

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, January 23, 1968

Council met in regular session. Present on roll call 9: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen.

Mayor Rasmussen stated that a communication was received from the Pierce County Commissioners announcing that there will be a meeting on Tuesday, Jan. 23rd at 3:15 P. M. in the Pierce County Commissioners' Chambers relative to a review of the Community Shelter Plan.

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Mayor Rasmussen presented Joseph F. Maar of the Public Works Dept. a check in the amount of \$160.00 for his suggestion which will protect drive seals on the bulldozer at the Refuse Disposal area.

Mr. Maar was congratulated by Mayor Rasmussen, Mr. Rowlands, City Manager, and members of the City Council.

Mayor Rasmussen asked if there were any corrections or omissions relative to the minutes of the meeting of January 9th, 1968.

Mrs. Banfield called attention to two typographical errors, one on page 4 in paragraph 7, that the word 'right-right- be changed to 'air-right' and on page 11 in the last paragraph, that 'So. Johan St.' be changed to 'Karl Johan St'.

Mrs. Banfield then moved that these corrections be made. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

Dr. Herrmann moved that the minutes of the meeting of Jan. 9th, 1968 be approved as corrected. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

HEARINGS & APPEALS:

a. This is the date set for hearing on the vacation of a walkway between Pearl St. & Clarmont Drive at No. 30th St. extended, submitted by United Homes Corporation.

No one appearing and no protests being made, Dr. Herrmann moved to concur in the recommendation of the Planning Commission to approve the vacation and that an ordinance be drafted approving same. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

b. This is the date set for hearing for the rezoning of the N. W. corner of So. 11th & Mason Ave. from an "R-2" to an "R-3" District, submitted by Frank Kupka.

No one appearing and no protests being made, Mr. Finnigan moved to concur in the recommendation of the Planning Commission to approve the rezone and that an ordinance be drafted approving same. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

c. This is the date set for hearing on the appeal filed by Kay Parks on the denial of the request for rezoning of the S. W. corner of So. 12th & Cedar St. from an "R-3" to a "C-2" District.

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Mr. Russell Buehler, Director of Planning, pointed out on a map the location of the requested rezoning.

Mr. Robert E. Cooper, Attorney representing the petitioner, explained that the property is presently being used for a commercial enterprise on a non-conforming use basis. He noted there is a service station on the corner property which has been used intermittently for several years and at the present is not in operation. Normally service stations are in a "C-1" classification but when this area was zoned an "R-3" the service station was already established. He added his client feels that by rezoning this property to a "C-2" classification it would not necessarily encourage any further commercial zoning. The Planning Commission was of the opinion that additional commercial classifications would tend to impede traffic along So. 12th St., but this being a body and fender shop would normally generate less traffic than an operating service station. There is rather a low volume clientele in a body and fender shop compared to the high volume of traffic clientele in a service station.

Mr. Cooper continued, this could not be classed as 'spot zoning' as the service station has been on that corner for a number of years. Mr. Parks has indicated that he does plan an aesthetic appearing structure on the property.

A number of residents of the area of 12th and Cedar indicated their approval of the petition, as the property once used as a gas station is now in an unsightly condition and would be improved by having this body and fender shop constructed.

Mr. Parks, petitioner, stated he would comply with any regulations that the City imposed and certainly wished to improve the property.

Dr. Herrmann said he couldn't see any difference in operating a gas station or a body and fender shop. He felt some restrictions could be imposed to allow Mr. Parks to build his shop.

Mr. Buehler explained that the service station referred to is a "C-1" type legal non-conforming use, any other 'C-1' type commercial use, could be located in the existing structure. The structure could be remodeled, provided it conforms to the 'R-3' setback requirements and the zoning ordinance requirements. It is definitely true that 'C-2' uses are more intensive, and the other three corners are zoned residential.

A number of persons spoke against the rezoning because of the noise it would create; since this was residential, it should remain such.

Mr. Buehler explained consideration should be given to the movement of traffic within this zoning and whether this would be over all good zoning for the City.

Mayor Rasmussen asked if this could be approved under a 'C-2' with restrictions.

Mr. Buehler stated if it were the desire of the Council, restrictions could be imposed.

