

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, Dec. 12, 1967

Council met in regular session. Present on roll call 8: Banfield, Bott, Cvitanich, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen. Absent 1; Finnigan.

Mr. Bott moved that the minutes of the meeting of Dec. 12th, 1967 be approved as submitted. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

HEARINGS & APPEALS:

a. This is the date set for hearing for the rezoning of the S. W. corner of So. 40th and Warner St. from an "R-3" to an "R-4-L" district, submitted by K. Fichtner & F. Winjum.

Mr. Buehler, Planning Director, explained the proposed district will serve as a buffer between the "M-1" district to the north and the "R-2" district to the south. The applicants have requested the reclassification to construct a twenty unit apartment complex. He added, this rezone is an expansion of the existing "R-4-L" district located to the west. A one and one-half parking stall will be provided for each dwelling unit.

No protests being made, Mr. Johnson 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.

b. This is the date set for hearing on the appeal filed by Forrester Realty Co. on the denial of the request for rezoning of the north side of No. 26th St. between Vassault and the proposed Scenic Drive from an "R-1" to an "R-4-L"PRD District.

Mr. Buehler explained that such a reclassification would constitute a 'spot zone'. The site is not located on an arterial and the residential street abutting the site has no curbs and is of minimum type construction. Protests before the Planning Commission expressed objections to any street or alley improvement costs. The Commission felt by raising the permitted density it would create additional traffic which would tend to break down these existing streets. There has been recent duplex construction in the immediate area. Except for this site, both sides of Warner St. are developed between So. 43rd and So. 45th Sts. and the ownerships are generally small. The Commission also questioned the need for this reclassification since undeveloped apartment sites exist to the south along 47th Street.

Mrs. Banfield felt allowing this rezone would be beneficial to the City as the City loses tax revenues on undeveloped property.

Mr. Steve Turliss of the Forrester Realty & Mortgage Co, felt this would be an extension of the present zoning. He noted that a larger parcel of land of approximately 10.5 acres has been sold recently by their firm and a 220 unit FHA sponsored apartment house is in the planning stages. A smaller portion of land zoned to house some 32 units, and abutting the above captioned property, has been sold to two Tacoma investors who are contemplating construction of an apartment building early this spring. He pointed out that Mr. Edwards, the purchaser, is a builder and is not planning to zone this site for speculation. He intends to start immediate development and if the improvements have not been started by him within a year, he would ask to rezone this property back to its original state.

Mayor Rasmussen asked Mr. Edwards if he could give the Council a firm commitment relative to what date he would start construction.

Mr. Edwards explained that they are ready except for financing at the present time.

Mayor Rasmussen asked how many apartments would be built within a year.

Mr. Edwards stated he would hope to have 50 to 60 constructed within the year.

Mr. Cvitanich pointed out that over the past seven years some of the members of the City Council have been much concerned about speculative rezoning and discussion was held relative to amending the zoning ordinance to insert a reversionary clause in the ordinance. This is now in the process of being amended. Since January of 1966 there has been a total of thirty-five rezones in the corporate City limits for "R-4-L", for apartment zoning and also some "R-3"PRD zones. He added, the Council approves a rezone in good faith and then the developer changes the plans from the original submitted, to suit his needs at the detriment of the surrounding residents. He further added that out of the thirty-five rezones, twenty-two have not yet been developed.

After some discussion, Mr. Cvitanich moved to concur in the recommendation of the Planning Commission to deny the rezone. Seconded by Mr. Zatkovich.

Dr. Herrmann reminded the Council that the vote at the Planning Commission hearing was split, and since the Council is assured by Mr. Edwards that the development will take place, he thought the rezone should be approved.

Mr. Turliss reiterated that FHA had turned down single resident ownership applications within the last two years. But during that time conditions have changed.

Mr. Ed Miller, owner of the property, explained there were two reasons why the FHA rejected the petitions, the first and foremost was the fact that 26th St. and Narrows Drive are presumably thoroughfares, and they did not want any houses or any single-family residents facing these streets. The second one was the objection to the Cushman Power Lines which would be in front of the houses.

Mr. Johnson asked if a contract could be consummated which would insure the developer rezoning of the property if it were not developed within a year.

Mr. McCormick, City Attorney, explained, it might be more effective to handle this through conditional zoning. As the Council recognized for the past several years it has been the consensus of opinion that conditional rezoning was illegal. However, the Washington Supreme Court ruled for some rezones which are now under 'conditional zoning'. The Legal Dept. felt, perhaps, now would be the proper time to take this matter up with the Planning Commission. He thought this could be put into an ordinance on a progressive stage.

Mayor Rasmussen thought, perhaps, the hearing should be postponed or referred back to the Planning Commission for further review.

Mr. Buehler reminded the Council that the money market would not approve any commitments until the zoning was in effect. If this were referred back to the Planning Commission it would probably take six months before it could be resolved.

