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CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, January 16th, 1968

Council met in regular session. Present on roll call 7: Banfield, Bott, Cvitanich, Herrmann, Johnson, Zatkovich and Mayor Rasmussen. Absent 2: Finnigan and Murtland. Mr. Finnigan coming in at 4:10 P. M. and Mr. Murtland at 4:14 P. M.

Mr. Cvitanich moved that the minutes of the meeting of Jan. 2, 1968 be approved as submitted. Seconded by Mr. Zatkovich. Voice vote taken. Motion carried.

HEARINGS & APPEALS:

This is the date set for hearing for the rezoning of the S. W. corner of No. 45th & Orchard St. from an "R-2" to an "R-3" district, submitted by Douglas R. Fabre.

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

COMMUNICATIONS:

Communication from the Planning Commission relative to charging one-half of the appraised value for the vacated portion of a street. ✓

Mr. Buehler, Director of Planning, explained that the Planning Commission urges careful consideration be given to the proposed change of policy before an ordinance is passed, which concerns charging one-half of the appraised value for the vacated portion of a street. He thought, perhaps, it would be unwise to request such a measure before procedures are developed that will make distinctions between street right-of-way that has been dedicated to the City and that which has been acquired.

Mr. Cvitanich felt there was merit to this suggestion, however, there are some pitfalls involved, and he suggested that the Legal Dept. and the Planning staff study the matter and submit a recommendation at a future date.

Mr. Bott thought the City should follow the policy that is now in effect.

Mr. Cvitanich said the State of Washington has passed a new law, but said each vacation should be taken on its individual merit.

Mr. McCormick, City Attorney, said the only applicable way for this to be handled because of the many variations pertaining to vacations, would be to have a meeting with the Planning staff to see what could be worked out to determine if the City had to pay for the land in the beginning or whether the property owner donated the land to the City, and if the City is taking the full width of the street or a portion.

Mr. Buehler stated that a criteria should be established clarifying when compensation should be paid, or compensation is to be waived for petitions submitted by other public agencies.

Mayor Rasmussen said the Planning Commission, staff and the Legal Staff will review this matter and a report will be submitted to the City Council.

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RESOLUTIONS:

Resolution No. 19471 (postponed from the meeting of Jan. 2, 1968)

Submitting to the qualified voters of the City of Tacoma at a special election proposition to elect 15 freeholders to prepare and propose a new City Charter.

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Mr. Johnson suggested that the resolution be postponed for two weeks, until after the election.

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Mr. Johnson then moved that the resolution be postponed until Tuesday, Feb. 13, 1968. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

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Resolution No. 19531

That the Council of the City of Tacoma does hereby specifically endorse Propositions A & B submitted by the Tacoma School District No. 10 to the voters in said District at a special election to be held Feb. 6th, 1968.

Mr. Cvitanich 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. 19532

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

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

Mayor Rasmussen asked Mr. McCormick, City Attorney, to explain the terms relative to the members on the Human Relations Commission.

Mr. McCormick explained, there have not been definite terms provided for in the ordinance. He thought the terms should be set as this is a very important Committee. He added, an amendment can be made to the resolution setting up the terms for each member.

Mr. Finnigan suggested that members of the committee be restricted to persons residing within the City limits of Tacoma.

Mr. Cvitanich stated he did not know of a committee that was restricted as to residency.

Mr. Rowlands stated the two members who are being suggested are in Personnel work for their companies, and this particular type of committee will involve obtaining employment for a number of persons. It is hoped that the corporations will provide many employment opportunities for individuals in the City as well as in the County.

Mayor Rasmussen felt representatives should be appointed from two of the largest corporations in the City. He also mentioned that terms should be set for the membership.

Dr. Herrmann moved that the resolution be postponed for one week to allow the legal staff to amend the resolution to appoint the membership on staggered terms.

Seconded by Mr. Bott. Voice vote taken. Motion carried.

Resolution No. 19533

Nominating Maurice S. Finnigan as a member on the Tacoma Commission on Human Relations for the term ending Sept. 30th, 1968.

Mr. Cvitanich 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. 19534

Awarding contract for the demolition of a building at 1524 & 1526 Fawcett Ave. to Hardy & Randolph on their bid of \$995.00.

Mr. Murtland moved that the resolution be adopted. Seconded by Mr. Zatkovich. Mr. Schuster, Director of Public Works, explained that this demolition stems from the Dangerous Building hearings. The building has become a health hazard as the owner has neglected to keep up the repairs. The owner has been notified by registered mail that it is being razed.

Mayor Rasmussen asked Mr. Schuster to check to see if the owner of this property has been paying taxes.

Mr. Schuster stated he would obtain this information.

Mr. Schuster also explained that bids are being prepared for the demolition of the old Police Annex as approximately \$40,000 has been allocated in the budget for that purpose.

