

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, January 3, 1967

Council met in regular session. Present on roll call 9: Bott, Cvitanich, Finnigan, Haley, Herrmann, Johnson, Murtland, Price and Mayor Tollefson. Absent 0.

Mr. Finnigan moved that the minutes of the meeting of Dec. 20, 1966 be approved as submitted. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

HEARINGS & APPEALS:

This is the date set for hearing for the rezoning of property located on the east side of Orchard Street between So. 35th and 36th Sts. extended, from an "R-2" to an "R-4" District, submitted by Jack Baty.

Mr. Buehler, Planning Director, explained that the original request by the petitioner was for an "R-4" district. However, the Planning Commission has recommended that the "R-2" district be rezoned to an "R-4 PRD District, as the "PRD" zoning provides the standards and means which best protect the City and the general public as this 5.2 acre site contains extreme topography. He added, Mr. Baty agreed to the Planning Commission's recommendation.

No one appearing and no protests being made, Mrs. Price moved that the proper ordinance be drafted approving the "R-4-PRD" rezone. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

PETITIONS:

Petition submitted by Forrester Realty & Mortgage Co. requesting rezoning of property located on the north side of No. 26th St. between Alder & Cedar Sts. from an "R-2" to an "R-4-L" District.

Referred to the Planning Commission.

RESOLUTIONS:

Resolution No. 18991 (postponed from the meeting of Dec. 27, 1966)

Approving the Preliminary Plat of Wick's 2nd Addition of Westgate Blvd. from Defiance to Vassault Street.

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

Mr. Murtland felt that an amendment could be made to this resolution so that it could possibly pass tonight.

Mayor Tollefson felt the amendment that could be made would be that the charges for underground wiring by the Utility Dept. of \$300 be reduced, as discussed last week. He understood this plat could be approved, but the method of power distribution as set forth on page (2) Item 4, of the City Planning Commission's report would be changed.

Mr. Buehler, Planning Director, stated he did not know whether the developer had an opportunity to peruse this matter. The question is, is there to be a policy declaration from the Utility Board and City Council that all future streets that are to be vacated, will be served by underground wiring, as well as the areas for plats.

Mayor Tollefson stated, if the Council approves this plat now, without excepting the conditions of approval, would the petitioner be able to obtain the wiring under the present above-ground standards, or would the Council have to approve this plat with the conditions of approval under Item No. 4, page 2 of the recommendation.

Mr. McCormick said Mr. Buehler's explanation was correct, that a determination must be made, whether this property is to be served by poles or by underground wiring. This determination has to be made first by the City Council.

Dr. Herrmann felt it was not fair to the developer if it is the intention of the Council to require underground wiring in already platted property.

Mr. Haley stated, they were advised by Mr. McCormick at the study session, that the Utility Board took the position, if they chose to make a policy of determination, that all new services could go underground regardless of whether it was platted or otherwise.

Mayor Tollefson said, they were of the opinion last week, in reference to platted property, that the petitioner would have the right to be served with overhead wiring. In this instance, the poles are only on Vassault St. Mr. McCormick advised the Council that as a matter of policy, the Utility Board henceforth do not contemplate installing overhead wiring unless the area is already being served by overhead wiring. Keeping that in mind, the Council was considering whether or not they should establish a policy, at the Council level, by resolution, that all undeveloped, but already platted areas not being served by utilities, the Utility Board should recommend that wiring be put underground.

Mr. McCormick said it seemed to him that this is a matter of determination, as to whether or not the Council could have any certain formula. In this particular plat, where there are poles along one side of the proposed new plat, the question in his mind is whether or not the Council can legally force the developer to put underground wiring in, where there are already overhead poles available along Vassault Street.

Mrs. Price stated she was concerned about this small area, as all the property around the area is served by overhead wiring. She felt the Council should not force the petitioner to install underground wiring because of the size of the plat.

Mr. Erdahl, Director of Utilities, explained, normally if underground wiring is put in an area, the surrounding property owners will petition for an L I D to have underground wiring to improve the aesthetics of the area. However, he felt a recommendation from the Planning Commission would indicate what should be approved in the plat.