Mr. McCormick suggested that the Council continue the hearing for two weeks so the Legal Dept. could then explore this conditional zoning and to determine what effect it would have on the financing. In the event a builder could not get financing with a conditional zoning, he felt the Council should explore a contract or an

agreement based on the consideration of immediate development or the property would revert back to its original zoning.

Mr. Johnson moved that the hearing be postponed two weeks, until Tuesday, Dec. 26th, 1967. Seconded by Mrs. Banfield. Voice vote taken. Motion carried.

PETITION:

Richard L. Erdahl requesting rezoning of property between So. 80th & 82nd St. west of Wilkeson St. extended from an "R-2" to an "R-4-L" PRD District.

Referred to the Planning Commission.

COMMUNICATION:

Communication from Mr. Swan Johnson requesting that the City Council adopt the proposed compensation Ordinance insofar as it relates to the Human Relations Commission.

Mr. Bott asked that the letter be taken up when Ord. 18439 is brought before the Council on Dec. 19th, 1967.

148

RESOLUTIONS:

Resolution No. 19477

Fixing Tuesday Jan. 9th, 1968 at 4 P. M. as the date for hearing on the vacation of a portion of the alley between Ferry & Sprague north of So. Tacoma Way. (Petition of Steiner-American Corp.)

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

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

Resolution No. 19478

Fixing Tuesday Dec. 26th, 1967 at 4 P. M. as the date for hearing for the rezoning of the N. E. corner of So. 47th & Lawrence from an "R-3" to an "R-4-L" District. (Petition of Walter C. Witte)

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

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

Resolution No. 19479

Awarding contract for L. I. D. No. 3660 to Lige Dickson Co. on its bid of \$16,583.55.

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

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

145

Resolution No. 19480

Awarding contract for furnishing one Fire Pumper and one Pumping Engine to Mack Trucks, Inc. for the sum of \$34,411.85.

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

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

Resolution No. 19481

Accepting and approving Final plat of Westgate 6th Addition, between Pearl and Highland Streets from North 11th to North 14th Streets.

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

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

Resolution No. 19482

Accepting a sealed bid to purchase property within the New Tacoma Urban Renewal Project, Wash. R-14.

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

Mrs. Banfield outlined certain properties that the City has purchased in the downtown area. She wondered if the Council felt they were doing justice to the taxpayer of Tacoma.

Mr. Richmond, Urban Renewal Director, explained that the bid submitted by the Commonwealth Title Insurance Co. will enable the bidder to construct a new title insurance building prior to moving from their present location, which is necessary for the proposed parking structure. He noted that the size of the property is 7500 sq. feet; the acquisition cost on this piece of property was \$123,500; the sale price was \$82,500; the assessed value and acquisition, \$33,000 and taxes prior to acquisition \$2,648.93. The new structure will cost \$350,000 with assessed taxes being approximately \$6,900 a year. The demolition costs on the two structures were \$7,050. The City in no way pays any costs under a relocation loan.

Mrs. Banfield felt the City has lost \$8,050 on this property and did not feel that was proper.

Mr. Richmond stated, they do receive money 'in lieu of tax' when the property is awaiting sale, and that does represent part of the project cost when the total cost is settled. The Commonwealth Title Co. have stated, if this property is cleared by the 1st of Feb. they will start building on the 15th of Feb. which will allow the property to be put back on the tax rolls.

Mr. Richmond reminded the Council that the City had acquired structures, but it is selling vacant land.

Mr. Johnson pointed out that the downtown area has not been improved for the past 75 years, except for only a few improvements. He felt there is now a way and means of upgrading the City. Private enterprise by itself has utterly failed to do this, but with the intelligent help of the City of Tacoma and the Urban Renewal Dept., it can now be accomplished. He felt in the overall picture the City of Tacoma will be far ahead money wise as well as having a better City.

Mr. Cvitanich felt the City of Tacoma has been lax in not enforcing the various codes of the City to have the landlords being their buildings up to standard over the years.

Mr. Zatkovich asked where the parking will be located for these buildings.

Mr. Richmond stated the parking site is immediately south of the escalades with an estimated 323 stalls. The parking structures are being underwritten by the downtown banks and the title will be vested in the City of Tacoma.

Mayor Rasmussen suggested that the new buildings have roof top parking.

Mr. Schuster, Director of Public Works, explained it would depend on the ability to make roof top parking work in that particular location, but at this time it is not prohibited.

Mayor Rasmussen thought this should be checked into.

The Resolution was passed by voice vote.

Ayes 6; Nays 2, Banfield and Cvitanich; Absent 1, Finnigan.

Resolution No. 19483

Accepting a sealed bid to purchase property within the New Tacoma Urban Renewal Project, Wash. R-14.

