

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, March 31, 1964

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

Mr. Haley moved that the minutes of the meeting of March 17, 1964 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 Southcenter Corp. for the vacation of a portion of So. 43rd St. from the west line of Ferry St. to a point 100' west. 171
213

Mayor Tollefson said this vacation will eliminate a dead-end street and the right-of-way is not anticipated for future use.

Mrs. Price moved to concur in the recommendation of the Planning Commission to approve this vacation. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

b. This is the date set for hearing on the petition submitted by Skyline Presbyterian Church for the vacation of a portion of Whitman St. from the northerly line of Westgate Blvd. to a point approx. 560 feet north. 171
214

Mayor Tollefson said this vacation is a four-way intersection and will allow the church to consolidate its properties into a more useable site.

Dr. Herrmann moved to concur in the recommendation of the Planning Commission to approve this vacation. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

c. This is the date set for hearing on the petition submitted by R. S. Scott, etal for the rezoning of property located in the area of So. 78th and So. Lawrence Streets from an "R-2" to an "R-4-L" District. 214

Mayor Tollefson explained that the Planning Commission recommended approval of the rezoning.

Mayor Tollefson asked Mr. Bushler, Director of Planning, to describe the nature of the mobile home park plan.

Mr. Buehler, explained that R. S. Scott and G. M. Betts are the petitioners who have requested the reclassification of property located between

Warner and Alder St. extended, from the Tacoma City limits to a point approximately 380 feet south of So. 76th from an "R-2" to an "R-4-L" District. He added, the northerly park would be developed by R. S. Scott which would have an ultimate capacity of 32 mobile homes. The southerly park would be operated by G. M. Betts as an extension of an existing park now located in the County, which he expects would accommodate approximately 50 mobile homes. He pointed out the applicants would have to conform to the standards as set forth in the ordinance for mobile home parks, however, mobile homes would be allowed in an "R-4-L" district if a special use permit is obtained. He pointed out the requirements for mobile homes, such as the number of units, proper connections for sanitation and inspections.

Mr. Ron Thompson, Attorney representing the petitioners, said, since the mobile home ordinance was adopted by the City Council in 1959 there has been no rezoning for mobile homes in Tacoma, therefore, the law has not been tested. He remarked that in the latest publication of Municipal Regulation of Mobile Homes and Mobile Home Parks in the State of Washington, put out by the Bureau of Governmental Research and Services of the University of Washington, it reads in part on page 37, "hostile or intolerant attitudes in some municipalities about mobile homes are now recognized as merely a postponement of the day of dealing with an important segment of the housing industry. While the pioneer transient trailer was short lived, it appears that the mobile home will remain as a significant factor in the residential supply in many communities. Its problems are not insoluble but do require special attention." Mr. Thompson said the ordinance requires 1800 sq. feet for each mobile home, however, the petitioner intends to have 3150 sq. feet per unit. He added, a mobile home represents a considerable investment for the purchaser. Mr. Thompson said it was brought out that this rezoning will generate considerable traffic, but he didn't think it would generate any more than if the property were developed for homes. He pointed out the topography, the egress and ingress of the area. He stated the petitioners did intend to dedicate an extension of Lawrence St. to the south, also a portion of So. 77th St. to the west, also would dedicate property for a cul-de-sac at the south end of Montgomery St. However, the petitioner was unable to acquire the property for a portion of So. 77th St. west of Lawrence, although he could dedicate 30 feet of his property but was unable to get the north 30 feet for the street. After this was discussed with Mr. Calkins and Mr. Kosai, engineers in the Public Works Dept., an alternative plan was worked out to extend Lawrence St. at the petitioners expense to So. 77th St., improve a "T" type turn-a-round at Montgomery and So. 77th St. and also dedicate So. 77th St. between Lawrence and Montgomery.

Mayor Tollefson asked if there was any one present opposing this rezoning.

Mr. Ben Nicholas, 7617 So. Montgomery, protested the proposed rezoning and explained there was a petition with approximately 100 signatures of property owners, filed with the City Clerk on Feb. 27, 1964 protesting. He added, the Planning staff recommended denial of the petition as they felt an "R-4-L" should be located adjacent to an arterial street. He thought the mobile court would

decrease the value of the neighboring homes. He felt that the mobile park would generate a lot of traffic and also do considerable damage to Lawrence and Montgomery Sts. to be caused by deliveries and services needed for the proposed 31 mobile homes.

Mr. Murtland asked Mr. Nicholas if he could substantiate his remark, "that a mobile court would lower property values."

Mr. Nicholas said he bought his home seven years ago and if there had been a mobile court there at that time, he would not have considered buying.

Mr. Murtland remarked that he has seen a good number of mobile homes in California and considered them quite attractive.

