

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, June 23, 1964

Council met in regular session. Present on roll call 7: Bott, Cvitanich, Finnigan, Haley, Herrmann, Johnson, and Price. Absent 2: Mayor Tollefson and Mr. Murtland. Mayor Tollefson arriving at 4:10 P. M. and Mr. Murtland at 4:20 P. M.

In the absence of Mayor Tollefson, Deputy Mayor Herrmann presided.

Mr. Haley moved that the minutes of the meeting of June 9, 1964 be approved as submitted. Seconded by Mr. Johnson. Voice vote taken. Motion carried.

Presentation of a suggestion award to Oliver A. Keene employee of the Fire Dept.

Mr. Rowlands said that Mr. Keene who is to receive an award today is absent but Chief Reiser is present and will present him with his \$25 award. He said the award is being given for a special report form developed by Mr. Keene which will result in a considerable savings to the Department.

Mayor Tollefson arrived at this time, and assumed the chair.

HEARINGS & APPEALS:

This is the date set for hearing on the petition submitted by Walter Hogan for the vacation of a portion of Ferdinand St. between Center and So. 28th Streets.

No one appearing and no protests being made, Dr. Herrmann moved to concur in the recommendation of the Planning Commission and that a proper Ordinance be drawn approving the vacation. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

COMMUNICATION:

Communication from L. W. Craig, County Assessor asking which three members of the City Council will represent the City on this year's Board of Equalization which will convene on Monday July 6, 1964 in the County Assessor's office.

Mayor Tollefson asked what Council members would volunteer to serve on the Board of Equalization from July 6, 1964 to July, 1965.

Mr. Bott, Mr. Cvitanich and Mr. Finnigan indicated that they would serve on the board.

PETITION:

Petition submitted by Wm. C. Marcum requesting the rezoning of property located at 8827 Pacific Ave. from an "R-2" to a "C-1" District. 350

Referred to the Planning Commission.

RESOLUTIONS:

Resolution No. 17924 (postponed from the meeting of June 16th)
Substitute Resolution submitted

Authorizing the proper officers of the City to take all steps necessary as required by State law and City Charter to offer for sale the Municipal Belt Line Railway.

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

Mrs. Price moved to accept the substitute Resolution. Seconded by Mr. Cvitanich, Voice vote taken. Motion carried.

Mr. Murtland arriving at this time.

Mr. Haley said that he takes exception to this resolution. He said he questions where it states in the 2nd "Whereas, that the net income derived from the revenues of this utility is not sufficient to properly provide for the capital improvements, etc." He said he also did not agree with section "A" where it reads, "That the Council of the City of Tacoma does hereby find and deem that it is advisable and to the best interests of the City of Tacoma that the City of Tacoma offer for sale and, upon acceptable bids being received, sell the Tacoma Municipal Belt Line, etc. The resolution reads that \$125,000 will be a down payment and the balance to be paid in ten annual payments without interest. He felt there should be interest added. Mr. Haley said the State Auditor's examination disclosed that the net worth of the Belt Line as of December 1963 shows assets of \$1,092,963.94, and yet, the Council is contemplating disposing of a Utility, as recommended by the Utility Board for \$125,000, and an annual payment of \$25,000 for ten years without interest, making a total of \$375,000. He said he could not agree that it was in the best interest of the City of Tacoma to dispose of the Belt Line, and certainly not at this figure. He added, if this Resolution were amended for a \$400,000 to \$500,000 down payment and the balance of the purchase price of no less than \$20,000 per year for ten years at 3% interest, he would then agree to the sale. He said if they disposed

of the Belt Line they would be disposing of a million dollar asset for only \$125,000 and thought it was a bad deal.

Mr. Murtland thought the agreement was a \$250,000 down payment plus ten years to pay the balance.

Mayor Tollefson said in the negotiations he believed that the Port was to make an offer for \$500,000 with a down payment of \$250,000, and the balance to be paid in a ten year period. He said last week he found that the Port had offered only \$375,000, although the general fund could expect to realize about \$500,000 after Belt Line cash, investments and accounts receivable are added.

Mr. Finnigan said he agreed with Mr. Haley that it would be a mistake at the present time to authorize the transfer of ownership of the Belt Line to some other authority, unless a reasonable profit could be made.

Mayor Tollefson said this resolution does not authorize the transfer of the Belt Line, it only authorizes the calling of bids. He thought this resolution could be passed, keeping that in mind. He added, the call for bids would not obligate the Council to sell the Belt Line in the event a good bid is not received.

Dr. Herrmann agreed that the City is not selling it, they are only transferring it where he thought it belongs. He said he didn't think they should concern themselves with the price at this time, if the bids are not acceptable then they could be rejected.

Mr. Johnson thought the Belt Line should be operated by the Port, but he felt the City should receive more for the Belt Line than \$125,000. He said he would be reluctant to go along with this resolution under the terms set up.

Mr. Bott felt they should not sell a self-supporting and a revenue producing utility even though the City will receive \$125,000. He stated he was opposed to the sale of the Belt Line.

