter. Voice vote taken. Motion carried.

Roll call was taken on the Ordinance as amended.

Ayes 8; Nays 0. Absent 1, Cvitanich.

The Ordinance was then declared passed by the Chairman.

Mr. Rowlands pointed out that the Ordinance will become effective April 1, 1962.

Ordinance No. 17015:

Providing for the improvement of L I D 2337 for grading, oil mat surface and storm drainage on Vassault from No. 37th to No. 42nd; No. 42nd from Vassault to Whitman Street. Read by title and passed.

Roll call was taken on the Ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Cvitanich.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 17016:

Providing for the improvement of L I D 2339 for grading and an oil mat surface and storm drains in So. Ash from So. 39th north 300 feet. Read by title.

Mr. Rowlands explained that an 83% remonstrance had been received since the Hearing, therefore the Ordinance should be voted down

Roll call was taken on the Ordinance resulting as follows:

Ayes 0; Nays 8; Absent 1, Cvitanich.

The Ordinance was then declared lost by the Chairman.

Ordinance No. 17017:

Providing for the improvement of L I D 4698 for widening of pavement, concrete sidewalks and storm water catch basins on 6th Ave from McArthur to Jackson Streets. Read by title and passed.

Roll call was taken on the Ordinance resulting as follows:

Ayes 8, Nays 0; Absent 1, Cvitanich.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 17018:

Providing for the improvement of L I D 4709 for permanent paving on So. 36th From Ash to Hosmer St. Read by title and passed.

Roll call was taken on the Ordinance resulting as follows:

Ayes 8, Nays 0; Absent 1, Cvitanich.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 17019:

Approving and confirming the assessment roll for L I D 3510 for sanitary sewers in the vicinity of East "T"; 56th St. to 72nd Street. Read by title and passed.

Roll call was taken on the Ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Cvitanich.

The Ordinance was then declared passed by the Chairman.

UNFINISHED BUSINESS:

The Director of Public Works presents the following assessment roll for the cost of the improvement in L I D 2319 for grading & gravel and an oil mat surface from 49th Ave. N. E. to 53rd Ave. and also New Beeler Plat.

Mr. Easterday moved that Monday, May 14, 1962 at 4:00 P. M. be fixed as the date for hearing on the assessment roll for L I D 2319. Seconded by Mrs. Price. Voice vote was taken. Motion carried.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Report from the Fire Dept. for the month of Feb 1962.
- b. Report from the Finance Director for the month of Feb. 1962.
- c. Harbormaster's Report for the year 1961.
- d. Report from the Light, Water & Belt Line Division for the month of January 1962.

COMMENTS:

Mr. Rowlands said he would like to have the Council members meet for a short time after the Council meeting as there were a few negotiations being carried out by the City which the Council should be briefed upon.

Mayor Hanson stated that a member should be appointed on the Nominating Committee for the Association of Washington Cities, and also a representative for the Resolutions Committee.

Mr. Rowlands explained the representatives should be selected 30 days prior to the Association Conference which will be held May 9th through May 11th, 1962.

Mrs. Price moved to appoint Mr. Murtland on the Resolutions Committee. Seconded by Mr. Bott. Voice vote taken. Motion carried

Mr. Steele moved to appoint Mr. Bott for the Nominations Committee. Seconded by Mr. Easterday. Voice vote taken. Motion carried.

Mayor Hanson commented that a number of people had brought up the ¹⁵⁷ subject of extending an invitation to San Francisco to be the Sister City for the duration of the World's Fair, particularly since Tacoma is the home City for the Tacoma Giants.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 8:30 P. M.

Attest: Josephine Melton

BEN HANSON

Mayor of the City Council