

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, January 19, 1965

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

Mr. Haley moved that the minutes of the meeting of January 5, 1965 be approved as submitted. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

HEARINGS & APPEALS:

a. This is the date set for hearing on the vacation submitted by the Public Works Dept. for the vacation of a portion of Ruston Way near Orchard St. extended.

No one appearing and no protests being made, Mr. Murtland moved that the proper Ordinance be drawn approving the vacation. Seconded by Mr. Haley. Voice vote taken. Motion carried.

b. This is the date set for hearing on the rezoning of property submitted by Tacoma Realty Inc. for the rezoning of property located at the south side of 6th Ave. from Trafton to Steele St. from a "C-2" & "C-4" to a "C-1" District.

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

c. This is the date set for hearing on the petition submitted by the Planning Commission for Zoning Ordinance Text Amendments.

Mr. Bott asked for an explanation of packaging in the "C-2" commercial district.

Mr. Buehler, Director of Planning, stated, at present cosmetic packaging is only permitted in the "M-1" District. This change will permit packaging only in the "C-2" District.

No one appearing and no protests being made, Mr. Haley moved to concur in the recommendation of the Planning Commission and that a proper ordinance be drawn approving the Zoning Ordinance Text Amendments. Seconded by Mr. Bott. Voice vote taken. Motion carried.

d. This is the date set for hearing on the approval of Park Lane Plat

on "G" St. extended and Tacoma Ave. from So. 94th to So. 96th St.

Mr. Buehler said the reason this preliminary plat is brought before the City Council is because some objections have been made, but the Planning Commission recommended this plat over the objections of the abutting property owners. He added, before the developer goes to the expense of surveying the property for a final plat, it was felt that this matter should be presented to the City Council so the Council would be informed of the matter. He further stated the plat is located at South Park Avenue between So. 94th and So. 96th Streets. They propose an 18-lot subdivision on a five acre tract with a north-south street down the center of the site to serve the proposed subdivision. Access to be provided for the adjoining property, which would be landlocked, has been considered thoroughly, and meetings have been held to try to solve the problem.

Dr. Herrmann said, regardless of the disposition of this plat, those properties would not be affected one way or another with the approval or disapproval of this plat.

Mr. Buehler stated a street pattern would have to be worked out to give access to the properties. This has been a problem area to try to come up with a development and still service all of the properties. An alternative would be to use the proposed deep-lot Ordinance so they would have private easements to serve their properties if agreed upon by the individuals concerned, he added.

Mr. Brinker, 9429 Park Ave., said the plat with the street in the center would make his property land-locked.

Mr. Wire, 9423 So. Park, stated he was in favor of the development but was opposed to the plat as he would realize a loss of his own building sites as the rear of his property is not on a street.

Mr. Buehler stated that an alternative street plan had been proposed by the Planning Dept., however, it did not meet the approval of the Federal Housing Administration.

Mr. Hill, property owner at So. 94th, said his home blocked off Tacoma Avenue, preventing a street from going through and Mr. Uhron's home at So. 96 St. is also in the same position. He stated he was opposed to the Park Lane Plat but was in favor of the alternative street plan as proposed by the Planning Staff.

Mayor Tollefson asked, Mr. Fred Lawrence, Engineer of the Development, if they had discussed this plat with the adjoining property owners in reference to the possibility of a plan whereby they would participate so they would not be land-locked, recognizing that they may have to give up a building site.

Mr. Lawrence stated that Mr. Morris, the developer and himself talked with the property owners and the only plan they approve is the cul-de-sac which does not conform with FHA standards.

Following a discussion by the City Council regarding the road access to the properties which would also be in agreement with the developer, Mayor Tollefson suggested that the matter be postponed for two weeks to see if something could be worked out agreeable to all concerned.

Mr. Bott moved to postpone the matter until February 2, 1965. Seconded by Mr. Johnson. Voice vote taken. Motion carried.

PETITION:

Old Tacoma Development Corp. requesting the rezoning of property located at No. Starr between No. 29th and No. 30th St. from an "R-2" to an "R-4" District.

Referred to the Planning Commission.

RESOLUTIONS:

Resolution No. 18153

Authorizing the proper officers of the City to enter into a lease agreement with the Bonneville Power Administration for electric energy.