Mr. Gordon Johnston, Vice Chairman of the Planning Commission, remarked that their first concern is to create an orderly development for Tacoma, regardless of what area is being discussed. It is the consensus of the Planning Commission this would constitute 'spot zoning', So. 12th St. has become an east-west arterial and furthermore, if this is granted it would be very difficult to deny any future 'C-2' zoning on the other three corners.

Mr. Finnigan felt Mr. Parks would conduct an orderly business in this particular spot because So. 12th St. has always been considered as 'spot zoning'.

Mr. Cvitanich asked that deed restrictions be instituted relative to screening, setback, etc. so there will be no misunderstanding at a future date.

Mr. Zatkovich asked if the Council should not re-examine problems that come up relative to service stations, and in this particular instance, he could not see any difference between a body shop zoning and a service station zoning.

Mr. Murtland felt restrictions should be imposed if this zoning is approved.

After further discussion, Mr. Murtland moved that the Planning Commission submit recommended restrictions on this application for rezoning to the Council and that the hearing be postponed until Tuesday, Feb. 6th, 1968. Seconded by Mr. Bott.

Voice vote taken. Motion carried.

PETITIONS:

a. Forrester Realty & Mortgage Co. requesting rezoning of property located on both sides of Mason Ave. between So. 74th & Burkhardt Drive from an "R-2" to an "R-3" District.

b. Alsbery & Olson Construction Co. requesting rezoning of property located on the south side of So. 56th between Mason Ave. & So. Manitou Way from an "R-3" to an "R-4-L" PRD District.

c. Ronald E. Wire requesting rezoning of property on the east side of Park Ave. between So. 94th & So. 96th S. from an "R-2" to an "R-3" District.

Referred to the Planning Commission.

COMMUNICATION:

Communication from Karl J. Beaty.

Placed on file.

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RESOLUTIONS:

Resolution No. 19488 (postponed from the meeting of Dec. 19th, 1967)

Accepting an offer to sell real property in the New Tacoma Wash. R-14, Urban Renewal project from M. Brotman, B. & P. Brotman, H. & G. Lehrer and Elwin Investment Corp.

Dr. Herrmann moved that the resolution be adopted. Seconded by Mr. Finnigan. Mr. Corey Richmond, Urban Renewal Director, explained that this property is located at 1145 Broadway and is a 6-story building on a 25 x 100 foot lot. The Boardway level is occupied by Dr. Wm. Young's Dental Laboratory. He added, the Commerce St. level has been vacant for some time and the upper floors have been vacant and sealed off. Three appraisals were made on this property, including an appraisal ordered by the property owners. The price of \$41,500 was reached by the two appraisers and concurred in by the Federal appraisers.

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

Resolution No. 19532 (as amended and postponed from the meeting of Jan. 16th, 1968)

Nominating seven members by the Mayor of the City to the Trainee Corps Selection and Evaluation Board.

Dr. Herrmann moved that the resolution be adopted. Seconded by Mr. Johnson. Mayor Rasmussen remarked that the Rev. Elijah Hankerson of 2225 So. 19th was appointed to replace Mr. John Epps who advised he had too many commitments to serve; also terms have been set for the members to serve.

The Resolution was passed unanimously by voice vote.
Ayes 9; Nays 0; Absent 0.

Resolution No. 19540

Fixing Tuesday, February 6, 1968 at 4 P. M. as the date for hearing on the Zoning Text Amendment regulation Gasoline Service Stations.

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

The Resolution was passed unanimously by voice vote.
Ayes 9; Nays 0; Absent 0.

Resolution No. 19541

Fixing Monday, March 11, 1968 at 4 P. M. as the date for hearing on L I D 4836 for paving on So. Fawcett from So. 76th to 78th and other nearby streets.

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

The Resolution was passed unanimously by voice vote.
Ayes 9; Nays 0; Absent 0.

Resolution No. 19542

Awarding contract to Sahlberg Equipment, Inc. for the furnishing of one Grader on its bid of \$20,180.73.

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

The Resolution was passed unanimously by voice vote.
Ayes 9; Nays 0; Absent 0.

Resolution No. 19543

Awarding contract for the furnishing for coverall service for the year 1968 to AlSCO Linen Service on its bid of \$331.23 for starched and unstarched coveralls per week.

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

The Resolution was passed unanimously by voice vote.
Ayes 9; Nays 0; Absent 0.

Resolution No. 19544

Awarding contract to Paul K. Haggard Company for the furnishing of 100 Refuse Containers on its bid of \$11,468.00.

