

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, April 20, 1965

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

Mr. Haley moved that the minutes of the meeting of April 6, 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 petition submitted by Jardeen Bros. for the rezoning of property located at So. 12th St. between Stevens and Verde Sts. from an "R-2" to an "R-4-L" District.

No one appearing and no protests made, Mr. Johnson moved to concur with the recommendation of the Planning Commission and that an Ordinance be drafted approving the rezone. Seconded by Mr. Murtland. Voice vote taken. Motion carried.

b. This is the date set for hearing on the request by the City Planning Commission for the zoning of an area recently annexed bounded by P. S. H. #1 (Freeway), Hosmer St., So. 84th & the So. 84th St. freeway off-ramp.

No one appearing and no protests being made, Mrs. Price moved to concur in the recommendation of the Planning Commission and that an Ordinance be drafted approving the zoning of a recently annexed area. Seconded by Mr. Murtland. Voice vote taken. Motion carried.

RESOLUTIONS:

Resolution No. 18267

Authorizing the execution of a permit on behalf of the City with the Northern Pacific Railway Co. for the construction by the city of an 18 inch sanitary sewer upon the N. P.'s yard property located in the vicinity at the intersection of East 21st and River St.

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. 18268

Authorizing the transfer of property located in the vicinity of 6th Ave. and Jackson Ave. from the account of the Public Works Dept. to the account of the Water Division for the sum of \$571.94 for the construction of a low service reservoir.

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. 18269

Authorizing the granting of an easement and permits with the Olympic Pipe Line Co. for the construction, operation and maintenance of a 14-inch steel welded underground pipeline on Public Utility property.

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. 18270

Authorizing the extension of the real estate contract of Sept. 19, 1955 between M. C. & Olga Monsen and the City beyond the 10-year expiration date for a garage and storeroom owned by the Light Division at 24th & Holgate.

Mr. Murtland 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. 18271

Fixing Monday May 10, 1965 at 4:00 P. M. as the date for hearing on L I D 3600 for sanitary sewers in the alley north of East 61st St. from L to K; 62nd St. from East M to K and in Asotin from So. 90th St. northward approximately 270 feet.

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. 18272

Fixing Monday May 10, 1965 at 4:00 P. M. as the date for hearing on L I D 4712 for sidewalks on the north side of No. 33rd from Mullen to Ferdinand paving in alleys between J & K Sts. from So. 14th to So. 15th; J & K from No. 9th to No. 10th Sts. and on Sheridan & M from So. 7th to So. 8th Sts.

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. 18273

Fixing Monday May 10, 1965 at 4:00 P. M. as the date for hearing on L I D 5406 for cast iron water mains in McArthur St. from So. 15th to 17th; Meyers from So. 15th to So. 19th; So. 15th & So. 17th from Meyers to McArthur.

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. 18274

Fixing Monday May 10, 1965 at 4:00 P. M. as the date for hearing on L I D 6853 for street lighting between So. Union and Tyler St. and between So. 28th & Center Sts.

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

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

Resolution No. 18275

Awarding contract to Cascade Asphalt Paving Co. on its bid of \$93,187.91 incl. sales tax, for L I D 4761.

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

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

FIRST READING OF ORDINANCES:

Ordinance No. 17828

Amending Chapter 13.06 of the official code by adding three new sections 13.06.042, 055-1 and 065-44 to include approximately 127 acres lying between Pearl & Mildred Sts. from No. 9th to No. 17th Sts. in an "R-2" and "R-3-PRD" and an "R-4-L" District.

Mr. Cvitanich asked Mr. Buehler, Director of Planning, what type of homes are to be built in this area.

Mr. Buehler, explained that the plans have not been submitted by the petitioner. He added, there could be condominiums in some of the area or else other developments.

Mr. Cvitanich said he felt this was a very good residential district.

Mr. Buehler stated he would contact Mr. Briggs and have an answer on this matter when the Ordinance comes in for final reading.

The Ordinance was placed in order of final reading.

Ordinance No. 17829

Vacating a portion of No. 49th St. between Huson & the alley between Huson & Ferdinand Sts. (petition of Public Works Dept.)

The Ordinance was placed in order of final reading.

Ordinance No. 17830

Amending Section 6.12.070 and 080 of the official code relative to licensing of bondsmen.

Mr. Rowlands stated that he and Mr. McCormick, City Attorney, met with the four judges of the Police Court as the City has had inquiries for some time on this particular procedure. It is felt that it is more practicable if the section were changed to provide that a quarterly report be filed by the bondsman which would show an accurate record of all bonds made and fees charged and received.

The Ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 17816

Amending Section 13.06.117 of the official code to correct an error on the boundaries of the "C-P-R" Regional Shopping Center known as the Tacoma Mall.

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. 17817

Vacating a portion of the alley lying between No. 36th and 37th Sts. from Adams to Washington (petition by Lige Dickson)

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. 17818

Vacating the alley between L & M Sts. from 6th Ave. to So. 7th Sts. (petition of Randolph Fay)

Mr. Haley asked if the wires would be installed overhead or underground.

Mr. Buehler replied they would be installed overhead.

Mr. Cvitanich asked that the Council be brought up to date as to the progress of the plans for underground wiring.

Mr. Rowlands stated that approximately six weeks ago the Council was given information relative to the costs of underground wiring and it was found that costs could be much less than anticipated. However, it will take a period of years to reduce the wiring to all underground by programming.

Mr. Murtland said at this point he understands the Council does not have jurisdiction over the manner in which the power will be dispensed.

Mr. Rowlands stated the Planning Commission does have the right to set forth conditions, if they so desire. He wondered if it might be well to request that underground wiring be installed at this time, when the alley-way is vacated, as the developer is getting the property at no expense to him.