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

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

Resolution No. 18154

Authorizing the proper officers of the City to enter into an agreement for an easement with the Bonneville Power Administration for an electric transmission line.

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

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

Resolution No. 18155

Awarding contract to Pacific Iron & Metal Co. of Seattle and Simon Junk Co. of Tacoma for the sale of Salvage items.

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

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

Resolution No. 18156

Awarding contract to Shell Oil Co. for the furnishing of gasoline requirements from Feb. 1, 1965 thru Jan. 31, 1966.

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

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

Resolution No. 18157

Awarding contract to Alasco Linen Service for the furnishing of coverall service for the year 1965.

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

**The Resolution was passed unanimously by voice vote.
Ayes 8; Nays 0; Absent 1, Mr. Haley, temporarily.**

Resolution No. 18158

Fixing Monday February 8, 1965 at 4:00 P. M. as the date for hearing on L I D 5401 for water mains and fire hydrants in Waller Road east from 128th St. East to the Chicago Milwaukee St. Paul Railroad Right-of-Way.

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. 18159

Fixing Tuesday, February 2, 1965 as the date for hearing for the rezoning of property at the northwest and northeast corners of So. 66th & Stevens Sts. from an "R-2 to an R-2T" district. (petition of M. R. Lingley.)

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. 18160

Fixing February 2, 1965 at 4:00 P. M. as the date for hearing on the rezoning of the north side of So. 96th St. between Pacific Ave. and A St. from an "R-2 to a C-2" District. (petition of Glen Ash)

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. 18161

Fixing Tuesday February 16, 1965 at 4:00 P. M. as the date for hearing on the vacation of the alley between L and M Sts. from 6th Ave. to So. 7th St. (petition of Randolph-Fay Inc.)

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. 18162

Providing for the execution of a proposed loan and Grant contract between the City of Tacoma and the United States of America pertaining to a certain project designated Project No. Wash. R-14.

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

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

Resolution No. 18163

Awarding contract to Coast Contractors on its bid of \$3,941.60 incl. sales tax for the demolition and site clearance located within the Fawcett Urban Renewal Project No. Wash. R-3.

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

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

FIRST READING OF ORDINANCES:

Ordinance No. 17756

Vacating the southeast and southwest corner of So. 47th and Pine-Oakes Transition. (petition of Public Works Dept.)

The Ordinance was placed in order of final reading.

Ordinance No. 17757

Authorizing the condemnation of property necessary to acquire land for transmission lines required for the Cowlitz River Power Development.

The Ordinance was placed in order of final reading.

Ordinance No. 17758

Authorizing the condemnation of property necessary to acquire land for the Mossyrock Project of the Cowlitz River Power Development.

The Ordinance was placed in order of final reading.

Ordinance No. 17759

Amending Title 13 of the Official Code of the City by adding a new section 13.06.245 relating to PLANNED RESIDENTIAL DEVELOPMENT.

The Ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 17748

Vacating the north 20 feet of South 18th St. lying between Union Ave. and West Union Ave. (Boy Scouts of America, Petitioner)

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. 17749

Approving and confirming the assessment roll for L I D 3572 for storm drain sewers on So. 45th from Pine to Junett and Junett from So. 43rd to So. 45th 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. 17750

Approving and confirming the assessment roll for L I D 4694 for paving on Yakima Ave. between So. 56th and So. 72nd Sts.

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. 17751

Approving and confirming the assessment roll for L I D 5381 for water mains in So. 45th from So. J to Sheridan Avenue.

Roll call was taken on the Ordinance resulting as follows:

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Ayes 9; Nays 0; Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 17752

Approving and confirming the assessment roll for L I D 5387 for water mains and fire hydrants in No. 14th & No. 18th from Bennett to Baltimore Sts.

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. 17753

Approving and confirming the assessment roll for L I D 6812 for street lighting on So. 41st through 45th Sts. between Sheridan and Hosmer 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. 17754

Approving and confirming the assessment roll for L I D 6814 for street lighting on So. 46th thru 48th from Sheridan to Wilkeson and on So. 49th St. from Sheridan to Hosmer 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. 17755

Providing for the improvement of L I D 4744 for paving on No. 21st St. from Stevens to Proctor St.

Mayor Tollefson asked Mr. Schuster, Director of Public Works, to point out the areas under discussion on North 21st Street.

