

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P.M.
Tuesday, November 16, 1965

Council met in regular session. Present on roll call
8: Bott, Cvitanich, Finnigan, Haley, Herrmann, Johnson, Price
and Mayor Tollefson. Absent 1: Murtland.

Mr. Haley moved that the minutes of the meeting of
November 3, 1965 be approved as submitted. Seconded by Mr.
Cvitanich. Voice vote taken. Motion carried.

Presentation of Safe Driver Awards:

Five Health Dept. employees and fifteen Public Works
employees who have driven City cars for the last 5 years without
an accident were presented with Safe Driver Awards.

Mr. Rowlands, City Manager, and Mayor Tollefson con-
gratulated the recipients upon receiving their awards.

HEARINGS & APPEALS:

(a) This is the date set for hearing on the petition
submitted by Ernest Yerbich for the rezoning of property located
at the north side of So. 56th St. between the alley west of Oakes
extending east to the alley of Prospect St. from an "R-2" to an
"R-3" District.

No protests being made Mr. Cvitanich moved that the
proper Ordinance be drafted approving the rezone. Seconded by
Dr. Herrmann. Voice vote taken. Motion carried.

(b.) This is the date set for hearing on the rezoning of
the petition initiated by the City Planning Commission for Westgate,
Inc., for the west side of Highland St. between No. 26th to 30th
St. from an "R-2" to a "C-2" District.

Mr. Cvitanich asked if an ice arena was included in the
proposed plan.

Mr. Blair, Attorney, representing Westgate, Inc., stated
they have not as yet obtained a manager that wanted to undertake
such a project.. The Westgate, Inc., owners of the property in
question, originally requested a "C-1" Commercial zoning for the
majority of this site in July of 1961. At that time the Planning
Commission recommended approval of seven acres for "C-2" Commercial
zoning to allow for the development of a department store. The
majority of this acreage site, fronting on Highland Street was
denied by the Planning Commission. However, on August 19, 1965
the Westgate Co. requested this "C-2" Commercial zoning for the
west side of Highland St. between No. 26th to 30th Sts. In their
letter of intent it was pointed out that the view of the mountains
will not be shut off from the adjoining residences to the east.

Dr. Herrmann asked what business establishments would be at this site.

Mr. Blair stated, they anticipate building a supermarket, variety store, sport's shop and perhaps a drug store.

Mr. Cvitanich asked about the ingress and egress of the parking lot.

Mr. Blair explained that the ingress and egress would be on No. 30th and No. 26th.

No protests being made Mr. Finnigan moved that the proper Ordinance be drafted approving the rezone. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

RESOLUTIONS:

Resolution No. 18499

Fixing Tuesday, December 14, 1965 at 4:00 P. as the date for hearing on the vacation of No. 49th St. from Waterview to No. Ferdinand St. (petition of Public Works Dept.)

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, Murtland.

Resolution No. 18500

Fixing Monday, December 13, 1965 at 4:00 P. M. as the date for hearing on L I D 3613 for sanitary sewers in the alley between East 56th and East 57th St. from Portland Ave. to East "N" and in other nearby streets.

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, Murtland.

Resolution No. 18501

Fixing Monday, December 13, 1965 at 4:00 P. M. as the date for hearing on L I D 3614 for sanitary sewers in East 75th St. from McKinley Ave. to East "D" and other nearby streets.

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, Murtland.

Resolution No. 18502

Awarding contract to Coast Contractors on its bid of \$9,951.10 incl. tax for the demolition and removal of the second story of the building at 710-12 and 711 Commerce St.

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, Murtland.

Resolution No. 18503

Awarding contract to E. J. Rody & Sons for L I D 3604 on its bid of \$6,398.40, and on the supplemental bid of \$689.14 incl. tax.

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, Murtland.

Resolution No. 18504

Adopting the "Recreation and Open Space Plan" for the City of Tacoma, Washington.

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

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

Resolution No. 18505

Authorizing the proper officers of the City to convey to Harold P. Simonsen property located near the intersection of Water-view and McIntosh Streets for the sum of \$1,950.00.

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

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

Resolution No. 18506

The City Council of the City of Tacoma does hereby publicly express its sincere appreciation and recognition of the many years of service that Dr. Cecil R. Fargher has devoted to the welfare of the City of Tacoma.