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

The Resolution was passed unanimously by voice vote.
Ayes 9; Nays 0; Absent 0.

Resolution No. 19545

Awarding contract to George Madsen Co. on its bid of \$39,387.05 for L I D 4816.

Dr. Herrmann moved that the resolution be adopted. Seconded by Mr. Murtland.

The Resolution was passed unanimously by voice vote.
Ayes 9; Nays 0; Absent 0.

Resolution No. 19546

Approving the proposed route of SSH-No. 1-V indicated as System 6 of the Washington State Highway Commission Reconnaissance Study.

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Dr. Herrmann moved that the resolution be adopted. Seconded by Mr. Murtland.

Mr. Gilbert Schuster, Director of Public Works, explained this resolution is relative to the hearing to be held on a proposed corridor or route for S S H No. 1-V (SR 509) indicated as System 6 of the Washington State Highway Commission Reconnaissance Study of Jan. 1966. The State Highway Dept. has requested that the Tacoma City Council pass a resolution supporting the proposed corridor, known as System 6. The corridor goes from the Pacific Ave. interchange of Interstate Highway #5, into the downtown area, along A Street to approximately So. 8th St., which is a connection between the Interstate System and the downtown area of the City of Tacoma, previously called the A Street Viaduct.

Mr. Schuster, continued, the City and the State were also interested in a new route from the downtown area, across the industrial area of the City, with the ultimate goal of connecting to Interstate Highway #5 at the Auburn connection on Interstate #5. Also, a proposed extension northerly up to Des Moines, Wash. At present there is a Secondary Highway 1-Z leaving Pacific Ave. in Tacoma through Browns Point, Dash Point and eventually leads to Des Moines. The new route would take the place of 1-Z as it is constructed today.

He added, a hearing is held by the State Highway Dept. before they can begin engineering studies on the route. The Highway Commission must approve it, as well as the Bureau of Public Roads. This hearing then deals with the proposed corridor or route, not specific property.

Mr. Cvitanich said he was concerned with the area leading to 8th St. He was interested in how much flexibility the City will have in terms of the downtown parking garages and the ingress and egress to the downtown area. He wondered if this resolution will commit the Council to anything specific in terms of the A St. viaduct. The second question is how will this tie into the contemplated bridge that has been previously discussed.

Mr. Schuster explained with regard to the connection to the downtown area, this resolution approves the corridor hearing. Many proposals have been reviewed by the Public Works staff as well as by the Planning staff with Mr. Kerslake, the District Engineer for the Highway Dept. Mr. Kerslake is well aware of the suggestions that the City of Tacoma has presented and there are several different alternate routes that can be discussed. He added, the City was not in a position to tie this down at the present time. This corridor, route hearing will be the first step toward the Highway Dept. being able to hire a consulting engineering firm to actually make a study. So far there is only one report that was submitted by Sverdrup & Parcel and Associates, dated January 1966. As to the 15th Street bridge this again becomes a part of one of the connections across to the tideflats.

Mr. Schuster continued, Mr. Kerslake was questioned at a meeting on Jan. 22nd relative to this approach and he indicated before making this study, they would have to study the crossing of the waterway at approximately 15th St. He also said there were no funds at the present time to purchase right-of-ways in that location, but they do have sufficient funds to pay for the engineering study, and they hope to obtain funds to buy right-of-way on the A Street portion of the route.

Mr. Finnigan stated, it was indicated about a year ago that the City of Tacoma could float a bond issue to help in conjunction with the development of the 15th Street viaduct, If the bond issue is not approved it will take from eight to ten years before construction can take place in the area due to the fact the Department of Highways just lost approximately \$14 million from a recent cut by the Federal government.

Mayor Rasmussen said he hopes the next session of the legislature will pass a bill to finance the 15th St. bridge.

Mr. Schuster felt the significance of this route is, that it is on the Secondary System and the Highway Dept. has indicated that they will finish all of the Primary and Major Highway systems by 1975 on their priority system. The Secondary Systems are next down the list.

Mr. Cvitanich mentioned again, the one thing that concerns him relative to the A St. extension, is that he did not want the State to put something in there that will dictate what Tacoma should do in terms of bypassing the downtown area as far as the ingress and egress. He wanted sufficient flexibility.

Mr. Schuster assured the Council that the Highway Dept. would be in constant contact with the City as to what their proposals and plans were, and consequently the Public Works staff will be in contact with the City Council.