Mr. Bott stated they are getting approximately 6000 square feet and even though they might be put to some expense, it would be to their advantage to put the wires underground.

Mr. Finnigan stated, the building is well under construction and it seemed strange to him that this is now being discussed by the Council. He felt that all these conditions mentioned should have been taken care of before the building actually begins.

Dr. Herrmann stated, a hearing was held before the Council on this matter and they concurred with the recommendation of the Planning Commission unanimously. He felt since all the other utilities in the area are above ground, the Council at this point should pass the Ordinance.

Mr. Cvitanich said this matter of overhead wiring has been brought up before and he felt the Council and the Utility Board should set a policy in this regard.

Mr. Murtland agreed with Mr. Cvitanich and felt the Council had a right to make a demand for the underground wiring if they wished.

Mayor Tollefson stated the Council should have demanded underground wiring at the time of the hearing. He did not feel that the Council has a right to demand such a request at this late date. He added, a policy could be instituted, that wiring from this point on must be underground where economically feasible. He felt the reason this had not gone forward was because the costs were so high and up until now the Council did not feel that they should impose this on new areas and new structures.

Mayor Tollefson asked that City Manager Rowlands, request the Utilities Dept. to give the Council a report on the differences in costs as compared to installing underground wiring to overhead wiring. He also asked Mr. Buchler to see what possibility there is of getting wiring underground when a plat is being presented to the Planning Commission.

Mr. Haley stated that the Planning Commission is cognizant of the feeling of the City Council in regard to the underground wiring. He asked that a meeting be held with the Utility Board as soon as possible.

Mr. Rowlands stated that some of the developers have indicated it is getting more difficult to build in the City, however, problems also develop in the County, particularly with the septic tank and sewage problem. He stated our requirements in Tacoma are much less severe than in other cities over the country, however, the City does try to use reasonable judgment in the enforcement of the code.

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. 17819

Providing for the improvement of L I D 3596 for sanitary sewers in East L from 49th to 51st Sts.; East 51st St. from L to K and other streets.

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. 17820

Providing for the improvement of L I D 3598 for sanitary sewers on Highland St, from So. 11th to 12th; No. 16th from Huson to Ferdinand; Alley west of Orchard & Villard from No. 37th to No. 38th 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. 17821

Providing for the improvement of L I D 6851 for street lighting on Asotin, Cushman, Ainsworth & Sheridan and So. L from So. 72nd to So. 80th 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. 17822

Approving and confirming the assessment roll for L I D 3591 for sanitary sewers on No. 42nd St. from Pearl to Vassault 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. 17823

Approving and confirming the assessment roll for L I D 4595 for paving on No. 21st from Stevens to Huseon 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. 17824

Approving and confirming the assessment roll for L I D 5389 for water mains and fire hydrants in So. 49th from Stevens to Gove; Gove from 49th to 48th; So. 48th from Gove to Orchard and in Mullen from So. 48th to So. 52nd 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. 17825

Approving and confirming the assessment roll for L I D 5391 for water mains in Proctor St. from No. 29th to No. 30th Streets.

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. 17826

Approving and confirming the assessment roll for L I D 6818 for street lighting from So. 50th to 56th Sts. between M and Wilkeson Street.

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. 17827

Approving and confirming the assessment roll for L I D 6825 for street lighting on No. G from McCarver to No. 10th and on No. 39th from Cove to Orchard.

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was declared passed by the Chairman.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

a. Letter from Mayor H. M. Tollefson to the City Council designating Marshall McCormick as his proxy for signature purposes on the \$50,000,000 issue of Light and Power Revenue Bonds Series of 1965 of the city, which was filed in the office of the City Clerk on April 15, 1965.

b. Reports from the Water, Light and Belt Line Division for the month of February 1965.

COMMENTS:

Mr. Rowlands stated there will be a ceremony at the Narrows Bridge April 29, at 2:00 P. M. for the removal of the toll from the bridge.

Mr. Rowlands announced that the first baseball game of the season will be on April 23, he hoped the fans will support the Tacoma Giants' season in Tacoma this year as this is the year of decision.

Mr. Cvitanich said he was concerned about the amount of rezoning being done by the Council, particularly when the property rezoned is not used. He asked if it could revert back to the original zoning if the property is not improved within a certain time period. He wondered if an ordinance could be drafted,

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whereas if the property is not improved within a specified time, then it would revert back to the original zoning.

Mr. Rowlands stated, certain zones are reviewed at certain times and a report is being compiled by the Planning Staff for the Planning Commission's review, so extensions can be made if they wish.

Mr. Cvitanich asked if the "C-1" and "C-2" Districts could be included in this review.

Mr. Rowlands stated it will have to be explored by the Legal Staff.

Mr. Hamilton, Chief Assistant City Attorney, stated there would be legal problems involved in such an approach. The zoning is based on police power and must be bound to be in the interests of the health, welfare and safety of the Citizens. It would be difficult legally to say that a certain zoning is good for the citizens today, but not two years from now, if no building is constructed, he added.

Mr. Rowlands stated that in Pittsburgh, the property tax on raw land is twice as great as the tax on land with buildings, which encourages building. He said when speculators hold onto land without developing it, it can be a real problem for a city. One way to solve this is to increase taxes on undeveloped land.

Mr. Buehler stated Las Vegas has a new intent clause written into their zoning ordinance which is designed to encourage development. He stated they have requested a copy of that ordinance. The Planning Staff is presently updating the entire Comprehensive Plan for development and control of the City.

Mr. Johnson asked to be excused from the next Council meeting.

Mr. Murtland moved to excuse Mr. Johnson. Seconded by Mr. Cvitanich
Voice vote taken. Motion carried.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 5:20 P. M.



Mayor of the City Council

Attest:



City Clerk