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

FIRST READING OF ORDINANCES:

Ordinance No. 17963

Amending Chapter 13.06 of the official code of the City by adding a new section 13.06.115-9 to include property on the northwest corner of So. 72nd and Portland Ave. in a "C-P-N" District. (Petition of Forrester Realty & Mortgage Co.)

The Ordinance was placed in order of final reading.

Ordinance No. 17964

Vacating a 10 foot sidewalk easement located between 55th St. N. E. and 58th St. N. E. from Beverly to Frances Ave. (Petition of M.A.C. Realty Co. et al.)

The Ordinance was placed in order of final reading.

Ordinance No. 17965

Vacating the northerly side of Westgate Blvd. between Visscher St. and the alley lying immediately east thereof. (Petition of Certified Invest., Inc.)

The Ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 17959

Amending Chapter 8.30 of the official code of the City relating to Nuisances.

Mr. Bott moved that Ordinance No. 17959 be postponed until Tuesday, January 4, 1966 as he would like further information on the Ordinance. Seconded by Mr. Cvitanich.

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Sam Santo, owner of Santo's Restaurant, Walter Haverman, representing the Executive Board of the Culinary Arts and Bar Tender's Union, and Ann Robertson, representing the Cook's and Waiter's Union, stated they felt this Ordinance was not warranted as it would hurt business and would discourage women from shopping downtown. They felt many people would be thrown out of work. They indicated the Liquor Board's Rules and Regulations adequately cover the situation.

Mr. Rowlands stated the bulk of the Ordinance has been in effect for many years. He felt that the new sections which were added had been grossly mis-interpreted.

Mr. Cvitanich felt, if there are one or two establishments in the community that are not obeying rules and regulations, they could be taken care of by the State, who has always cooperated with the City Police. This would be merely an enforcement problem. He felt the whole industry should not be condemned because of the actions of a few.

Mr. Bott asked that the Liquor Board's rules and regulations be made available for study by the City Council before final action on the Ordinance.

Voice vote was taken on the motion to continue this Ordinance until January 4, 1965. Motion carried.

Ordinance No. 17960

Providing for the improvement of L I D 5409 for water mains in McKinley Ave. from East 82nd and East 80th St. from McKinley Ave. to East "F" St.

Roll call was taken on the Ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Murtland.

The Ordinance was declared passed by the Chairman.

Ordinance No. 17961

Providing for the improvement of L I D 4777 for concrete paving in the alley between So. Thompson and Yakima Ave. from So. 37th to So. 38th and other nearby alleys and sidewalks.

Mr. Schuster, Director of Public Works, stated that the paving of the alley between So. 32nd and Wright Ave. from So. "D" to Fawcett Ave. was protested by the majority of the property owners. He pointed out this area also included the new building which is being built by the Tacoma Housing Authority, who plan to use this alley as an access to their building. He added that many discussions were held in regard to the assessment of the alley and it was determined that the Tacoma Housing Authority would pay 50% of the cost, property owners 30% and the City 20%.

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Mr. Cvitanich pointed out that the Housing Authority would be assessed at the rate of \$7.80 a foot and the balance of the property owners would be assessed at the rate of \$2.85 per foot as was stated at the L I D Committee meeting on November 8, 1965.

Mr. Finnigan felt the Housing Authority should take care of the total obligation since they will be the chief beneficiary of the improvement.

Mr. Harald Bergerson, Housing Authority representative, said there is a cooperation agreement between the City and the Housing Authority that they will pay in proportion for all of the special benefits as any other property owner would be required to pay. However, he felt the main question was, how much benefit was being derived by other property owners.

Mr. Finnigan asked if the Housing Authority petitioned for the L I D.

Mr. Bergerson said they had, and also obtained the signatures of the property owners in the area.

Mr. Cvitanich explained that at the hearing the property owners indicated the alley as it exists was more than adequate to serve their needs.

Mrs. Nugent, property owner, was present and said they felt this paving was not needed and was only for the benefit of the Housing Authority. She added, some of the property owners in the area could not afford to pay for this improvement as they are living on a fixed income.

Mr. Finnigan moved that the Housing Authority take the full responsibility of paying for the improvement. Seconded by Mr. Cvitanich.

Mayor Tollefson asked Mr. McCormick, City attorney, for an opinion on the legality of the motion.

Mr. McCormick said that the zone and termini method is used in computing the costs of an L I D so long as it is on an equitable basis and the benefits are set. This means, if there is property which is benefited and this method is used, the burden is on the City Council to assess each of these properties according to the benefits conferred on them. However, if the Housing Authority feels it is benefited more than shown in the L I D, legally there is no reason why they couldn't pay more.