Mrs. Davis residing at 7428 So. Lawrence said there are many empty houses for sale and rent in the neighborhood and she didn't see why it was necessary to develop this mobile court for additional housing. She was concerned that the traffic from the mobile court would necessitate additional local improvements with more assessments for the home owners.

Mrs. Franks, 7417 So. Lawrence, Mr. Robert Glenn, 7414 So. Lawrence and Mrs. Mildred Dudley, 7624 So. Montgomery and Mr. John Schmiling, 3202 So. 76th, were present to protest the proposed zoning.

After some discussion, Mayor Tollefson explained that this is the public hearing and if any Council member wishes to request an ordinance, it will be given first reading at next week's meeting and will be given final reading the week following.

The next order of business was resumed.

PETITIONS:

Petition submitted by April Enterprises, Inc. requesting the rezoning of property located on both sides of So. J from So. 92nd to So. 94th St. from an "R-2" to an "R-4-L" District.

Referred to the Planning Commission.

RESOLUTIONS:

Resolution No. 17823

Awarding contract to Tucci & Sons on its bid of \$167,851.47 for L I D 4737 & Improv. 4560 which is determined to be the lowest and best bid.

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. Johnson.

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Resolution No. 17824

Fixing Monday April 27, 1964 at 4:00 P. M. as the date for hearing on L I D 3571 for sanitary sewers on So. 94th from K to J St. ; So. 92nd to So. 94th from Alaska to Ash and other nearby streets.

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

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

Resolution No. 17825

Fixing Tuesday April 28, 1964 at 4:00 P. M. as the date for hearing on the vacation of the alley between Hosmer and Ash from So. Tacoma Way to vacated So. 30th St. (Petition of Atlas Foundry)

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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, Johnson.

Resolution No. 17826

Authorizing the purchase of certain lands in the vicinity of 112th St. East and 86th Ave. East in Pierce County necessary for ground water wells.

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

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

Resolution No. 17827

Authorizing the proper officers of the City to execute a Supplemental Agreement No. 1 to Agreement No. GC-1371 with the State Department of Highways providing for the inclusion of additional sewer facilities by the State in connection with the freeway construction in the Pacific Ave. interchange.

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, Johnson.

Resolution No. 17828

Authorizing the sale of Parcels B-20 & B-21 located at 1108 Center St. in the Center St. Urban Renewal Project Wash. R-1 to Howard A. Wilham.

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

The Resolution was passed by voice vote.
Ayes 7; Nays 1, Cvitanich; Absent 1, Johnson.

FIRST READING OF ORDINANCES:

Ordinance No. 17579

Amending the Official Code of the City by re-enacting Chapter 2. 05 to regulate the construction, installation and maintenance of signs.

The Ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 17572

Providing for the improvement of L I D 4745 for paving on No. 14th from Proctor to Union Ave. and nearby streets.

Roll call was taken on the Ordinance resulting as follows:

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

Ordinance No. 17573

Providing for the improvement of L I D 6840 for street lighting on No. 13th from Stevens to Orchard; No. Vassault and Bristol St. from No. 26th²²² to No. 27th; also in Locust Lane & Linden Lane from 6th Ave. to So. 12th St.

Mr. Kessler, 954 Mountain View Ave. protested the installation of street lights on Locust Lane as the wooden poles with the overhead wiring is not aesthetic in this area, as the homes are situated on view lots.

Mayor Tollefson said, if the property owners wish underground wiring that is agreeable to the City, it is the property owners who decide what type of street lighting fixtures they want.

Mr. Bott reviewed what transpired at the hearing of the L I D Committee when this was heard. He stated Mrs. Christensen residing at 944 Mountain View Ave., also indicated she wished underground wiring and she was requested to contact her neighbors to determine if they wished ornamental standards with underground wiring at an additional cost. He said, perhaps this ordinance

should be postponed for two weeks to allow the property owners to decide on this matter.

Mrs. Christensen said she had canvassed her neighborhood and wasn't able to convince the property owners to change over to ornamental standards with the underground wiring at the extra charge. She said she would like to have additional time to further canvass the neighborhood.

Mr. Schuster, Director of Public Works, explained the street lighting project as proposed.

Mr. Murtland asked how the study was progressing that he had requested two months ago for the underground wiring.

Mr. Rowlands stated the Planning Staff is assembling information from all over the country on this subject and will have a recommendation to refer to the Planning Commission after this information is compiled. He said they have received information from California this last month where they are installing underground wiring at a reasonable rate. He said they hoped to have a report within the next few weeks to present to the Council.

Mr. Murtland asked Mr. McCormick, City Attorney, if the Council could insist on underground wiring even though the majority of the property owners involved wished overhead wiring, regardless of the cost.

