

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, July 13, 1965

Council met in regular session. Present on roll call 8: Bott, Finnigan, Haley, Herrmann, Johnson, Murtland, Price and Mayor Tollefson. Absent 1, Cvitanich. Mr. Cvitanich coming in at 4:05 P. M.

Mr. Haley moved that the minutes of the meeting of June 29, 1965 be approved as submitted. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

Mr. Rowlands presented a \$25.00 award to Mr. William G. Koenigslieb of the Public Works Department for his suggestion for rebuilding of wire gravel brooms and to Mr. Joe Sharek of the Public Works Department a \$100 award for his suggestion for the purchase of used cars and trucks from other agencies.

The recipients were congratulated by the City Manager, Mayor Tollefson and the Council members.

HEARINGS & APPEALS:

a. This is the date set for hearing on the petition submitted by Nickum Properties, Inc. for the rezoning of property located at the N. E. corner of So. 39th and Sheridan Ave. from an "R-2" to a "C-1" District. 334

Mayor Tollefson stated a communication has been received from H. G. Swendsen, Executive Vice President of Nickum Properties Inc., requesting a three week's continuance of the hearing as they would like to work out some problems prior to the hearing.

Dr. Herrmann moved to postpone the hearing until August 3, 1965. Seconded by Mr. Haley. Voice vote taken. Motion carried.

b. This is the date set for hearing on the petition submitted by the University of Puget Sound for the vacation of No. 14th St. between Union Ave. and Washington St.

Mr. Smith, Vice President of U. P. S., stated the University wishes to utilize this additional space for off-street parking between eight group dormitories. He added, the student car ratio is one car to every two students, which is continually increasing. He said the vacation of the street will allow the University to control the traffic between these fraternity houses. He thought in reference to the L I D on North 14th St. between Washington St. and Union Ave., it would be useless to have the expense of an L I D and later find that the area is to be used for parking. The University owns all of the property abutting the proposed vacation, except one parcel of property and that owner is in favor of the vacation.

Dr. Herrmann asked if widening of the street had been considered to the extent that it would provide angle parking and still allow traffic to proceed on the open street.

Mr. Smith said this has been discussed with the staff of the Public Works Dept. and it was determined that the width is not sufficient for that type of arrangement.

The following were present protesting the proposed vacation. Mr. Wayne Richard, residing at 4205 No. 14th St.; Mr. Martin Potter, residing at 2820 No Warner; Mr. MacShane, residing at 1617 No. Proctor, owner of 110 feet on No. 14th St.; Mr. F. Doss, residing at 420, No. 14th; Mrs. K. Ronson residing at 3801 No. 14th St.

Mr. Johnson asked Mr. McCormick, City Attorney, if the Council could legally vacate this street in view of the fact that a local improvement was initiated a few months ago.

Mr. McCormick replied that a few months ago the Council and the property owners in good faith created this district. When the district was created it extended from Proctor St. to Union Ave. on 14th St. and many of the residents signed the petition on the basis that it would be a connecting link to Union Ave. from Proctor Street. The contract was let for the paving, then the question arose as to whether or not it would be advisable in the event the street were to be vacated for the school as it would be a waste of money. At that time there was a meeting with Dr. Thompson, the contractor and the staff. It was called to their attention that there were legal problems and questions as to whether or not, after the L I D had been formed and the contract let, whether a section of the street could be deleted, particularly when it was a main connecting link to the rest of the project. It was determined under the circumstances, there was a valid reason for the vacation, and perhaps, a method could be worked out with the property owners. However, there is now opposition to the vacation of the street by the original petitioners of the district.

Mr. McCormick continued, there is no question if this street is paved and conditions develop in a few years traffic wise, the City Council could have the power to vacate if they wished. He thought this would be a very serious legal question as to the vacation at this time; to delete a section of a project that is once formed. There isn't any question as to the power of the Council to vacate, but there maybe some question on the liability of the property owners to pay their assessments when the roll is approved.

Mr. Finnigan thought the Council would be remiss in approving the vacation of 14th Street now because it is a traveled street from one area to another. The property owners have shown by having the street paved their desire to make their area more attractive and to provide a better means for traffic.

Several Council members agreed with Mr. Finnigan as it was a well traveled street it should remain open to the public.

Mr. Finnigan moved to deny the petition for the vacation of North 14th St. between Union Ave. and Washington Street. Seconded by Mr. Johnson. Voice vote was taken. Motion carried.

c. This is the date set for hearing on the denial of the petition submitted by Fred Shuffield for the rezoning of property located as the N. W. corner of the intersection of So. 47th and Cedar from an "R-3" to an "R-4-L" District.

After some discussion Mrs. Price moved to overrule the recommendation of the Planning Commission and that the "R-4-L" rezoning be approved. Seconded by Mr. Johnson.

Some of the Council members inquired about the reversion clause of the rezonings.

Mr. Buehler, Director of Planning, replied that the staff was working on an Ordinance and the Planning Commission will hold a public hearing prior to it being referred to the City Council.

Mr. Rowlands stated he hoped to have the Ordinance before the City Council within 3 to 4 weeks after it clears through the Planning Commission.
Roll call was taken on the motion to draft an ordinance approving the rezoning. Ayes 6; Nays 3, Haley, Herrmann and Mayor Tollefson; Absent 0.