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

Resolution No. 19535

Awarding contract for the furnishing of storage batteries for the calendar year 1968 to Nic-O-Ray Battery Sales on its bid of \$6,500.00.

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. 19536

Awarding contract to Texaco Inc. for the furnishing of gasoline requirements for the year 1968.

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

Mayor Rasmussen left the meeting temporarily and Deputy Mayor Bott resume the Chair.

The Resolution was passed unanimously by voice vote.
Ayes 8; Nays 0; Absent 1, Mayor Rasmussen (temporarily)

Resolution No. 19537

Authorizing the sale of timber to the Tacoma Narrows Lumber, Inc. for the sum of \$45,160.00.

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

Mr. Benedetti, Assistant Director of Utilities, explained that bids were called for the removal of approximately 915,000 board feet of timber located on the north side of the Green River midway between Howard Hanson Dam and the Tacoma Water Division

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Headworks. The timber is surplus to the needs of the Water Division and the sale is in accordance with the planned program of multiple-use management of the City's watershed properties.

The Resolution was passed unanimously by voice vote.
Ayes 8; Nays 0; Absent 1, Mayor Rasmussen (temporarily)

Resolution No. 19538

Authorizing the execution of a warranty deed to U. S. Plywood-Champion Papers, Inc. and easements to the Weyerhaeuser Company for road purposes in the area of the Mossyrock Reservoir.

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

Mr. Benedetti, explained that this resolution will approve two instruments. One is a deed to the U. S. Plywood-Champion Papers Inc. for approximately 4.7 acres of property which represents a quarter of a mile of road outside the Cowlitz Hydroelectric Project boundaries. The land is surplus to the project requirements or the City's needs.

The second is an easement to the Weyerhaeuser Timber Co. for road privileges on the south side of the project to replace the access previously provided by a combination of County and private roads to be inundated. This easement on project land will in no way interfere with the project operation. Another easement is a mutual grant of use rights between Weyerhaeuser and the City over an existing haul road, said rights being subject to the City's requirements for the protection of its municipal fresh water supply, he added.

Mr. Benedetti pointed out on a map the location of the City's Green River Watershed and explained how land had been purchased to protect Tacoma's water in the future.

Mr. Murtland commended Mr. Benedetti and his staff for the tremendous job they had done to save Tacoma's water supply.

Robert Ellener, 3303 Gay Rd., Puyallup, Wash., explained that his wife and step sons had never been sufficiently reimbursed for property they had sold and a mill that had to be torn down because of the water project.

Mr. Benedetti explained that the Department had checked titles to the lands for Mr. Ellener, but he would be glad to look into the matter further if Mr. Ellener would present proof of transactions relative to the property.

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

Resolution No. 19539

Accepting certain offers to sell real property from Max & Sarah Rosen for property situated within the New Tacoma Urban Renewal Project Wash. R-14.

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

Mr. Richmond, Urban Renewal Director, explained that this was a four-story building at 1315 Broadway which is vacant. He explained that property appraisals made for the City are conducted by outside professional appraisers and such appraisers must be willing to testify in court.

Mayor Rasmussen remarked, it has been asked by the public why the City paid \$380,000 for the Todd Building, whereas private investors paid only \$300,000 for the Jones Building.

Mr. Richmond replied that he believed the Jones Building sold for \$330,000 and in the final investment it could run closer to \$500,000 because it will not be removed from the area and necessary improvements will have to be made.

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

FIRST READING OF ORDINANCES:

Ordinance No. 18481

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

Charles Zittel, Chief of Police, explained that in the two years the City has had a 'shooting bonus program' the average score has been improved from 76% to 81%. In labor negotiations, it was agreed that the bonus pay would be liberalized slightly in order to encourage better shooting.

The ordinance was placed in order of final reading.

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)

The ordinance was placed in order of final reading.

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)

The ordinance was placed in order of final reading.

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)

The ordinance was placed in order of final reading.

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FINAL READING OF ORDINANCES:

Ordinance No. 18473

Granting a franchise to the Northern Pacific Railway Co. to operate railroad tracks on an unnamed street right-of-way lying south of East 21st and west of River St.

Mayor Rasmussen thought that a road that is involved close to this franchise should be paved.

Mr. Schuster explained that the area involved in the franchise is a section from underneath the River St. viaduct south to approximately 21st St. The operation for this railroad is on private property. He added, he has no knowledge that the Railroad Company at this time intends to do any paving throughout this area. In this franchise, however, they will be required to put in paving through the area where the railroad tracks actually cross.

Mayor Rasmussen felt there would be additional truck operations after the piggy packer tracks are installed. He felt the road that is in existence should be repaired. He thought, perhaps, an L I D program should be instigated.

