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COUNCIL CHAMBER, 7:40 P. M.

Monday, January 4, 1954.

Council met in regular session. Present 9; Battin, Bratrud, Goering, Hooker, Humiston, Jensen, Perdue, Stojack, Tollefson. Absent 0.

It was moved by Col. Hooker that the minutes of the previous meeting, copies of which had been mailed by the Clerk to each Councilman, be approved and the reading thereof be dispensed with. Motion seconded by Dr. Humiston and carried on roll call: Ayes 9; Nays 0; Absent 0.

RESOLUTIONS:

Resolution No. 13832.

By STOJACK:

Accepting and approving the Replat of Caton's First Addition to the City of Tacoma (from North 27th Street projected to North 30th Street and between Shirley Street and Highland Street).

Adopted on roll call January 4, 1954.
Ayes 9; Nays 0; Absent 0.

Resolution No. 13833.

By PERDUE:

Fixing the maximum rate of speed for vehicular traffic on Marine View Drive between East 11th Street and the Junction with High Line Road (properly known as Julia Gulch Road) at 35 miles per hour.

Adopted on roll call January 4, 1954.
Ayes 9; Nays 0; Absent 0.

Resolution No. 13834.

By JENSEN:

Authorizing and directing payment to employees of Light Division, Department of Public Utilities, for vacation to which they were entitled during the year 1953 in the amounts set forth after the name of such employee, in order to prevent an injustice. Moved by Dr. Battin to postpone action on Resolution No. 13834 for one week. Seconded by Dr. Humiston and carried unanimously on voice vote.

Resolution No. 13835.

By STOJACK:

Fixing February 8th, 1954 as the date for hearing on petition to vacate the westerly 10 feet of Skyline Drive adjoining Lot 1, Block 8, Edw. P. Miller's Country Club Estates First Addition to Tacoma.

Adopted on roll call January 4, 1954.
Ayes 9; Nays 0; Absent 0.

FIRST READING OF ORDINANCES:

Ordinance No. 14966

Authorizing and directing the proper officers of the City of Tacoma to execute and deliver a supplemental agreement between the City of Tacoma and the Oregon-Washington Railroad and Navigation Company and Union Pacific Railroad Company, its

lessee, which agreement amends Section 8 of the agreement entered into pursuant to the authority of Ordinance No. 14875 of the City of Tacoma. Read by title and placed in order of final reading.

Ordinance No. 14967.

Relating to and establishing the positions of the various departments of the City government; fixing the compensation to be paid the officers and employees of said departments; repealing Ordinance No. 14681 and ordinances amendatory thereof; providing that the provisions of this ordinance shall become operative as of January 1, 1954; authorizing preliminary negotiation of agreements between representatives of the employees of the Public Utilities Department and the City upon the basis that the salaries and wages of certain of said employees be paid at the rates specified in any such agreements consummated with the approval of the Council and be effective as of January 1, 1954; and declaring an emergency making necessary the passage of this ordinance and the taking effect of the same immediately after publication. Read by title and placed in order of final reading.

Ordinance No. 14968.

Authorizing the employment of Public Administration Service of Chicago, Illinois, to supplement the work of the Personnel Department in reviewing the present classification plan, the making of a salary survey and to recommend rules and regulations for the administration, adoption and amendment of a position classification plan and a compensation plan; setting forth the conditions and terms of such employment; appropriating the sum of \$6000.00 from the General Fund for the payment of the cost thereof; and declaring an emergency making necessary the passage of this ordinance, the appropriation herein authorized and the taking effect hereof immediately after publication. Read by title and placed in order of final reading.

Ordinance No. 14969.

Authorizing the making of alterations, repairs and improvements to the City Hall, necessary for the relocating of the departments within the City government to their new quarter made available by the move of the Department of Public Utilities from the City Hall, and to pay the cost of such relocation; and appropriating the sum of \$6,000, or so much thereof as may be necessary, from Cumulative Reserve Fund A to pay the cost thereof. Read by title and placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 14953.

Repealing Ordinance No. 13159 entitled: "An ordinance creating in the treasury of the City of Tacoma a special fund to be known and designated as "Public Works Revolving Fund" for the operation of Public Works shops, asphalt plant, gravel pit and Local Improvement District Engineering; directing that all assets, liabilities and operating accounts belonging to said activities heretofore operated under special accounts in the General Fund, be transferred to said Public Works Revolving Fund, said transfer to be effective as of August 1, 1947; and authorizing a temporary loan in the sum of \$30,000.00 from the General Fund to said Public Works Revolving Fund." Read in full and passed.

Roll call: Ayes 9; Nays 0; Absent 0.

Ordinance No. 14954.

Creating and establishing in the treasury of the City of Tacoma a special fund, pursuant to Chapter 38, 1953 Laws of Washington, to be known as "Cumulative Reserve Fund for Capital Outlay for Municipal Purposes"; specifying the purposes in general terms

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for which said fund is created; directing that the moneys budgeted annually for the purposes for which the fund is created, as well as any funds otherwise made available for said fund, be transferred to and held in said special fund; directing that all moneys credited to said fund be expended solely for the purposes for which said fund is created. Read in full and passed.