Mr. Civitanich left at 5:55 P. M.

d. The City Planning Commission recommending the denial of the petition submitted by Geo. D. Poe & Co. for the rezoning of property located on the north side of No. 33rd west of Shirley St. from an "R-2" to an "R-4" District.

An appeal has been filed by Geo. D. Poe.

Dr. Herrmann moved that August 17, 1965 be set as the date for hearing on the denial of the petition submitted by Geo. D. Poe & Co. Seconded by Mr. Haley. Voice vote taken. Motion carried.

RESOLUTIONS:

Resolution No. 18362

Fixing Monday August 9, 1965 at 4:00 P. M. as the date for hearing on L I D 6858 for street lights on No. 48th St. from Pearl to Vassault and other 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, Cvitanich.

Resolution No. 18363

Authorizing the City Manager to execute for and on behalf of the City an application for obtaining certain Federal Financial assistance under the Federal Disaster Act.

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

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

Resolution No. 18364

Authorizing an amendatory application for loan and grant contract between the City of Tacoma and the United States of America for Project No. Wash. R-14.

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

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

376

Resolution No. 18365

Awarding contract for the annual supply of fire hose to American Rubber Co. on its bid of \$4734.85 incl. sales tax.

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, Cvitanich.

Resolution No. 18366

Approving the revision of limited access on a portion of Primary State Highway No. 1 (SR-5) on the west and east sides of the 56th St. interchange.

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, Cvitanich.

FIRST READING OF ORDINANCES:

Ordinance No. 17884

Amending Sections 1.12. 510, 520, 530, 590 and 640 of the official code to reflect the new salary rates for electrical workers in Local #483.

The Ordinance was placed in order of final reading.

Ordinance No. 17885

Amending subsection (a) of subsection 3 of Section 1.12.110 of the official code to provide employee accident insurance coverage.

The Ordinance was placed in order of final reading.

Ordinance No. 17886

Amending Title 11 of the official code relating to No Parking and Ten Minute Parking Zones.

The Ordinance was placed in order of final reading.

Ordinance No. 17887

Amending Sections 1.14.001 & 002 of the official code and repealing Section 1.14.003 relating to permanent registration offices.

The Ordinance was placed in order of final reading.

Ordinance No. 17888

Amending Chapter 13.06 of the official code by adding two new sections 13.06.120-43 & 130- to include property adjacent to the S. E. corner of So. 72nd and Park Ave. in a C-2" District. (petition of Wm. B. Bailey)

The Ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 17881

Condemning property in the area of So. 27th St. between K St. and Sheridan Ave. for the construction of a sidewalk.

Roll call was taken on the ordinance resulting as follows:

Ayes 7; Nays 0; Absent 2, Cvitanich, Herrmann (temporarily).
The Ordinance was declared passed by the Chairman.

Ordinance No. 17882

Amending Section 11.06.010 of the Official Code in reference to reporting accidents involving vehicles.

Roll call was taken on the Ordinance resulting as follows:

Ayes 7; Nays 0; Absent 2, Cvitanich, Herrmann (temporarily).
The Ordinance was declared passed by the Chairman.

Ordinance No. 17883

Appropriating \$6,986.00 or so much as may be necessary from the General Fund for the purpose of establishing new grades at the Fire Training Tower at 2124 Marshall Ave.

Roll call was taken on the Ordinance resulting as follows:

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

UNFINISHED BUSINESS:

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

a. L I D 3573 for storm drains in So. 19th from Jackson Ave. to Myers Street and other streets.

b. L I D 4732 for paving on So. 76th St. from Alaska to Sheridan Ave. and other nearby streets.

c. L I D 6841 for street lighting in the area bounded by A St. & F St. from East 65th to East 68th St.

d. L I D 6842 for street lighting in the area bounded by A St. & F St. from East 69th to 72nd St.

e. L I D 6845 for street lighting on No. 10th from Proctor to Stevens.

Mr. Haley moved that Monday August 9, 1965 at 4:00 P. M. be set as the date for hearing. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

Report from the Tacoma Pierce County Health Dept. for Jan. - March, 1965.

COMMENTS:

Mr. Haley said he was encouraged by an article which appeared in the News Tribune regarding the viaduct across 11th St. to provide a fast route across the Tidelands. He said up to this time the Port officials have not indicated the feasibility of such a viaduct, but this has been under discussion by the City Council for a good number of years. He said it was published in the News Tribune that plans for a double viaduct across 11th St. were revealed by Mr. Raymond, President of the Port of Tacoma, to the members of the Chamber of Commerce at Federal Way. 255

Mr. Haley asked that the City Manager, direct the City staff to contact the Port officials immediately toward the continued development of this program for a viaduct.

Mr. Finnigan said he recalled a little over a year ago Mr. Raymond forwarded a letter to the Council indicating that a bridge would be constructed across Lincoln Ave. on a temporary basis, then a few weeks later they decided that it was too expensive. He said he couldn't share Mr. Haley's confidence in the Port official's comment.

Mr. Haley said the City is ready and willing to cooperate with the Port and he would like the report to be submitted to the City Council in the next few weeks in writing, on the attitude of the Port officials toward this whole project on the 2nd waterway crossing, of the complete area of the industrial flats.

Mr. Finnigan asked when the Puget Sound Transportation Study will be completed.

Mayor Tollefson said there are a couple of chapters left to be prepared and they are scheduled for completion toward the end of the month. 324

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 6:20 P. M.

test:

Josephine Melton
City Clerk

W. M. Tollefson
Mayor of the City Council