Mr. Lawrence, representing Mr. Wick, asked what the policy of the Council has been.

Mayor Tollefson explained that the policy of the Council has been that in all new plats, where there is no service wires across them, that the wiring is to go underground. It seems to be the feeling of the Council that even an already platted area where there is no development as yet, the wiring should go underground.

Mr. Lawrence pointed out that many of these platted areas are in parts of town where minimum housing is practical and an extra \$300 added to minimum housing is considerably harder on the developer, even though it is charged to the home owners. If the Council does pass an ordinance that all power must go underground in the future, it will be a hardship on minimum housing, in the \$14 or \$15,000 bracket.

Mayor Tollefson said at the present time it is the policy of the Utility Board and the Utility Dept. to make a charge up to \$300 for underground wiring, (1) if the unit is using electricity for water heating as well as for lighting, the charge is \$200; (2) if the unit is using electricity for heating alone there is no charge.

Recently a representative of the Home Builders in Tacoma suggested to the Utility Board and the City Council that, perhaps, a flat rate of \$150 might be a more reasonable charge, regardless of whether or not the unit is heated by electricity.

Mr. Erdahl said if there were a definite policy of the Council, it would be very helpful to the Planning staff in their future planning.

Mayor Tollefson said that item 4, Page 2, of the recommendations of the Planning Commission states, "these conditions of approval, provide for utility electrical service to be furnished the lots in said new plat and the abutting undeveloped platted area be provided through overhead wires and poles located on rear lot easements."

Mr. Murtland moved that the recommendation from the Planning Commission on Page 2, Item 4, be amended to read, "that all electric power service and distribution and other necessary utilities in connection with the sites of the new plat and of the undeveloped area adjoining said new plat on the north, be placed underground and that the resolution approving the preliminary plat be amended to reflect this change and condition." Seconded by Mr. Johnson. Voice vote taken on the motion to amend. Motion carried.

Mayor Tollefson asked for a vote on the approval of the plat as amended. Voice vote taken. Motion carried.

The Resolution as amended was passed by voice vote.
Ayes 7; Nays 2, Herrmann and Price, Absent 0.

Mr. Murtland asked Mr. McCormick if the policy of the Council in regard to underground wiring would be drafted in the form of a resolution or if a simple motion would be adequate to take care of the matter.

Mr. McCormick stated that as far as he was personally concerned he would much prefer that where the Council sets down a definite policy in respect to a matter such as underground utilities, that the Council pass a resolution containing this policy. In this way the public and any other party interested would be definitely advised as to the policy of the Council and could be governed accordingly.

Mr. Murtland asked if an ordinance would be required, and Mr. McCormick stated this was not necessary.

Mayor Tollefson expressed a view that the Council should have a resolution drafted adopting the policy of the Council in respect to future electrical service in undeveloped plats as well as in new plats. He further stated that the resolution should probably provide for some discretion in the City Council in those areas where putting underground, the electric utility service, would not serve any useful purpose or would impose extreme hardship on the owner or developer. In other words, that the policy should generally be that the Council should provide that such electric utilities be placed underground but with the discretion to make exceptions in those particular areas where it is reasonable.

Resolution No. 18993

Fixing Tuesday, Jan. 17, 1967 at 4:00 P. M. as the date for hearing for the rezoning of property located at the S. E. corner of So. 56th & J Sts. from an "R-2" to an "R-3" District.

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. 18994

Fixing Monday, January 23, 1967 at 4:00 P. M. as the date for hearing on L I D 6886 for street lighting between So. 12th & 19th Street from Stevens to Procter and other streets.

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

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

Resolution No. 18995

Fixing Monday, January 23, 1967 at 4:00 P. M. as the date for hearing on L I D 5431 for water mains in So. 1 from So. 30th to So. 84th Street.

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. 18996

Awarding contract to Nic-O-Ray Battery Sales on its bid of \$6,500.00 for the furnishing of storage batteries for the calendar year 1967.

Mr. Haley 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. 18997

Awarding contract to Tucci & Sons on its bid of \$135,382.30 for Improv. No. 3629 for the East 29th and Portland Ave. Storm Trunk Extension.