Mr. McCormick said the Statutes are broad but he thought it was up to the discretion of the Council, especially in view of the fact that the City is participating in the cost of the project.

Mayor Tollefson said in this instance there are existing wooden poles in the area.

Mr. Dick Boyle, 942 Linden Lane and Mr. George Reagan, stated they were in favor of street lights.

Dr. T. Christensen, 944 Locust Lane, stated he was opposed to the installation of this type of lighting as the property along their street was view property and if these lights continue, there will be a string of lights each half block running parallel to the water.

Mr. Bott moved that the Ordinance be postponed for two weeks, until April 14, 1964.

Mr. Haley said he would second Mr. Bott's motion to continue for two weeks as he wanted to try to find a better solution. He said he was in favor of street lights but was against over-head poles, wires, etc. all over the City particularly in those areas that have view property. He thought careful consideration should be given on this matter to see if some other solution could be found other than the one proposed in this L I D. Voice vote was taken on the motion to postpone. Motion carried.

Mr. Cvitanich left at this time; 6:35 P. M.

Ordinance No. 17574

Approving and confirming the assessment roll for L I D 2341 for grading 216 and oil mat surface on So. 75th between Yakima Ave. and So. I Street.

Mr. George Ridley, 7501 South "I" Street said most of the property owners in the area are dissatisfied with the improvement. He said the street level was changed excessively, but if the job had been done as originally planned by the engineers, it would have been satisfactory.

Mr. Bott said two property owners who were concerned with this matter had to leave before this was considered and they requested that this be continued for one week.

Mr. Bott moved to postpone the Ordinance until the meeting of April 7, 1964. Seconded by Mr. Finnigan. Voice vote was taken. Motion carried.

Ordinance No. 17575

Approving and confirming the assessment roll for L I D 4714 for paving on Bell from So. 60th to 62nd; D from So. 68th to So. 70th; Asotin from So. 78th to So. 80th; So. 80th from Wilkeson to Hosmer Streets.

Roll call was taken on the Ordinance resulting as follows:

Ayes 7; Nays 0; Absent 2; Cvitanich and Johnson.
The Ordinance was declared passed by the Chairman.

Ordinance No. 17576

Approving and confirming the assessment roll for L I D 4715 for paving on No. 28th from Huson to Ferdinand and other nearby north end streets.

Mr. Rohrs, Attorney representing Mr. Shelley and Mr. Francis, residing on Jackson Avenue, said he attended the L. I. D. Committee hearing and protested the assessment for the paving of Westley Drivs. He said at the time of the hearing the property belonging to his clients was deleted from the assessment roll for the paving segment of the L. I. D. He asked if the ordinance was drafted deleting their property from the assessment roll.

Mr. Schuster replied they were deleted from the assessment roll for the portion of paving only, but they are assessed for the storm drainage.

Mr. Rowlands said this cost will be absorbed by the City.

Mr. Bott thought the abutting property owners were to assume this charge.

Roll call was taken on the Ordinance resulting as follows:

Ayes 7; Nays 0; Absent 2; Cvitanich and Johnson.
The Ordinance was declared passed by the Chairman.

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Ordinance No. 17577

Approving and confirming the assessment roll for L I D 4724 for re-surfacing Yakima Avenue between So. 7th and So. 27th Streets.

Roll call was taken on the Ordinance resulting as follows:

Ayes 7; Nays 0; Absent 2; Cvitanich and Johnson.
The Ordinance was declared passed by the Chairman.

Ordinance No. 17578

Approving and confirming the assessment roll for L I D 6808 for street lighting on East I from East 64th to East 72nd St. and other nearby streets.

Roll call was taken on the Ordinance resulting as follows:

Ayes 7; Nays 0; Absent 2; Cvitanich and Johnson.
The Ordinance was declared passed by the Chairman.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Finance Director's report for the month of February 1964.
- b. Tacoma Police Dept. report for the month of February 1964.
- c. Water Division report for the month of February 1964.

COMMENTS:

Mr. Finnigan said it has been brought to his attention that a deep hole behind Mayfield Dam exists. He asked Mr. Benedetti, Assistant Director of Utilities, for an explanation.

Mr. Benedetti, said a 55 foot excavation has been carved downstream from the dam by the tailrace of water going over the spillway. He said this had been anticipated and occurs in all dams and waterfalls, however, he added, it does not threaten the Mayfield Project. He said the minor depression may become deeper in this year's flood, but experience at other Dams shows that water in the hole eventually cushions the impact and ends the gorging process.

Mayor Tollefson asked how many members of the City Council plan to attend the Association of Washington Cities Convention in Spokane so they will be able to vote as delegates for the nominations and resolutions committee. He said this conference will be held May 13, 14 and 15, 1964.

