

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, April 7, 1964

Council met in regular session . Present on roll call 8: Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Price and Mayor Tollefson. Absent 1: Haley. Mr. Haley arriving at 5:00 P. M.

Mrs. Price moved that the minutes of the meeting of March 24, 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 the Urban Renewal Dept. for the vacation of So. 28th St. from Yakima Ave. to G Street; G Street from So. 27th to Center and adjacent alleys from So. 27th to Center St. ; also alley from So. 28th to Center between L & K Sts. extended. 221

No one appearing to protest, Mrs. Price moved that the recommendation of the Planning Commission be approved and that an ordinance be prepared approving the vacation. Seconded by Mr. Murtland. Voice vote taken. Motion carried.

b. This is the date set for hearing on the petition submitted by Harold Stocker for the rezoning of No. 9th between Puget Sound and Lawrence St. from an "R-2" to an "R-3" District. 221

No one appearing to protest, Mrs. price moved that the recommendation of the Planning Commission be approved and that an ordinance be prepared approving the rezone. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

c. This is the date set for hearing on the petition submitted by M. L. Milton for the rezoning of the S. W. corner of So. 74th and Oakes St. from an "R-2" to an "R-4-L" District. 221

No one appearing to protest . Mrs. Price moved that the recommendation of the Planning Commission be approved and that an ordinance be prepared approving the rezone. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

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d. This is the date set for hearing on the petition submitted by John W. Schuur for the rezoning of property located at 61st Ave. N. E. between 29th and 31st Sts. N. E. from an "R-2" to an "R-4-L" District.

Mr. Finnigan moved to concur in the recommendation of the Planning Commission to deny the petition. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

RESOLUTIONS:

Resolution No. 17829

Amending Rule IV of the rules and regulations governing ambulances by increasing the rate to \$18.00 plus the additional sum of \$1.00 for each mile traveled from point of pickup to destination.

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

Mr. Rowlands explained that the present rate now is \$15.00, \$16.00 and \$17.00. The rate will be \$18.00 regardless of where the pickup is plus a \$1.00 charge for each mile.

Mr. Cvitanich asked if there has been a corresponding increase in the coverage in medical services in Tacoma, in the event this goes through.

Dr. Herrmann said this is for ambulance service that the City calls for. This does not set the rate for private interprise.

Mr. Rowlands stated many private firms charge the same rate as the City but it is not mandatory, however, they cannot charge more when the City calls for ambulance service.

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

Resolution No. 17830

Awarding contract to Morris Construction Co. for L I D No. 3568 on its basic bid of \$20,334.22 and on the supplemental bid of \$9,629.32 incl. sales 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, Haley.

Resolution No. 17831

Awarding contract to Concrete Construction Co. for L I D 4723 on its bid of \$18,939.82 which bid is determined to be the lowest and best complete bid.

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Mr. Rowlands said there have been some questions asked by the abutting property owners which are being checked by the staff. Mr. Rowlands requested that the Resolution be postponed for one week, until April 14, 1964.

Dr. Herrmann moved that the Resolution be postponed for one week.
Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

Resolution No. 17832

Awarding contract to Douglas Rhine on his bid of \$260.00 for the demolition of a building and site clearance of 929 So. Fawcett in the Fawcett Urban Renewal Project. Wash. R-3.

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

The Resolution was passed by voice vote.

Ayes 7; Bott, Finnigan, Herrmann, Johnson, Murtland, Price and Mayor Tollefson. Nays 1, Cvitanich; Absent 1, Mayor Tollefson.

Resolution No. 17833

Rejecting the bid of Pacific Improvement Co. for the purchase of Parcel No. D-18 A at 920 Center St.

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

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

Resolution No. 17834

Authorizing the proper officers to execute an owner participation agreement and restrictive covenant to Pinckney & Peckenpaugh for property located at 2909 So. M St.

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

Mr. Maffin, Director of Urban Renewal, pointed out that this is an owner participation agreement with Pinckney and Peckenpaugh. It is proposed that the City sell 50 feet and purchase 25 feet in order to square the property lines. This agreement does not, however, convey title to the land for either party.

The Resolution was passed by voice vote.

Ayes 7; Bott, Finnigan, Herrmann, Johnson, Murtland, Price and Mayor Tollefson. Nays 1; Cvitanich; Absent 1, Haley.

Resolution No. 17835

Authorizing the proper officers of the City to execute a local improvement assessment deed to Clarence Stohr for unimproved property located at the N. W. corner of So. 76th and Yakima Avenue.