Mr. Rowlands, City Manager, indicated the complete development will be approximately \$56,000,000. The City has been in contact with the Bureau of Public Roads in Washington D. C., and it is hoped this route can be included on the Interstate System. If this is so, it will expedite the completion of the project a number of years.

Mayor Rasmussen stated the public hearing will be Wednesday, January 31st, 1968 at 10:00 A. M. at the Public Utilities Bldg. to be conducted by the State Highway Commission.

FIRST READING OF ORDINANCES:

Ordinance No. 18485

Amending Chapter 13.06 of the official code by adding a new section 13.06.050-19 to include property on the S. W. corner of No. 45th & Orchard Sts. in an "R-3" District. (petition of Douglas R. Fabre)

The ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 18477 (postponed from the meeting of Jan. 9th, 1968)

Creating and establishing a new fund in the City of Tacoma to be known as the Tacoma Civic Arts Commission Fund.

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

Ayes 9; Nays 0; Absent 0.

The Ordinance was declared passed by the Chairman.

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Ordinance No. 18481

Amending Sec. 1.12.137 of the official code relative to Shooting Pay for Police Personnel.

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

Ayes 9; Nays 0; Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18482

Amending Chapter 13.06 of the official code by adding a new section 13.06.130-44 to include property on the N. E. corner of So. 23rd St. & Sheridan Ave. in a "C-2" District. (petition of L. Ray Scott)

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

Ayes 9; Nays 0; Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18483

Amending Chapter 13.06 of the official code by adding a new section 13.06.050-18 to include property on the west side of Orchard St. between No. 8th extended and No. 9th St. in an "R-3" District. (petition of Elsie M. Westbrook)

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

Ayes 8; Nays 1; Civitanich; Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18484

Amending Chapter 13.06 of the official code by adding a new section 13.06.040-2 to include property on the south side of So. 72nd St. between Alaska & Ash Sts. in an "R-2" District. (petition of James M. Cronen)

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Dr. Herrmann said, since this area is zoned already for an "R-4-L" apartment building, would this put the development under a non-conforming use and create a burden on the developer to rezone this back to an "R-2" District.

Mr. Marshall McCormick, City Attorney, informed the Council that a writ of mandate was obtained in Superior Court by Keith McGoffin, attorney for Edward C. Brenden, petitioner for the "R-4-L" zone. The writ requires the City to either issue a building permit to Mr. Brenden or appear at a show-cause hearing Feb. 16th, 1968. Inasmuch as this case is now pending before the Superior Court, he would rather not discuss legal procedures. He could say that the original ordinance did zone it to an "R-4-L" District and that ordinance was published and is in effect. While that ordinance is in effect, the owner of the property and the builder made application to the Public Works Dept. for a permit and paid the fee. They also submitted plans and the Public Works staff is now in the process of checking those plans in the normal course, as they do for all applications.

Mr. McCormick added, the Public Works staff has been instructed and has notified the contractor that a permit cannot be issued due to this pending action.

Mr. McCormick further stated, if this ordinance is passed this evening, it will have the effect of repealing the other ordinance, that was passed three or four weeks ago. It would be zoned back to an "R-2". The Washington Supreme Court unequivocally said that the time that you fix to determine the rights on a permit is

the time that you make the application; that is why the other ordinance is still in effect. So the Court can do one of several things. If the Court determines that this present ordinance, if it passes, goes into effect and holds that the permit was properly applied for and that the City will have to issue it, it would then be a non-conforming use insofar as it can be determined at this time.

Mr. Johnson suggested that this ordinance be postponed until the Court has rendered its decision.

Mr. McCormick explained that one of the City's defenses would be that the Council has zoned the property back to single-family residential zoning.

Mr. Cvitanich stated, if the Court renders a decision in opposition to his position, he would change his vote to see that the owner would not be confronted with problems.

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

Ayes 5; Nays 4, Finnigan, Herrmann, Johnson, Murtland; Absent 0.
The Ordinance was declared passed by the Chairman.

REPORTS:

- a. MC-518 Analysis of Economic Growth in Tacoma.

Placed on file.

- b. MC-519 Surplus Property for Dayground Use.

Mr. Rowlands, City Manager, explained that City-owned property and L I D Guaranty Fund properties in the City had been reviewed. It is found that there is no usable surplus land in public ownership or control large enough to be used for playgrounds.