Mr. Haley, Mr. Bott, Mrs. Price and Mr. Murtland indicated they were planning to attend.

Mr. John Coffey, attorney representing the Joint Labor Advisory Committee consisting of 18 unions, and the Municipal Civil Service League, comprising 1,000 City employees, said he had requested to file a complaint with the City Council. He said the City now plans to establish a rental charge starting April 1, 1964 for the small cubical now used by the Civil Service League and the Joint Labor Advisory Committee, which previously had enjoyed rent-free space for about 17 years. He asked the Council if this was an administrative matter, or if it was a matter of policy of the City Council. If the rent is imposed, he said, other groups occupying similar space such as the press and State Department of Labor and Industries should be treated equally. He said the Fire Fighters' Union used an old fire fighting apparatus during the course of the unsuccessful campaign for shorter hours and more manpower, but now they are told they no longer can make use of this ancient piece of equipment. He added, the Fire Dept. employees charge they have been penalized after the election, since they have been advised that they no longer can use the old fire rig, and they will be required to work on holidays; also, the proposed reduction of vacation relief will mean that the Firemen will have to spread their vacations throughout the year. He asked the City Council not to support the City Manager in his efforts to impose reprisals upon any City employee or group of City employees.

Mayor Tollefson said the City Council does not hold any hard feelings ¹⁸³ toward the Firemen or for their efforts on the Firemen's initiative. He added, that after the election, he requested the City Manager to make a further review of the fire fighting situation and submit same to the Council to see whether or not certain adjustments should be made. He said in regard to the other remarks he would ask the City Manager to answer them.

Mr. Rowlands said, with respect to the Civil Service League quarters, ²²⁶ this matter was discussed before the election with City Utilities' officials. He noted that the Utilities Dept. houses several agencies related to the City employees, such as the Credit Union and Retirement office, for which there is a rental charge. He said the charge was based upon the square foot which is paid by all offices in the building. As for the meetings of the Joint Labor Committee in the League quarters, he said the committee, like any other organizations not meeting on a daily basis, could meet anywhere in the building free of charge. He said he thought the charge imposed on the Civil Service League for rental was an administrative matter. In further reply to Mr. Co se's comments, Mr. Rowlands said, Tacoma has a fine Fire Dept. and there has not been any retaliation toward the Firemen as alleged. There has been no thought of changing the routine this year as far as vacations, etc. He said at budget time these matters are discussed with representatives of the Police and Fire Depts. as to whether x-number of days are granted for holidays or whether they are being paid for them. He said that fluctuates from year to year, but that the budget has been set for this year. He said the Fire Chief and himself were concerned with the old fire rig going around ringing its bell and attracting attention when other groups are not permitted to do so. He said several calls were received from citizens complaining of the noise.

Mr. Bott moved that the City Council hold in abeyance any charge that

might be contemplated for quarters used by Mr. Kotler until the Council had an opportunity to discuss the matter. Seconded by Mrs. Price. Voice vote taken. Motion carried.

Mr. John Willis, President of the Fire Fighters' Union, stated that no change could occur in the policy for this year, but a memo was sent from the City Manager to the Fire Chief requesting the Chief to, (1) Investigate the paying of Firemen for holidays as well as keeping the manpower during the vacation; (2) That five men instead of six men be allowed vacations at a time; (3) Also changing the rule which stated the group cannot use the old fire rig for public matters unless permission is received from the Fire Chief. Mr. Willis, added this would not hold up in court as this cannot be taken away from an organization. He added, since the budget is made up for this year nothing can be done in this regard. He thought it was strange that a few days after the campaign these three matters were handed down to the Firemen.

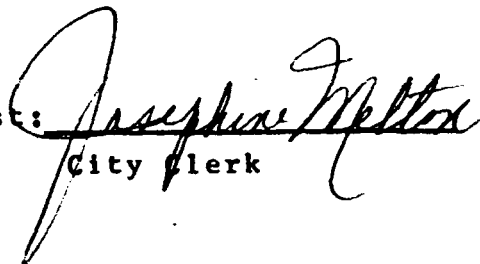
Mr. Rowlands said the memo that was sent by him to the Fire Chief was requesting that he explore all possibilities for the discussion to be held with the Council at the end of the year so the Council will know the facts concerning the cost for holiday pay, etc., which has been done in the past. The only directive that went into effect immediately was the use of the old fire rig.

Mayor Tollefson assured the Firemen that no benefits would or could be taken away from them and the Council will review the report to be submitted by the Fire Dept. and from the City Manager.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 8:00 P. M.



Mayor of the City Council

Attest: 
City Clerk