Mr. Schuster remarked, if the Council wishes that an L I D be instituted, he was sure the Railroad Co. would be glad to discuss the matter.

Mr. Bott asked Mr. Overlie, who represented the Northern Pacific Railway Co., if he would check to see if the N. P. R/W Co. owns the property where Pine St. comes into Hood St. near the Humane Society building. He noted that this road is very dangerous and, perhaps, something could also be done about that area.

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. 18477

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

Mayor Rasmussen stated he had been informed that the Civic Arts Commission is a joint function between the City and the County. He asked Mr. McCormick, City Attorney, if the Council were to approve the creation of this fund within the City Treasury, should it acquire prior approval of the County Commissioners before it is adopted as a fund within the City's Treasury.

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Mr. McCormick, City Attorney, felt insofar as the Committee is concerned, since it is a joint operation, a fund could be established. If the County wishes to provide a fund whereby donations are made to the County, they could do the same. The purpose of this ordinance is to put the funds donated to the City of Tacoma for use by the Arts Commission in a special fund.

Mayor Rasmussen explained that the Chairman of the Civic Arts Commission has requested that this be held over one week.

Dr. Herrmann moved that Ordinance No. 18477 be postponed for one week, until Jan. 23rd, 1968. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

Ordinance No. 18478

Amending Chapter 13.06 of the official code by adding a new section 13.06.065-80 to include property on the N. E. corner of So. 47th & Lawrence Sts. in an "R-4-L" District. (petition of Walter C. Witte)

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. 18479

Providing for the improvement of L I D 5451 for a 12-inch water main in Ferry Street from So. 19th to So. 25th St.

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. 18480

Approving and confirming the assessment roll for L I D 4796 for paving on Mildred St. from 6th Ave. to So. 19th Street.

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

Ayes 9; Nays 0; Absent 0.
The Ordinance was declared passed by the Chairman.

UNFINISHED BUSINESS:

The Directors of Public Works & Public Utilities present the assessment rolls for the following L I D's.

- a. L I D 4794 for paving on Huson from No. 43rd to No. 46th; No. 35th from Stevens to Monroe and other nearby streets.
- b. L I D 5425 for water mains in Whitman from No. 23rd south to the Cul-de-sac; Bristol & Defiance from No. 23rd to Westgate Blvd.; No. 23rd from Vassault to Defiance St.
- c. L I D 5429 for water mains in So. 13th, 14th, 15th & Melrose from Union Ave. to Puget Sound Ave.; Puget Sound Ave. from So. 13th to 14th and Union Ave. from So. 15th to So. 18th Street.

Mr. Finnigan moved that Monday, March 11th, 1968 at 4 P. M. be set as the date for hearing on the above L I D's. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

REPORTS:

MC-517 Pollution Control for Buses.

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Placed on file.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Report from the Traffic Violations & Court Cases for the month of December 1966 and 1967.
- b. Report from the City Planning Dept. for the month of December 1967.

COMMENTS:

Mr. Rowlands, City Manager, reminded the Council that the Second Conference on Community Planning will be held at the Pacific Luthern University Campus on Friday, Jan. 19th, 1968 from 9:15 A. M. to 4:30 P. M. A number of outstanding speakers will be present. He said he would make reservations for the Council members who wish to attend.

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Mr. Rowlands distributed a report on the Regional Urban Coalition program.

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Mr. Rowlands distributed an MC relative to an analysis of economic growth in Tacoma from the year 1964 and the year 1967. He noted there is a 51.7% increase in building permits.

Mayor Rasmussen remarked he had sent out a request to the staff that their material be in for the agenda by Thursday as provided in the Rules of the Council. He asked that this MC be included in next week's agenda, so the Council may study it before discussion.

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Mr. Rowlands stated that there has been a very fine relationship with the schools as they endorse bond issues that the City requires and consequently, the City has resolutions adopted over the years when the schools ask for a millage.

Mr. Rowlands stated that a number of calls have been received stating that some elderly persons were having trouble keeping medical appointments and are unable to make connections with the buses by 3 P. M. He asked for Council's direction to determine if the later hour could be changed to 4 P. M.

Mayor Rasmussen proposed the removal of all restrictions on users of the monthly passes, and that an ordinance be prepared along those lines.

Mr. Finnigan felt this should be checked into very carefully, because he thought lifting restrictions would create more of a problem. The City now is losing approximately \$40,000 a year due to reduced fares.

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After some discussion, Mr. Rowlands said additional information could be provided if necessary.

Mr. Rowlands mentioned that he has had a number of calls due to the inaccuracy of reporting. In this particular case, it pertains to Mr. Richmond's submitting his resignation to the City Manager two months ago. Mr. Rowlands said this is a false statement and he asked Mr. Richmond to explain again when he resigned.