Mr. Buehler, Director of Planning, stated that in the central area of the City only one piece is owned by the L I D Guaranty Fund, 50 x 120 feet, and is located at 15th and Fawcett St., but would not be suitable for a playground because of size, location and topography. This site would have to be purchased from the Guaranty Fund to place it in this particular type of use. The Finance Dept. administers the L I D Guaranty Fund, but the tax title property is carried by the County, he added. When property is put up for tax sale, the list is cleared through the City Planning Dept. and sent out to all governmental agencies. If any of the departments or public agencies have any need for the property, the Planning Dept. is so advised and arrangements are then made to effect a transfer.

Mayor Rasmussen asked what type of a record is kept relative to properties owned by the City.

Mr. Clar Gaisford, Finance Director, explained that the Finance Dept. is charged with the responsibility of keeping records of all City owned property, including the Light, Water and Belt Line Division. Also under the statutes the Department maintains records of every parcel of property within the entire City of Tacoma. The Guaranty Fund which was created by law in 1932 allows the Finance Dept. to purchase foreclosures by the County through this fund. This fund is created for the protection of the bond holders who purchase the Local Improvement District bonds. The City could not dispose of this property to any other taxing districts without receiving the remuneration of funds paid out of the Guaranty Fund.

Mayor Rasmussen asked if some property could be loaned to the City for playground purposes.

Mr. Gaisford stated their Department should sell the property so it can be put back on the tax rolls. If a piece of property were to be loaned to the City for playground purposes, in a month it might be sold out from under them.

Mayor Rasmussen suggested that a map be made available, showing City owned property for study in the conference room.

Placed on file.

c. MC-520 Maintenance of Gravel and Dust Oil Streets.

Placed on file.

d. Report from the Human Relations Commission recommending to the City Council certain procedures relative to the Tacoma Area Conference on Community Problems to be held on Feb. 19th, 1968.

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Mr. Finnigan explained that the time is short, he then moved to approve the Steering Committee that has been submitted by the Human Relations Commission, so that the programming of this particular conference can proceed as scheduled. Failed for the want of a Second.

Mayor Rasmussen said he would like to suggest that a member of the Teamsters Union be added to the list.

Mr. Cvitanich proposed that Clyde V. Wakeman of the Joint Council of Teamsters be added as a spokesman for labor.

Mrs. Banfield proposed the name of Clay Patterson, President of Washington Disabilities, Inc.

Mayor Rasmussen suggested that Mrs. Banfield, Mr. Cvitanich and Mr. Bott be added to the list, and the entire Council if they wished to serve.

Mr. Lynn Hodges, the Human Relations Commission's Executive Director, asked that only Mr. Wakeman be added to the committee. He noted that hundreds of other persons including Clay Patterson would be invited to participate.

Mr. Cvitanich said he had approved of the conference with the understanding that there would be action and stated that it would not be a representation of all labor to name L. H. Pedersen only.

Mr. Finnigan objected to expansion of the committee to include the whole Council.

Mayor Rasmussen asked if any Councilman objected in taking part.

Dr. Herrmann, Mr. Finnigan, Mr. Johnson and Mr. Murtland stated they would not serve on the committee.

Mr. Johnson moved that Mr. Clyde Wakeman be added to the list for the Steering Committee. Seconded by Mr. Murtland.

Mayor Rasmussen stated he wished to amend Mr. Johnson's motion by adding the names of the Councilmen who desire to serve plus Mr. Clay Patterson representing the Blind. Seconded by Mr. Zatkovich. Roll call was taken on the amendment.

Ayes 5; Nays 4; Finnigan, Herrmann, Johnson and Murtland. Absent 0.

Voice vote was taken on the motion as amended. Motion carried.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

Report from the Tacoma Traffic Division for the month of November 1967.

COMMENTS:

Mr. Rowlands informed the Council that last fall an application had been made to the Army Corps of Engineers from the State Highway Commission, that Federal regulations be changed so that the bridges would not be opened during rush hours. He

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added, the request was granted and the waterway bridges will be closed between the hours of 6:30 and 8:30 A. M. and 3:30 to 5:30 P. M.