Mr. Bergerson said he felt it would be impossible to assume the full assessment.

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Mr. Curtis Taylor, property owner, discussed the situation at great length and felt the assessment was unfair to the property owners in the area.

Mayor Tollefson said the Council has to determine the reasonable amount to be assessed and he felt a more reasonable interpretation of the assessments should be made.

Mayor Tollefson asked Mr. Bergerson when the Tacoma Housing Authority met.

Mr. Bergerson said their meeting will be held on Tuesday, December 21st, at 10:30 A.M.

Mayor Tollefson said he would like to have this Ordinance continued until after that meeting so Mr. Bergerson would have the opportunity to report to the Board on the discussion held at tonight's Council meeting.

Mr. Finnigan withdrew his motion with the consent of the second.

Mrs. Price then moved that Ordinance No. 17961 be set over until Tuesday, December 21, 1965. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

Ordinance No. 17962

Approving and confirming the assessment roll for L I D 6844 for street lighting on "A" St. from East 72nd St. to East 84th St. and other nearby streets.

Roll call was taken on the Ordinance resulting as follows:

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

UNFINISHED BUSINESS:

The Director of Public Works presents the following assessment rolls for hearings:

a. L I D 6830 for street lighting on existing poles along So. 58th from A to Pacific Ave.

b. L I D 6837 for street lighting on So. 72nd to So. 79th from Pacific Ave. to Park Ave.

Mr. Finnigan moved that Monday, December 27, 1965 at 4:00 P.M. be set as the date for hearing. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

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ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

Report from the Fire Dept. for the Month of September 1965.

COMMENTS:

Mr. Rowlands submitted a report on the Summer Work Schedule, MC-466. He explained that most of the employees preferred to have a one-half hour lunch period and leave at 4:30 P.M. The general average for all Departments was about one person or personal visit per day between 4:30 to 5:00 P.M. He said he would recommend that General Government continue the earlier closing hour with adequate personnel staffing offices until 5:00 P.M. This would follow the pattern of the Public Utilities Building.

Mr. McCormick stated that as long as the offices are open eight hours it would not conflict with the Ordinance.

Mr. Haley and Mr. Finnigan both indicated they wished the closing hour to be at 5:00 P.M. for all employees.

Mrs. Price felt it would be more important to have the offices covered with more staff during the lunch hours than from 4:30 P. M. to 5:00 P. M.

Dr. Herrmann said he felt this was an administrative matter and if the employees put in a 40-hour week and the offices are covered until 5:00 P. M., that is sufficient.

Mayor Tollefson stated he would rather have the employees covering at a full complement during the middle of the day than at the end of the day. He noted that the County offices and the Utilities Dept. both close at 4:30. The number of hours the City employees would work would be the same. If the Administration states that it is working out fine, he felt it should be tried.

Mr. Finnigan asked, what hours do the King County employees work.

Mr. Rowlands stated he would get this information.

Mr. Rowlands submitted MC-467 which dealt with the Fire Prevention Patrols. He wished to point out that these patrols were strictly for fire prevention in the industrial area. At the present time, one car is patrolling all night with an additional car added between the hours of 12 midnight and 4 A. M. All of these extra measures add up to a program of fire prevention in its most basic form. The fire prevention patrols by the fire personnel will be discontinued in the near future. Private industry has also put on additional guards to help this effort.

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James W. Reiser, Fire Chief, reported on the number, day and time of fires in the tideflats in recent months. He noted that in the last 11 days a fire has not been reported. However, this is also the time that the patrols have been on duty.

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Mr. Bott asked how the campaign on false fire alarms was progressing.

Chief Reiser stated that in a year and one-half there have been less false alarms, and since the six devices were installed it has enabled them to apprehend the majority of the culprits.

Mr. Rowlands stated on November 20th, 1965 the Eagles Parade will conduct their annual Christmas Parade at 1:15 P. M.

Mr. Bott requested that a Resolution be prepared in Memoriam of Floyd Harbin who had worked for the City 42-plus years and was Chief of Maintenance before his retirement.

Mayor Tollefson submitted to the Council a copy of a release from the National League of Cities which he felt contained valuable information.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 5:50 P. M.

Attest:

Josephine Melton
City Clerk

W.A. Tollefson
Mayor of the City Council