Mrs. Price said this resolution is a procedural step to authorize the calling for bids. She said after the bids are received, it is up to the Council to either accept or reject the bids, then it would be up to the people to vote on the matter.

Mr. Haley said this resolution is terms of sale, this is a commitment, he didn't think it was merely a procedural step. Mr. Haley thought they should reject this resolution as long as there are some changes to be made, and start all over again.

Mr. Finnigan agreed with Mr. Haley.

Discussion was held on whether or not this proposition could be held on the primary or general election, in the event the City Council approves the sale of the Belt Line.

Mayor Tollefson said with that thought in mind the Resolution should be defeated and another Resolution be drafted in language more suitable to the Council.

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

Resolution No. 17926

Authorizing the proper officers of the City to execute a local improvement assessment deed to the Metropolitan Mortgage & Securities Co. for vacant land located on the north side of So. 9th near So. Orchard St. for the sum of \$212.89.

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. 17927

Authorizing the proper officers of the City to execute a release of a portion of an easement in exchange for a new easement in the area of Ea. 70th and "D" Streets for sewer purposes.

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. 17928

Accepting the offer to purchase real property at 1206 So. 27th St. from Victor A. and Blanche J. Cappa for the purchase price of \$5,750 in the Fawcett Urban Renewal Project No. Wash. R-3.

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

Mr. Rowlands said this is one of the pieces of property that the Council had asked that it be called to their attention when it was negotiated. He said there is a considerable amount of work that would have to be done to make this an acceptable home under the Urban Renewal program.

Mr. Murland said he had viewed the property sometime ago and it was his opinion that the property owners would have to do considerable work on the house or go somewhere else, so he would assume they were still somewhat dissatisfied.

Mayor Tollefson asked if they would be willing to set the Resolution over for one week so they can contact the property owners.

Mr. Cvitanich moved to postpone the Resolution until June 30, 1964. Seconded by Mr. Haley. Voice vote taken. Motion carried.

Resolution No. 17929

Fixing Monday July 13, 1964 at 4:00 P. M. as the date for hearing on L I D 4753 for resurfacing of So. M. St. from So. 50th to So. 52nd Street.

Mr. Haley 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. 17930

Awarding contract to Swain Equipment Co. for the furnishing of a Mower on its bid of \$4,118 including sales tax which bid was the only bid received.

Mrs. Price 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. 17931

Awarding contract to Lige Dickson Co. for L I D 4733 on its bid of \$89,332.45 which bid is determined to be the lowest and best bid.

Mrs. Price moved that the Resolution be adopted. Seconded by Mr. Murtland.

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

FIRST READING OF ORDINANCES:

Ordinance No. 17636

Amending Title 11 of the Official Code of the City to bring the existing street signs up to date also to conform to State Law.

Mr. Rowlands stated these changes have been accumulated so that they could be presented to the City Council at one time.

Mr. Haley asked if these changes are currently in practice.

Mr. Rowlands replied that some of them are in practice. Often times a change is put on trial to see if it is workable before it is made effective.

Discussion was held relative to the speed limit on some of the streets and no-parking allowed on some streets at different times of the day.

Mayor Tollefson suggested where the parking is eliminated that warning tickets be given only for a period of at least 30 days to give the people an opportunity to adjust themselves to the change.

The Ordinance was placed in order of final reading.

Ordinance No. 17637

Amending Sections 6.68.023 and 360 of the Official Code of the City to add the title of Director of Tax and License.

The Ordinance was placed in order of final reading.

Ordinance No. 17638

Appropriating the sum of \$3,335 or so much thereof as may be necessary from the City Street Fund for the purpose of paying additional contributions to the Puget Sound Regional Transportation Study.

Mr. Rowlands stated out of the \$29,000 which is required for this study, the City of Tacoma is contributing an additional amount of \$3,335 as the study will not be completed until December instead of in June as anticipated.

The Ordinance was placed in order of final reading.

Ordinance No. 17639

Amending Chapter 9.14 of the Official Code of the City by repealing Sections 9.14.010 and 020 and re-enacting (5) new sections known as Sections 9.14.010 thru 9.14.050 relative to switching of locomotives.

The Ordinance was placed in order of final reading.

Ordinance No. 17640

Vacating all of So. 67th St. from So. Tacoma Way to the N. P. R. R. Right of Way (petition of Harkness Rug & Furniture Co.)

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The Ordinance was placed in order of final reading.

Ordinance No. 17641

Amending Chapter 13.06 of the Official Code of the City by adding a new section 13.06.047-1 to include a 9-acre tract located on the N. E. corner of So. 48th & Orchard St. in an "R-2-TM" District. (petition of Hospital Construction Association, Inc.)

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The Ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 17628

Amending Sec. 11 2. 370 of the Official Code of the City relating to the pay and compensation plan to add a new position entitled Electronic Data Processing Programmer in the Finance Dept.

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. 17629

Amending Chapter 12.12 of the Official Code of the City by adding a new

section 12. 12. 080 in reference to Sunday passes issued by the Tacoma Transit System.