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

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

Resolution No. 18998

Authorizing the execution of an agreement between the Brotherhood of Locomotive Firemen & Enginemen and the Tacoma Municipal Belt Line Railway for increase in rates of pay for personnel effective as of January 1, 1967.

Dr. Herrmann 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. 18999

Authorizing the execution of an agreement between the Brotherhood of Railroad Trainmen and the Tacoma Municipal Belt Line Railway for increase in rates of pay for personnel effective January 1, 1967.

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

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

Resolution No. 19000

Authorizing the release of existing easements on property at So. 38th and Pine Sts. in order to clear property records.

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

The Resolution was passed unanimously by voice vote.
Ayes 8; Nays 0; Absent 1, Bott.

Resolution No. 19001

Authorizing exchange of property located north of Alder Lake for property owned by the Dept. of Natural Resources of the State of Washington, Lewis County, required for the construction of the Mossyrock Dam.

Mrs. Price moved that the resolution be adopted. Seconded by Dr. Herrmann.

The Resolution was passed unanimously by voice vote.
Ayes 8; Nays 0; Absent 1, Bott.

Resolution No. 19002

Authorizing the transfer of Light Division property on the north side of Alder Lake to the Water Division, which is surplus to the needs of the Light Division.

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

The Resolution was passed unanimously by voice vote.
Ayes 7; Nays 0; Absent 2, Bott and Cvitanich (temporarily).

Resolution No. 19003

Authorizing the sale of surplus rock in Lewis County to various contractors, which is surplus to the needs of the City.

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

The Resolution was passed unanimously by voice vote.
Ayes 7; Nays 0; Absent 2, Bott and Cvitanich (temporarily).

Resolution No. 19004

Authorizing the execution of a second amendatory contract amending Loan and Grant Contract No. Wash. R-1 (LG) between the City of Tacoma and the United States of America.

Mrs. Price moved that the resolution be adopted. Seconded by Dr. Herrmann.

The Resolution was passed unanimously by voice vote.
Ayes 7; Nays 0; Absent 2, Bott and Cvitanich (temporarily).

Resolution No. 19005

Amending Resolution No. 16187 authorizing the issuance of certain project temporary loan notes in connection with Urban Renewal Project No. Wash. R-1 and providing for the security for the payment thereof, and for other purposes.

Mrs. Price moved that the resolution be adopted. Seconded by Dr. Herrmann.

Mr. Corey Richmond, Urban Renewal Director, explained that these projects are financed through private bond investments and this resolution establishes credit for the City's future financing. The original basis was set in 1960 and the request under this amendment is being underwritten by the Federal Government. The Urban Renewal Dept. borrows only such funds as they may need.

The Resolution was passed by voice vote.
Ayes 7; Nays 1, Cvitanich; Absent 1, Bott.

Resolution No. 19006

Accepting a sealed bid for the purchase of real property situated within the Fawcett St. Urban Renewal project No. Wash. R-3, located at 925-27 Tacoma Ave.

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

Mr. Rowlands stated a resolution has been substituted changing the wording to "the Fawcett Street project" in place of the Center Street project, as well as the "R-1" to "R-3" in the first paragraph.

Dr. Herrmann moved that the substituted resolution be adopted. Seconded by Mr. Murtland. Voice vote taken. Motion carried.

Mr. Murtland asked Mr. Richmond if the building at 925-27 Tacoma Ave. was to be razed.

Mr. Richmond explained this building will not be razed and the new owners will be required to remodel the building to bring it up to project standards. He added, the building and 10 feet of the abutting property on the south side cost the City approximately \$55,000 to acquire. However, the City has broken even on the sale since it would have cost an additional \$25,000 to acquire the leasehold interest of Seifert, Forbes & Berry if they had retained the building. The sale price of \$31,500 had been determined by appraisals and approved by the Federal renewal officials.

Mr. Murtland stated he wished to make a further study of this sale and may vote for reconsideration next week.

The Resolution was passed by voice vote.
Ayes 7; Nays 1, Cvitanich; Absent 1, Bott.

Resolution No. 19007

Accepting certain offers to sell real property within the New Tacoma Urban Renewal Project No. Wash. R-14.