Roll call: Ayes 9; Nays 0; Absent 0.

Ordinance No. 14955.

Creating and establishing in the treasury of the City of Tacoma a special fund, pursuant to Chapter 38, 1953 Laws of Washington, to be known as "Cumulative Reserve for Maintenance, Alterations and Repairs for Municipal Purposes"; specifying in general terms the purposes for which said fund is created; directing that the moneys budgeted annually for the purposes for which the fund is created, as well as any funds otherwise available for said Fund, be transferred to and held in said special fund; directing that all moneys credited to said fund be expended solely for the purposes for which said fund is created. Read in full and passed.

Roll call: Ayes 9; Nays 0; Absent 0.

Ordinance No. 14956.

Repealing Ordinance No. 12636 entitled: "An ordinance creating in the Treasury of the City of Tacoma a special fund to be known and designated as "Municipal Shops Revolving Fund" for the operation of the Municipal Shops; and directing that all assets, liabilities and operating accounts belonging to said shops, heretofore operated under a special account in the General Fund, be transferred to said Municipal Shops Revolving Fund, said transfer to be effective as of January 1, 1945." Read in full and passed.

Roll call: Ayes 9; Nays 0; Absent 0.

Ordinance No. 14957.

Amending Ordinance No. 14793 entitled: "An ordinance to regulate the location and use of buildings and the use of land within the City of Tacoma; to limit the height of buildings; to prescribe building areas and lines, and the size of yards and other open spaces; and for these purposes to divide the City into districts; and repealing Ordinances Nos. 12703, 9389 and 9598 and all amendments thereto." by adding thereto two new sections to be known as Section 8C and Section 12B. (Section 8C- C-1 Commercial District South 10th and L and both sides of South K at South 9th; Sec. 12B- M-1 Light Industrial District located between South 28th and 29th from Lawrence to Cedar). Read by title. It was moved by Col. Hooker, seconded by Mr. Jensen to suspend rule 9, and carried unanimously on voice vote. The ordinance was then passed without having been read in full.

Roll call: Ayes 9; Nays 0; Absent 0.

Ordinance No. 14958.

Authorizing and directing the City Attorney of the City of Tacoma to purchase and/or institute and prosecute an action in the Superior Court of the State of Washington for Pierce County under the right of eminent domain for the condemnation and acquisition in fee simple of certain tracts or parcels of land for the purpose of providing a drainage ditch and culvert in connection with Bantz Boulevard, said property being situated in Highland Park Addition to Tacoma, W. T.; and for the condemnation and/or acquisition of the right of access and/or the right of ingress or egress to and from and across said Bantz Boulevard, now vested in the owner of the property contiguous to Bantz Boulevard as established, said rights of access being situated in Section 1, Township 20 North, Range East W. M.; and appropriating from the City Street Fund the sum of \$1,500.00, or so much thereof as may be necessary, for said purpose. Read by title. It was moved by Mr. Jensen

suspend rule 9. Motion seconded by Mr. Perdue and carried unanimously on voice vote. Ordinance was then passed without having been read in full.

Call: Ayes 9; Nays 0; Absent 0.

The following Ordinances Nos. 14959 to 14965, approving and confirming assessment rolls, were brought up for final reading at this time.

It was moved by Mr. Perdue, seconded by Mr. Stojack to suspend the rules and consider Ordinances Nos. 14959 to 14965 at one time, and carried unanimously.

Moved by Dr. Humiston, seconded by Col. Hooker to suspend Rule 9 regarding reading in full of Ordinances Nos. 14959 to 14965, and carried unanimously.

The following Ordinances were then read by title and roll was called for passage of same at the conclusion:

Ordinance No. 14959.

Approving and confirming the assessment and assessment roll for the cost of improvement in Local Improvement District No. 1818;

Ordinance No. 14960

Approving and confirming the assessment and assessment roll for the cost of improvement in Local Improvement District No. 1899;

Ordinance No. 14961.

Approving and confirming the assessment and assessment roll for the cost of improvement in Local Improvement District No. 2173;

Ordinance No. 14962

Approving and confirming the assessment and assessment roll for the cost of improvement in Local Improvement District No. 2175;

Ordinance No. 14963.

Approving and confirming the assessment and assessment roll for the cost of improvement in Local Improvement District No. 2176;

Ordinance No. 14964.

Approving and confirming the assessment and assessment roll for the cost of improvement in Local Improvement District No. 2177;

Ordinance No. 14965.

Approving and confirming the assessment and assessment roll for the cost of improvement in Local Improvement District No. 4517.

Call on the passage of Ordinances Nos. 14959 to 14965 inc. Ayes 9; Nays 0; Absent 0.