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

The Resolution was passed by voice vote.

Ayes 6; Nays 2, Banfield and Cvitanich; Absent 1, Finnigan.

Resolution No. 19484

Releasing certain sewer easements lying generally between 6th Ave.; So. 8th, Shirley and Orchard Streets in order not to interfere with the development of the property.

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

The Resolution was passed unanimously by voice vote.

Ayes 8; Nays 0; Absent 1, Finnigan.

Resolution No. 19485

Appointing George Cvitanich as an ex officio member of the City Planning Commission during the remainder of his present term as a City Councilman.

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

The Resolution was passed unanimously by voice vote.

Ayes 8; Nays 0; Absent 1, Finnigan.

FIRST READING OF ORDINANCES:

Ordinance No. 18458

Amending Chapter 13.06 of the official code by adding section 13.06.160-12 to include property on the northerly side of Marine View Drive between McMurray Rd. & Lincoln Avenue in an "M-1" District. (petition of George R. Marvin)

The ordinance was placed in order of final reading.

147

FINAL READING OF ORDINANCES:

Ordinance No. 18454

Amending Chapter 13.06 of the official code by adding a new section 13.06.065 (76) to include property on the west side of Fife St. between No. 21st St. and Yakima Ave. in an "R-4-L" District. (petition of Fred Roberson)

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

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

Ordinance No. 18455

Vacating the west 15 feet of Fife St. between No. 21st St. and Yakima Ave. (petition of Fred Roberson).

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

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

Ordinance No. 18456

Vacating the alley between Steele and Trafton Sts. from the north line of So. Tacoma Way to a point approximately 250 feet north thereof. (petition of Harold Bird, Inc.)

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

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

Ordinance No. 18457

Amending the Official Code of the City by adding Sections 2.02.1100 to 2.02.1120 to conform with the State Fire Marshal's Regulations relative to fire safety requirements in certain existing buildings.

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

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

UNFINISHED BUSINESS:

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

L I D 4788 for paving on So. 40th St. from Pacific Ave. to A St. and other nearby Streets.

L I D 5408 for water mains in 64th St. West from Orchard St. to 57th Ave. West and 57th Ave. West from 64th St. West to approximately 1450 feet north.

L I D 5431 for water mains in So. I from So. 82nd to So. 84th Street.

148

Mr. Bott moved that Jan. 22, 1968 at 4 P. M. be set as the date for hearing on the above L I D's. Seconded by Mr. Johnson. Voice vote taken. Motion carried.

REPORTS:

a. The Rev. Ernest S. Brazill, President of the Human Relations Commission, submitted a report from the Commission's meeting held on Dec. 7th, 1967, pointing out that a qualified full-time Director and assistant be retained and furnished adequate quarters to conduct its meetings and activities; they strongly endorse individuals who appointed Mr. Lynn Hodges to this position; also that a meeting be arranged with the Mayor and Councilmen to acquaint them with the Commission's functions and responsibilities.

173

After further discussion, Mayor Rasmussen directed Mr. McCormick, City Attorney, to prepare an ordinance amending Ordinance No. 18301 which would expand the Commission membership to include a representative from the Indian Community and a City Council member.

Mayor Rasmussen suggested a meeting with the Commission after Jan. 1st, 1968.

The Rev. Hodges, Executive Director of the Human Relations Commission, informed the Council that the Indian Community has been advised to submit a group of names and they will be submitted to the Council as soon as possible.

b. Mr. Alan Liddle of the Civic Arts Commission displayed designs for bus benches that would be made of steel and hardwood slats at a cost of \$60.00 each. He suggested in the downtown area that the benches be upgraded by painting and replacing the backs with wood slats and reduce the size of advertisements. He also displayed designs of shelters to be made of steel and wood slats that would provide protection for bus patrons.

60-396

Mr. Cvitanich urged that the City act on the Commission's recommendations for the comfort of senior citizens.

Mayor Rasmussen asked that this be referred to the Transit Dept.

Mayor Rasmussen asked that the Commission check the newspaper boxes around the community for revisions.

62-215

b. MC-510 Request for New Bus Service

Mr. Hendry, Director of Transit, recommended that the petition for an extension of bus service be denied. He explained that the petitioners, all of whom reside outside the City limits, are presently being served by two certified bus companies, with service to downtown and the Mall. The two bus companies would undoubtedly be adversely affected by City bus service and there is a distinct possibility that legal action would be brought against the City. He added, the establishment of a shuttle bus would not pay for itself. If the South Tacoma Way route were extended, it would cause disruption of a well established line and would inconvenience many hundreds of citizens.

104 + 292

Mayor Rasmussen said in all probability these other bus lines are not going in the desired direction, plus the fact that transfers are not available. Perhaps, if a City bus is added, the traffic might be considerably increased over the anticipated figure.