Mr. Schuster explained that the two areas in the district are located on North 21st St. from Proctor to Stevens and from Huson to Shirley St. and that the improvement provides for permanent type paving, including curbs, gutters and storm drainage. He also noted that property owners have contributed to L I D's for the paving of the other portions of North 21st St. from Union Ave. to Narrows Drive. He added \$176,000 is the estimated cost of the project. Approximately \$149,000 will be paid by bond funds and with 1/2 cent arterial gas tax money. Approximately \$27,000 will be assessed to the property owners.

Mr. Schuster continued, that the cost of an oil-mat surface on the street

with minimum drainage but with no curbs or gutters will be approximately \$102,000. , however, this type of an improvement will not be assessed to the property owners. He said the amount of percentage filed against the district is 71.9% which pertains to the cost assessed to private property owners.

Mr. Haley asked Mr. McCormick, City Attorney, to explain the zone and termini method of assessment.

Mr. McCormick explained that the formula calls for the assessment area to be divided into 30 foot zones back in depth. The property further back from the improvement is assessed less per square foot.

The following property owners were present protesting the improvement Fred Carlbon, Robert Ward, Robert Walters, Mrs. Schweitzer, Mary Paugh, Jack Fabulich, Andy Berg, Lloyd Rivers and Gary Haines.

Mayor Tollefson explained the procedure on past L I D policies and also the development of the City arterials. He stated, under the State law the percentage of protests needed to automatically kill an L I D are to be based on the total cost of the project. He said in this improvement the City is contributing approximately 80% toward the paving, therefore, the Council could overrule the property owners' objections even if the percentage reached 100%.

Mr. Finnigan said he appreciated the feelings of the residents but the City is trying to develop a better traffic pattern throughout the City, which should be considered very strongly. It was contended by some of the property owners that the 1962 bond funds had included an oil-mat surface for 21st Street.

Mr. McCormick stated the official bond proposition listed no specific projects. It was left to the Council's discretion on how the bonds were to be spent.

Dr. Herrmann said he thought the Council should follow its previous policy of considering protest percentages as based on the total amount of the property involved rather than the total cost.

Roll call was taken on the Ordinance resulting as follows:

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

The Ordinance was declared LOST by the Chairman.

Mayor Tollefson stated that an oil-mat surface will probably be put in on No. 21st St. if the City Council decides that it should go through as a part of the system. 129

In answer to a question, Mayor Tollefson explained that this decision by the Council does not set a policy but does set a precedent.

Mr. Haley asked that the Legal Dept. submit a written opinion regarding the procedure used in computing the percentage of protests of assessments having to do with the zone and termini method.

Mr. Cvitanich requested that a graphic map be submitted to the L I D Committee at their meetings so as to show the zone and termini method.

Mr. Rowlands said he would have a report compiled by the Staff with recommendations on future L I D policies on arterial streets.

Mr. Haley also asked that the Committee be informed of the percentage of contributions made as well as the total percentages against the property.

UNFINISHED BUSINESS:

The Public Works Director and Utilities Director presents the following assessment rolls for hearing:

- a. L I D 2298 for grading and oil-mat surface on No. 45th from Whitman to Frace and on Whitman from No. 42nd to No. 45th St. and other nearby streets.
- b. L I D 3571 for sanitary sewers on So. 94th from K to J; Yakima Ave. from So. 93rd to 96th and other nearby streets.
- c. L I D 4753 for resurfacing with concrete on So. M from So. 50th to So. 52nd.
- d. L I D 5368 for water mains in the vicinity of Sunset Drive & Locust Lane from 6th Ave. to No. 8th St.
- e. L I D 5386 for water mains and hydrants in So. 7th and 11th from Lawrence to Puget Sound Ave.; So. 8th & 10th from Lawrence to Proctor and in So. 9th from Lawrence to Union Ave.
- f. L I D 6831 for street lighting on Sunset Drive from 6th Ave. to So. 19th St.

Dr. Herrmann moved that Monday, March 8, 1965 at 4:00 P. M. be set as the date of hearing. Seconded by Mr. Murtland. Voice vote taken. Motion carried.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. City Planning Dept. report for the month of Dec. 1964.
- b. Municipal Court report for the month of Dec. 1964.
- c. Belt Line Division report for the month of Nov. 1964.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 7:10 P. M.

Attest:


City Clerk


Mayor of the City Council