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

The Resolution was passed by voice vote.
Ayes 7; Nays 1, Cvitanich; Absent 1, Bott.

FIRST READING OF ORDINANCES:

Ordinance No. 18201

Amending sections 2 & 3 of Ordinance No. 14386 as last amended by Ordinance No. 17770 relating to additions and betterments to the existing electric generating plant & systems of the City of Tacoma and the authorization of Light and Power Revenue bonds.

The ordinance was placed in order of final reading.

Ordinance No. 18202

Authorizing the issuance and sale of \$5,000,000.00 of additional bonds for the completion of the Cowlitz Power Development Project.

The ordinance was placed in order of final reading.

Ordinance No. 18204

Amending Title 13 of the official code by adding a new section A.34 to Section 13.06.280 to modify use regulations for business colleges, trade schools, etc. in an "R-4-T" and "R-5-T" and permitting studio, music, art, voice, etc. in a "C-1" District. (Text Ordinance change)

The ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 18121 (postponed from the meeting of Dec. 20, 1966)

Amending Chapter 12.06 of the official code of the City by rewording and re-enacting a new section 12.06.190 relative to Electric Energy, Regulation and Rates.

Mr. Haley moved that the ordinance be referred back to the Utility Board for further study. Seconded by Mr. Muldard. Voice vote taken. Motion carried.

Mr. Furbush, Director of Utilities, stated he hopes to return to the Board will be able to meet on this matter on Jan. 10th but he was extremely doubtful. It was his understanding that two items were to be reviewed, specifically, Section 15 under the "Acts of God" and second, the possible additional language that might come under the 11 month "ratchet" clause.

Mrs. Price moved that the ordinance be set over for one week, until Jan. 10, 1967. Seconded by Mr. Haley. Voice vote taken. Motion carried.

Ordinance No. 18183 (postponed from the meeting of Dec. 13, 1966)

Amending Chapter 13.06 of the official code of the City by adding a new section 13.06.130-38 to include property on the north side of So. 8th St. between Orchard & Shirley in a "C-2" District. (petition of William M. Busch) Vol 59
374

Mr. Adams, attorney for Mr. Busch, outlined the procedures which consummated the rezone request. He said that all matters have been resolved and they will be ready for construction on Jan. 16, 1967.

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

Ayes 7; Nays 1, Mayor Tollefson; Absent 1, Bott.
The Ordinance was declared passed by the Chairman.

Ordinance No. 18203

Amending Chapter 13.06 of the official code of the City by adding a new section 13.06.065-61 to include property on the S. W. corner of So. 36th St. and Pacific Ave. in an "R-4-L" District. (petition of Darrell H. Wilber)

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

Ayes 8; Nays 0; Absent 1, Bott.
The Ordinance was declared passed by the Chairman.

REPORTS:

MC-485 Accomplishments in 1966 - Goals for 1967

Mr. Rowlands stated there was a good number of accomplishments under somewhat trying circumstances during the year 1966. Under the heading of Miscellaneous, chapter 17, he said he tried to outline the more significant programs that would be undertaken during the year 1967.

COMMENTS:

Mr. Rowland's stated, each year he tried to bring to Council's attention, the Real Estate Analyst report on the real estate tax burdens. Despite the fact that Tacoma went from the average real estate tax per family from \$201.15 to \$203.45, out of 90 cities of 100,000 and over, reporting throughout the United States, Tacoma still ranks 83rd and is down near the bottom. Boston, Mass. is still up to \$611.00 per family. He said he tried to emphasize this point, as a good number of people do not realize that property tax is low in the State of Washington. 321

Mr. Rowlands explained that the Dayton store in Minneapolis, Minn. has taken the leadership in the midwest, in trying to create a good urban environment in all facets of modern civilization. Their Chairman of the Board has mentioned that the success or failure of a large department store can be influenced in a greater degree by total environment and retailers. They have a large stake in making cities vital and they are an aggressive group. Downtowns are starting to revive in other cities. It is hoped that Tacoma will be in that group this coming year.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 5:15 P. M.

Attest:

Josephine Mecton
City Clerk

W. H. Johnson
Mayor of the City Council