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. 17630

Vacating Wright Ave. between Union Ave. & Washington St. (petition 312 of Lee Pope)

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. 17631

Vacating a 300 foot section of Lincoln Avenue generally between the Port Industrial Waterway bulkhead lines extended. (petition of Port of Tacoma) 302

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. 17632

Authorizing the condemnation of property lying north of the Public Utilities Parking lot on So. 35th St. required for parking space.

Mr. Henriot, Attorney representing Mr. Rembert one of the three property owners affected by the condemnation, said this property which is up for condemnation is to be used for a parking lot for the Utility employees. He added, his clients protest this condemnation. He said he couldn't see the necessity for this condemnation which would cost the City approximately \$50,000 when it owns two square blocks on top of the hill to the west which could be developed for additional parking. He said he realized this wouldn't be as convenient for the employees, but it would save the City approximately \$50,000. He said there are three houses on the property, which is in four ownerships, and the owners have refused the City's offer to date, which totals \$28,000.

Mr. McCormick, City Attorney, stated that the property owners and the City have such differences of opinion, they are so far apart in their figures, there is no possibility of any settlement. The Utility Board passed a resolution, after a hearing, finding that it was necessary to have this property for parking facilities in the administration of carrying out their obligations. The Utility Board requested that the City Council pass this ordinance authorizing the Legal Dept. to institute condemnation proceedings if necessary. This argument

presented by the attorneys for the appellants as to whether it is necessary or not, should be addressed to the Court at the time they have the public hearing on the public use and necessity. He said that was the message he was asked to convey to the Council by the Utility Board in regard to this condemnation.

Mr. Murtland said, normally, the departments present some data to the City Council informing them of the location and the need for the property so the members can familiarize themselves with the subject. Knowing the space that is available, he questioned whether the additional space is needed. He asked if a traffic court was taken or was it found that cars are parked on the street, to determine their request for this space.

In view of this, Mr. Murtland moved that the Ordinance be postponed for two weeks, until July 7, 1964, Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

Mr. Haley said he could not understand using condemnation to acquire property for parking space for employees. He thought the ordinance should be turned down.

Mr. Mattson, Attorney representing Mr. & Mrs. Ike Rembert, concurred with Mr. Henriot's presentation, that the Utility Dept. has property that could be used for parking and that should be utilized prior to condemning property.

Mayor Tollefson remarked that Mr. Erdahl, Director of Utilities, said they contemplate using some of their property for warehouse facilities. He stated he did not get the full details, however, he was sure there wasn't any reason why they couldn't postpone the Ordinance for a week or two.

The Ordinance was declared postponed until July 7, 1964.

Ordinance No. 17633

Authorizing the condemnation of property for seven parcels of land in the Center Street Urban Renewal Project, Wash. R-1.

Roll call was taken on the Ordinance resulting as follows:

Ayes 8; Bott, Finnigan, Haley, Herrmann, Johnson, Murtland, Price and Mayor Tollefson. Nays 1, Cvitanich; Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 17634

Amending Sec. 12.04.030 of the Official Code of the City relating to compensation for making collections on Utility bills rendered to customers by the City.

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. 17635

Amending Chapter 11.10 of the Official Code of the City by adding a new section 11.10.085 relating to crossing wet paint lines.

Mr. Rowlands said the Ordinance should be amended to change the word "along" to "upon" in the 3rd line of Section 11.10.085.

Mr. Finnigan suggested that better judgment be used for the time selected in applying this paint. The cones that are placed in the street at busy hours create quite a traffic problem.

Mr. Schuster, Director of Public Works, stated the department tries to paint these lines to accommodate traffic.

Mr. Haley moved to insert the word "upon" in Sec. 11.10.085, third line down in place of the word "along". Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

Roll call was taken on the Ordinance as amended resulting as follows:

Ayes 6; Nays 3; Absent 0.

The Ordinance was declared passed by the Chairman.

UNFINISHED BUSINESS:

The Director of Public Works presents the assessment roll for the cost of L I D 6817 for street lights on No. 27th, 28th & 29th from Orchard to Stevens.

Mr. Haley moved that Monday July 27, 1964 at 4:00 P. M. be set as the date for hearing on the assessment roll for L I D 6817. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

REPORT:

State Auditor's report on the Tacoma Municipal Transit System for the period from January 1, 1963 to December 31, 1963.

COMMENTS:

Mr. G. C. Casebolt, 2401 No. Orchard, said the City is preparing Orchard Street for an arterial. He said the street as proposed will take his sidewalk and trees. He suggested they might possibly put in a slight S-curve and save his sidewalk, also it would save the City money by not having to reconstruct the sidewalk at the City's expense. He stated there is a similar curve at North 9th Street.

Mr. Schuster, said if this street were to be moved there would be a matter of easements. It is felt if possible that S-curves should be prevented in an arterial. He said the staff felt the street has the desirable alignment.

Mayor Tollefson advised Mr. Casebolt that some of the Council members would scrutinize the plans of the Public Works Dept. and consideration will be given to determine if the Public Works plan should be modified.

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There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 6:45 P. M.

Sam Jolley
Mayor of the City Council

Attest: *Josephine Melton*
City Clerk