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

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

Resolution No. 17836

Awarding contract to Lige Dickson Co. for W. O. 59348 & Improv. 4746 on its bid of \$41,871.02 including sales tax which is determined to be the lowest and best bid.

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

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

FIRST READING OF ORDINANCES:

Ordinance No. 17581

Authorizing the condemnation of property lying generally between So. 76th and So. 78th Sts. and extending southerly from Fife St. for public streets and related purposes.

The Ordinance was placed in order of final reading.

Ordinance No. 17582

Amending Chapter 5.08 of the Official Code relating to requirements for Mobile Restaurants. ¹⁹⁴
₂₂₃

The Ordinance was placed in order of final reading.

Ordinance No. 17583

Vacating So. 43rd St. from the west line of Ferry to a point 100 feet ²⁰⁰
west. (petition of Southcenter Corporation) ₂₂₃

The Ordinance was placed in order of final reading.

Ordinance No. 17584

Vacating a portion of Whitman St. from northerly line of Westgate Blvd. to a point approx. 560 feet north. (petition of Skyline Presbyterian Church) ²¹⁴ ²⁰⁰

The Ordinance was placed in order of final reading.

Ordinance No. 17585

Amending Chapter 13.06 of the Official Code of the City by adding a new section 13.06.065-35 to include property between Warner & Alder St. extended from City limits to a point approx. 380 feet south of So. 76th St. (petition of R. S. Scott & G. M. Betts) ²⁰⁰ ²²⁴

Mayor Tollefson said, attached to the ordinance is a petition with 97 signatures protesting the proposed rezoning for the trailer park. He stated the hearing was held last week, but inasmuch as there are a number of people present, there may be questions that the Council would like to raise. Mayor Tollefson said there was some question raised concerning FHA financing. He asked if there was any information available concerning the matter.

Mr. Rowlands said the Planning staff compared the requirements of the City with the requirements of FHA for mobile homes. In several instances the FHA standards surpass the City's standards, but most significant are the requirements for interior street improvements and off-street parking. He added, the FHA made some changes in their requirements in 1962 and, perhaps, changes will be made in the City's requirements. The FHA officers said it would be difficult for them to predetermine the exact condition of a mobile home park until it is completed, consequently, they cannot tell in advance what effect a particular type of mobile home park may have on the adjoining properties.

Mr. Johnson asked who would bear the cost of improving Montgomery and Lawrence Streets if it becomes necessary as a result of traffic generated by the mobile park.

Mr. Buehler stated if the property owners wished the street improved he thought that an L I D would have to be created at the expense of the adjacent property owners.

Mr. Cvitanich asked if Mr. Rowlands had a report from the real estate board as to the number of vacancies in the surrounding area.

Mr. Rowlands said he did not have that information available, but would have it for the next meeting.

Mayor Tollefson said in viewing the area he noted the ridge is a natural barrier with the flume line running parallel to it. Therefore, in his opinion, Mr. Bett's property south of the flume line right-of-way is a reasonable request as it is adjacent to an existing mobile home park located in the County, but that Mr. Scott's property north of the flume line right-of-way is not good zoning. He thought the natural barrier would assist the City Council in determining the proper rezoning.

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Mayor Tollefson said if there were any questions regarding the zoning they should be brought out at this time because next week the Council will be voting on the Ordinance.

Mrs. Price explained that the Planning Commission has held several hearings and made field trips to the area and also the departments were contacted for their recommendations on this rezoning before the Planning Commission recommended unanimous approval by those present for this rezoning.

Mr. Johnson said, after viewing the property he recognizes they have almost a dead-end situation with the children playing in the streets. He thought it was the opinion of the residents, if the trailer court were to go in, that the character of the area would change, however, any new development would bring about a change. He added, there has been a substantial upgrading of mobile home courts to the point where they are now as beautiful as a residential area. Before too long he thought there will be changes in that neighborhood whether it be trailers or private homes.

Mr. Murtland agreed that the ridge is a natural barrier, however, he disagreed on the point that it should be a dividing line where the Council should make a decision to split the petition. He said the Council has to determine whether or not this mobile home park will be offensive to the neighborhood. He thought this rezoning was proper planning. As far as traffic was concerned he did not think it would be any different than if private homes were built.

Mr. Finnigan said he has confidence in the plan submitted by the petitioners for the mobile home park and as long as the City has control this will be developed into an area that will have some pride. The Council is as concerned with the present residents as well as developing additional land within the City. He added, the City has safeguards in all areas so there will be no hasty, unwise decisions.

Mr. Haley arriving at 5:00 P. M.

Mrs. Price asked Mr. Thompson, attorney for the petitioners, if he had a plan of the proposed mobile home park.