Mr. Rowlands distributed a copy of a letter from Donald P. Clough, Western Regional Director of the American Social Health Association, stating that Tacoma continues to keep commercialized prostitution under control and has received another "A" rating. ✓

Mr. Cvitanich stated publicly that certain supporters of the Council-Manager form of government are riding 'this old "nag" to death about the open town, prostitution and crime'. He wished the record to clearly indicate that he was opposed to opening up the town, but to the adversaries he would suggest they find something else on which to campaign. ✓
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Mayor Rasmussen presented a photograph of former Mayor Fawcett that had been sent to him by a Tacoma citizen.

Mayor Rasmussen questioned the source of money for the advertisement in the paper against the Mayor-Council form of government. He added, it misrepresented his proposed amendments for a strong Mayor-Council Charter.

Mayor Rasmussen stated that the proposals could override a Mayor's veto by a 5-3 vote and that it is no different, in effect, from the present Charter provision requirements of 2/3rds approval for passage of an emergency ordinance. ✓

Mayor Rasmussen asked Mr. McCormick, City Attorney, to prepare the proper amendment to the Charter that all appointments of Department Directors would be proposed by the Mayor and approved by the Council. That no Department Director would be hired or fired without the approval of the Council.

Mr. McCormick stated the Charter at this time provides for the Department Directors and officers that are in the Charter, such as the Director of Finance, City Attorney and the City Clerk. The other Department Directors are set up by ordinance.

Mayor Rasmussen asked relative to an emergency, if he could call one and take over the Police Dept. if necessary.

Mr. McCormick said his proposal that the Mayor may declare an emergency is no different from a Seattle Charter provision, however, the Governor of the State can call in martial law when necessary.

Mayor Rasmussen said he had not suggested that he take over administration of City departments from professionally trained directors.

Mr. Zatkovich accused the papers of using small-town tactics and he was confident the people would not believe a lot of garbage and trash.

Mayor Rasmussen stated he intends to keep all expert help in all departments of the City no matter how the people vote on Tuesday, Feb. 6th, 1968.

Mr. Cvitanich announced that the L I D Committee met with the Dept. of Public Works and the Legal Dept. and have some recommendations that will be forthcoming in a couple of weeks. However, he added, there is one matter of great importance and he would like for Mr. Schuster, Public Works Director, to explain it to the Council so the Council could give direction. ✓
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Mr. Schuster explained, the area in question is located at Ea. 88th to 92nd between A and East B St. The Tacoma School District is preparing to build a new school in this area. There is a drainage problem and a storm drain should be put in to connect to the school's property down to 92nd St. A trunk line is already in at 92nd St. at the present time. Some property owners in this area have shown an interest in a storm drain system, however, East B and East A streets are higher than the area in between, and this is a natural area for storm water to flow. A storm line down through this area would pick up the water.

Mr. Schuster continued, a property owner in this area has contacted the Public Works' staff regarding the storm drains and he took it upon himself to contact property owners to see if they would be interested in a storm sewer Local Improvement District. There are approximately 22 property owners involved which is a very small percentage. The school could put in storm lines down East B St. which would assist just part of the area. The suggestion has been made that, perhaps, a resolution could be brought before the Council to initiate a hearing for an L I D down through the other area. Another problem that confronts the City is that at present the City does not have any right-of-way. The City would have to obtain easements from the property owners to construct the storm line. If only one property owner was not interested in an L I D, serious conditions would occur as the school needs a storm drain as soon as possible.

Mr. Schuster added, direction is needed from the Council as to whether the City should propose an L I D for this storm drain system. The cost to the property owners would be approximately \$1.50 a front foot. This would be approximately 1/3rd of the cost of constructing the line. The school district would pick up approximately 2/3rds of the cost.

After further discussion, Mr. Cvitanich moved that a resolution be brought in setting a date for a hearing for an L I D for storm drains in this area. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

Mayor Rasmussen stated the entire City Council and the City Manager have been invited to appear on a program Thursday from 9:35 A. M. to 12:00 Noon and discuss forms of City government on KAYE.

Mayor Rasmussen wondered if KTNT would want to make the same invitation available.

Alfred Anderson, 517 So. 45th St., extended an invitation to the Mayor and Council members to attend the Oratorical Contest sponsored by the American Legion to be held at the Utilities Bldg. Auditorium at 8:00 P. M. on Saturday, Feb. 10th, 1968.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 8:00 P. M.

A. L. Rasmussen
MAYOR

Attest: *Josephine Helton*
City Clerk