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Mr. Richmond explained, at no time up to Jan. 10th, 1968, did he submit any resignation to City Manager, Mr. Rowlands.

Mr. Johnson felt that Mr. Richmond should have the opportunity to clear the record in regard to accusations made last week by a business woman who charged she had not been advised, when moving from a downtown location to another, that she was locating in an urban renewal area.

Mr. Richmond read a statement relative to Mrs. Bacon's charges, stating that she and her husband were referred to three other locations but would not accept them. They were not eligible for dislocation aid from the Small Business dislocation and they had received \$2231.03 in relocation payment.

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Mr. Richmond continued, that their first move was because they were located in a dangerous building, therefore, the urban renewal department was not involved.

Dr. Herrmann asked that the letter from the Cascade Insurance Co., one of the tenants of the Sportmen's Club building, be read by the Clerk. This letter compli-

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mented Mr. Richmond and his staff for their cooperation in the negotiations that have transpired over the past two years. This letter also quoted that statements made by Mr. Zatkovich as printed in the News Tribune were untrue.

Mr. Zatkovich explained that his questioning of Mr. Richmond on urban renewal matters were necessary in receiving the facts to aid tenants in downtown buildings marked for demolition. He was also critical of an article that was published about Mr. Richmond's resignation.

Mr. Richmond said he did not regard hostility toward urban renewal as a personal affront, but he felt the new Council members did not understand that this program is theirs, and not the federal governments.

Mr. Bott sympathized with Mr. Zatkovich for having his motives misunderstood in his attempt to help tenants of buildings in the urban renewal area.

Mayor Rasmussen who had attended the Puget Sound Governmental Conference in Seattle last week, pointed out that he was shocked to hear how the Puget Sound Governmental Conference has progressed in terms of growth, budget and aims, since it had first been considered by the Legislature. He deplored its reliance on federal funds and warned of encroachments on local and state powers. He felt that the programs of the conference were a duplication of other agencies.

Mr. Johnson also a delegate to the conference, agreed in part with the Mayor but stated that the organization can be used for both good and bad, and the delegates' duties were to give direction.

Mayor Rasmussen asked that the Council consider withdrawing from the Puget Sound Governmental Conference.

Mr. Rowlands stated the bulk of the budget of the Puget Sound Governmental Conference has been underwritten by federal grants and Tacoma has benefited from many of its programs. He noted that the maps are used frequently by the Planning Dept. and the Public Works Dept. as this represents cooperation on an inter-governmental basis.

Mayor Rasmussen said he was concerned because the Pierce County Commissioners are opposed to the conference's air transportation study and have refused to contribute to the payment.

Mr. Cvitanich asked that Mr. Rowlands check the records in regard to the Airport discussion when the County Commissioners turned it down about three or four months ago. At that time it was discussed by the Council and it was his understanding that the Council had to take action to approve the expenditure of any funds for the study.

Mr. Murtland stated he had discussed the matter of re-establishing study sessions on Monday noon with Mayor Rasmussen. He feels that the Council will be better informed on matters that might come up for deliberation at Council meetings. Mr. Murtland suggested the study sessions be held in Room 354.

Mayor Rasmussen said he was opposed to the noon session because it was not a time favorable for public attendance.

After some discussion, Mr. Murtland moved that the study sessions be called by the Mayor to be held on Monday at 12 Noon in Room 354 and moved to the Council Chambers at times when necessary at the discretion of the City Council. Seconded by Mr. Johnson. Roll call was taken, resulting as follows: Ayes 6; Nays 3; Cvitanich, Zatkovich and Mayor Rasmussen. Motion carried.

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Mr. Cvitanich said a study session was held relative to retaining a Public Information officer. He added, as a result of this meeting he felt that the Public Information officer should be reinstated to occupy quarters in the Mayor's office.

Mr. Cvitanich then moved that Mr. Bond move back into his old quarters in the Mayor's office as the Public Information officer and that he be assisted by a Clerk-Typist. Seconded by Mr. Zatkovich. Roll call was taken on the motion, resulting as follows: Ayes 5; Nays 3, Finnigan, Herrmann and Johnson; Absent 1, Murtland. Motion carried.

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Mayor Rasmussen reminded the Council that there will be a special meeting of the City Council at McCarver School Auditorium on Jan. 22, 1968 at 7 P. M. relative to a hearing on the Model Cities Program.

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Mr. Cvitanich reminded the L I D Committee that a meeting is to be held at 2 P. M., Thursday, Jan. 18th, 1968 with the staff in the Public Work's Dept. relative to L I D policies to make recommendations to the Council on this matter.

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Stanley Bixel, Personnel Director, advised the City Council there will be an examination for Laborer given in approximately one month.

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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 Melton
City Clerk