Mr. Thompson said he did not, but would try to come up with something for the next meeting.

Mayor Tollefson asked if the petitioners had a binding agreement between themselves whereby sewers in both areas will be connected.

Mr. Thompson said there is an oral understanding between the petitioners.

No one else wishing to speak, the ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 17562 (Motion to reconsider was made at the meeting of March 24, 199 1964) 222

Amending Chapter 13.06 of the Official Code of the City by adding a new section 13.06.130-25 to include property on the N. E. corner of So. 96th and Park Ave. in a "C-2" Commercial District. (petition of John Havlina & Leno Boni)

Mr. Erickson, attorney representing the petitioner, stated Harry Millage who expects to open a cleaning shop at this location is present today to answer any questions that the City Council might want to ask regarding the cleaning establishment.

Mayor Tollefson said this is a matter for the City Council to decide as to whether or not this constitutes proper zoning to an area.

Mrs. Price explained that this type of establishment requires a "C-2" instead of a "C-1" district. She noted the petitioner has placed a covenant restricting the property so there would not be any business put in the area to which the surrounding property owners would object, such as a tavern, pizza parlor, etc. She thought the property owners were better protected with this type of business at this site with the "C-2" zone with a covenant than the "C-1" district.

Mrs. Sales, a member of the audience, said they were not objecting to the cleaning establishment but did object to the changing of the zone from a "C-1" to a C-2" district.

Dr. Havlina, the petitioner, stated they are willing to place any restrictions on the property agreeable to the surrounding property owners in order to have a cleaning establishment. He stated he would sign a covenant barring himself from all "C-2" uses except a dry cleaning establishment.

Mayor Tollefson suggested that Dr. Havlina prepare an instrument enumerating those items set forth in a "C-2" District that are objectionable to the property owners and present it to the City Council at the time of the passage of the Ordinance.

Dr. Havlina said he would have such an instrument prepared.

Mr. Bott then moved to postpone the Ordinance until April 14, 1964.

Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

Ordinance No. 17574 . . . (Postponed from the meeting of March 31, 1964)

Approving and confirming the assessment roll for L I D 2341 for grading and oil mat surface on So. 75th between Yakima and So. I Street. 215
222

Mr. Rickert, owner of the property at the S. E. corner of South 75th and "I" Street, said the grade level of the street is not to the satisfaction of all of the property owners, and he felt the City should look into the matter as the street level does not correspond to the property.

Mr. Schuster, Director of Public Works, explained the project to the City Council. He said if "I" Street where Mr. Rickert's property is located had been lowered there would have been additional expense. He said problems in establishing the grade were encountered because the property had been filled on one side of South 75th but was lower on the other side, therefore, the grade level was set to accommodate both sides of the street. He added, when "I" Street is improved the City will lower the intersection of "I" St. and 75th St. approximately a foot, then it will fit in with Mr. Rickert's property more readily.

Mayor Tollefson said he had viewed the area with Mr. Schuster, and it appears the grade level was set to accommodate both sides of the street, however, the improvement did not include "I" Street.

Mr. Murtland said since his return to the City he had not had the opportunity to view the property and would like to do so before he voted on the ordinance.

Mr. Murtland then moved to postpone the Ordinance for one week, until April 14, 1964. Seconded by Mr. Johnson. Voice vote taken. Motion carried.

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.

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. 17580

Amending Ordinance No. 17417 by deleting permanent paving on No. Bennett St. from No. 33rd South 250 feet from L I D 4731.

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was declared passed by the Chairman.

REPORTS:

Management Audit and Survey for 1963--by Knight, Vale & Gregory.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. City Planning Dept. report for the month of March 1964.
- b. 1963 Fleet Accident report from Personnel Dept.

COMMENTS:

Mr. Rowlands said there will be a meeting held with the State Highway Commission in the Council chambers on Friday at 2:00 P. M. and invited the Council members to attend.

Mr. Rowlands distributed a communication to the Council members from the Washington State Pollution Control Commission regarding the sewage treatment plant.


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Mr. Murtland stated inasmuch as the Association of Washington Cities²²⁵ Convention is to be held in Spokane on Wednesday, May 13, 1964, he wondered if the Council meeting should be held on Monday instead of Tuesday so as to allow travel time to Spokane. He asked Mr. McCormick, City Attorney, the length of time needed to change the meeting date.

Mr. McCormick stated it should be announced at least a week ahead of time.

Following a discussion, Mrs. Price moved that the Council meeting be held on Monday, May 11th, 1964 at 4:00 P. M. instead of Tuesday, May 12, 1964.

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



Mayor of the City Council

Attest 
City Clerk