FINISHED BUSINESS:

Mr. Backstrom reported on the progress on the improvement of South 12th Street from Proctor to Orchard, and stated that the City would not be able to provide its

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amounting to \$90,000 from the funds they originally thought would be available for its purpose. However in another week or two they will be able to review the 1954 Budget to ascertain where they can obtain the necessary funds for this project, and he promised to the Council informed on the progress made.

The matter of financing the Metropolitan Park District was considered at this time. Mr. Backstrom asked Clarence Gaisford, Director of Finance, to give a financial report on the Park District. The report showed that the cash balance after all commitments for improvements, outstanding warrants, etc are taken care of, would be approximately \$1,182. 00. Mr. Gaisford stated that \$27,000 is needed immediately for park operation in January and an average of \$30,000 to \$35,000 will be needed for the following three months. Mr. Backstrom asked the Council if they wished to have an ordinance prepared to take care of this loan. Mr. Bratrud pointed out that there had been a "gentleman's agreement" that the City would loan the money to the park district to cover the operating costs until the millage election in March, and he moved that the City Council instruct the City Manager to have the proper ordinance prepared to satisfy the needs of the Park District for the next 90 days. Motion seconded by Mr. Stojack and carried on the call: Ayes 9; Nays 0; Absent 0.

This being the date fixed by the City Council on the appeal of the Safeway Stores Inc. (12-7-53) from the decision of the City Planning Commission in denying their petition for the rezoning of the North 26th and Stevens Area, the matter was taken up at this time.

Mayor Tollefson gave a brief summary of the procedure to be followed in a hearing of this nature and he then relinquished his seat to Mrs. Goering, acting mayor, as he was to attend a Civil Defense meeting at 9 P. M.

Mr. Clifford Langhorne, Attorney for Safeway Stores, spoke at length on behalf of his client's petition for rezoning. He pointed out that this is an ideal location for a large store, and it would improve the area and increase the value of the adjacent property. He told of plans for the new building and submitted a proposed plot plan and a proposed elevation plan of the recommended store. He explained that the building and property would cost approximately half a million dollars and the store would employ 60 persons at an annual salary of \$250,000, and would provide off-street parking for at least 133 cars, which would reduce traffic hazards in the area.

Mr. Robert Goldberg, owner of the proposed site, described conditions in this locality, where the two gasoline stations and the small home-owned grocery are not permitted to remodel or enlarge because of zoning regulations, even though they do not comply with sanitary codes. This is a natural business area he contended, and should not be allowed to become a twilight or slum area because of zoning laws.

Mrs. A. F. Mayes, owner of property on the Southwest corner of North 26th and Stevens, also spoke in favor of the rezoning, stating she felt that the construction of a new Safeway Store at this location would greatly benefit their property. Several other interested property owners also spoke in favor of the petition.

Mr. Stan Burkey, attorney for Mr. V. A. Schwarz of 4307 North 27th and Attorney George Marsico, spoke in opposition to the rezoning of this area.

Mr. Kenneth Wilcox, Chief Planning Engineer for the City, spoke against the proposed rezoning. He reported on the petition filed by the Safeway Stores Inc. favoring the rezoning, and stated that of the 1500 signatures approximately 1300 were north end residents and the balance were from the south end of the city, out of the city, etc. A zoning reclassification for this company would create a potential demand for rezonings for other shopping centers in this locality, and would duplicate centers already in operation on North Pearl Street and North Proctor Street, he contended. He claimed that abutting streets in the area would have to be improved, ie North 26th Street, although it has been widened, has a low grade pavement, which would have to be raised; North Stevens Street would have to be widened & curbed and North 27th Street and Mason Street would require grading, paving and curbing. The establishment of one store the size of the proposed Safeway store would be a large traffic generator and would create a traffic problem in a predominantly residential neighborhood, he added. The Planning Commission has recommended that the petition of Safeway Stores Inc. be denied because the reclassification request is not in the best interest of the general public and for the reason the primary shopping area is strictly a limited convenience area.

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Mr. Bratrud asked Mr. Wilcox what percentage of the property owners within a radius of 400 feet were in favor of the rezoning and what percentage were opposed to it. Mr. Wilcox replied that Block 22, which comprises the site to be rezoned, represented 10% of the area of the survey, and that a total of 65.4% of the 400 foot survey area were in favor of proposed store, while 34.6% were against it.

Several persons living in the area spoke against the proposed store, and many questions were asked of the representatives of Safeway and the City Planning Department. Dr. Morrison raised the question as to what would be the outcome of any L. I. D'S which might be started in the area and asked to have the City Manager ascertain from the Public Works Department the costs of an L I D for sewers, streets, etc. in this area.

Mr. Langhorne asked for additional time to answer statements contained in the letter addressed to the City Manager from Mr. Wilcox, which had been presented at this meeting.

In concluding the hearing, Mrs. Goering said that it was the consensus of the Council-members that no decision would be made at this meeting, and that the matter will again be brought up at the next Council meeting on January 11, 1954.

Upon motion, duly seconded and carried, Council then adjourned at 10:50 P. M.

H. M. TOLLEFSON

President of City Council

Attest:

Josephine Melton
City Clerk.