Mr. Hendry stated, upon investigation, the Department felt this would not be possible because it would require that 150 fares a day at 35 cents to break even.

Mr. Glenn Mills, of the Glenmore Mobile Home Court, remarked that the bulk of the people who signed the petition are retired and it costs them 55 cents each way to come into Tacoma. He felt within the very near future there would be approximately 1500 residents in that territory and anticipated that 100 persons a day would ride the bus. Even transfer privileges would help a great deal, he added.

Mr. Mills felt there should be bus service at least to the City limits. In the event an extra ten cent fare is charged to residents living outside the City limits, he was sure they would be glad to pay that extra fare, as is in effect in other areas.

Mr. Zatkovich asked if there were bus service to the City limits.

Mr. Hendry explained there is absolutely no place to turn as there are no streets cut through.

Mr. Hendry explained, if this extension of 1.7 miles be approved, it would require seven minutes of driving time and would disrupt the timing of the existing route. He reminded the Council the proposed extension would also force the elimination of the present City bus service along 74th St. from Lakes to So. Tacoma Way. These citizens pay the transit tax and all other City taxes and are entitled to the service they are now receiving.

Mr. Rowlands felt, perhaps, this could be put on a trial basis for a month as Mr. Mills had stated there would be more riders than the City is anticipating. However, the difference in cost would have to be taken up by Mr. Mills and his associates.

Mayor Rasmussen asked that if there were no objections from the Council, he would accept Mr. Hendry's report and ask that he continue working on the problem.

d. MC-511 Need for the services of a Public Information Officer for the City of Tacoma.

Mr. Rowlands recommended that the City Public Information office establish a citizen's service center after the first of the year.

Placed on file.

141
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206

Mr. Rowlands inquired if the Council wished an annual report for the next year.

Mayor Rasmussen appointed a committee consisting of Mrs. Banfield, Mr. Johnson, Mr. Murtland and Mr. Zatkovich to determine if the annual report could be put out for less expense if printed and mailed in the manner of the voters' information pamphlet, and submit a report to the Council.

304
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ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Report from the Director of Finance for the month of Oct. 1967.
- b. Report from the Traffic Violations during the month of Nov. 1966 & 1967.

COMMENTS:

Mr. Rowlands, City Manager, reported that the Mayor's audit committee has recommended that the accounting firm of Knight, Vale & Gregory conduct a management audit next year of the Public Works, Dept., Police Court, Library and Finance Depts. for the already budgeted fee of \$5,000.

110
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228

Mr. Rowlands announced that AWC has a one day session, Thursday, Dec. 14th, 1967 for the New Mayors and Councilmen of the Cities, to be held at the Sheraton Motor Inn in Seattle.

124

City Council Minutes - Page 9 - Dec. 12, 1967

Mayor Rasmussen requested that Mr. McCormick, City Attorney, prepare a resolution appointing Mrs. Banfield to the Civic Arts Commission.

Mr. Bott moved that Mrs. Banfield be appointed to the Civic Arts Commission. Seconded by Mr. Zatkovich. Voice vote taken. Motion carried.

Mr. Murtland requested that the study session be set at 12 Noon on Mondays, instead of 3 P. M. on Tuesdays.

Mr. Murtland then moved that the Council Study Sessions be set for next week at 12 Noon on Monday in Room 354 of the County City Bldg., and thereafter at the same time and place, subject to call by the Mayor or the City Manager. Seconded by Mr. Johnson.

Mr. Zatkovich said he would rather have the study session on the same day as the Council meetings, as he could see no reason for breaking up another day.

Mr. Bott stated it would be more convenient for him to have the study sessions on Monday because Tuesday before the Council meeting does not give the Department Directors an opportunity to investigate any questions that the Council might put forth.

Mr. Cvitanich stated he was not in town on Monday noons so this would be a difficult time for him to attend. He would be willing to compromise for 3 P. M. before Council meetings, he added.

Mayor Rasmussen stated, in regard to the original motion, it was an attempt to put the City Manager in control of calling meetings which certainly belongs to the elected Councilmen. If it is found that it is more convenient for more of the Councilmen to have the meetings at 3 P. M. on Tuesday, they should be held at that time.

Mr. Murtland then amended his motion to delete the City Manager from his original motion. Seconded by Mr. Zatkovich. Voice vote taken. Motion carried.

Mr. Cvitanich moved to amend Mr. Murtland's motion, that the Council study sessions be held on Tuesday at 3 P. M. in the Council Chambers instead of Monday at 12 Noon in Room 354 of the County City Bldg. Seconded by Mr. Zatkovich. Voice vote was taken. Motion carried.

205

There being no further business to come before the Council, upon motion duly seconded and passed the meeting adjourned at 8:10 P. M.

A. L. Rasmussen

MAYOR

Attest: *Josephine Melton*
City Clerk