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CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, November 14th, 1967

Council met in regular session. Present on roll call 8: Bott, Finnigan, Herrmann, Johnson, Murtland, Price and Mayor Tollefson. Absent 1: Cvitanich, Cvitanich arriving at 4:30 P. M.

Mr. Haley moved that the minutes of the meeting of October 31, 1967 be approved and submitted. Seconded by Mr. Johnson. Voice vote taken. Motion carried.

HEARINGS & APPEALS

a. This is the date set for hearing on the request of Salvatore A. Giusti for rezoning of the N. E. corner of East 72nd and East K from an "R-2" to an "R-1" District.

Mr. Wiley, Assistant Director of Planning, explained that the applicant has requested this reclassification to allow for construction of a dental office. The Planning Commission's approval was given with the understanding that East K Street be graded, ballasted and surfaced with an oil mat to the full width and that no vehicular access be provided off East 72nd Street frontage. He added, a letter has been submitted by Dr. Giusti stating these improvements would be made.

No one appearing and no protests being made, Mr. Finnigan moved to concur in the recommendation of the Planning Commission to approve the rezone and that an ordinance be drafted approving same. Seconded by Mr. Johnson. Voice vote taken. Motion carried.

b. This is the date set for hearing for the vacation of the alley located between Cushman Ave. and Sawyer St. from So. 28th to a point approximately 183 feet south thereof, petitioned by Caballero's Club.

Mr. Wiley explained that the applicants own property on both sides of the alley and this vacation would consolidate the site and allow for additional off street parking. The vacation will also eliminate the right-of-way which is unimproved and extends over a steep bluff.

No protests being made, Mr. Finnigan moved to concur in the recommendation of the Planning Commission to approve the vacation and that an ordinance be drafted approving same. Seconded by Mrs. Price. Voice vote taken. Motion carried.

c. This is the date set for hearing for the vacation of So. Houghton Way between So. 42nd & 43rd Streets, petitioned by Realbon Corporation, et al.

No protests being made, Mrs. Price moved to concur in the recommendation of the Planning Commission to approve the vacation and that an ordinance be drafted approving same. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

PETITION:

Petition submitted by L. Ray Scott requesting rezoning of property on the N.E. corner of So. 23rd and Sheridan Ave. from an "R-3" to a "C-2" District.

Referred to the Planning Commission.

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RESOLUTIONS:

Resolution No. 19433

Authorizing the execution of a supplemental agreement with Seifern, Forbes and Berry, Architect Engineers, for the design and supervision of construction projects at the Tacoma Industrial Airport.

Mr. Haley moved that the resolution be adopted. Seconded by Mrs. Price.

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

Resolution No. 19434

Authorizing the proper officers to fill the temporary training positions which are necessary for the proper construction and completion of the three Urban Renewal Projects.

Mrs. Price 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. 19435

Accepting a sealed bid for the purchase of real property within the Center St. Urban Renewal Project Wash. R-1.

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

Mr. Richmond, Urban Renewal Director, explained after the sale of this property to Bargreen-Ellingson, Inc. there will be four City-owned parcels left in the Center Street project. Out of the four, three parcels have potential buyers, he added.

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

Resolution No. 19436

Awarding contract to Lige Dickson Company on its bid of \$25,292.81 for L I D 3657.

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

Mr. Rowlands explained that the written figure in the specification for manholes was in error, it was written one-hundred and eight dollars, instead of one-hundred and eighty. Since the numerical unit price figure was accurate, the adjusted bid figure is \$25,292.81. This is still the low bid by a considerable margin, he added.

Mr. Rowlands asked that this figure be substituted in the resolution.

Mayor Tollefson stated he knew this was an obvious error, and asked Mr. McCormick, City Attorney, if this can legally be corrected.

Mr. McCormick, pointed out, if Mr. Dickson elected to withdraw his bid, the lowest bid would be \$28,662.36.

Mayor Tollefson said, in lieu of the law with regard to errors of this nature, would entertain a motion to accept an amendment to the bid.

Mr. Johnson moved that since \$25,292.81 is still the lowest and best bid for the City, that the error in the resolution be corrected. Seconded by Mr. Murland. Aye vote taken. Motion carried.

Mr. Johnson moved to accept the amended resolution. Seconded by Mrs. Price. Aye vote taken. Motion carried.

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

Resolution No. 19437

Certifying that the City of Tacoma has exhausted all available legal procedures for demolition of certain structures by owners before governmental action to demolish them.

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

Mr. Rowlands explained this resolution is a necessary procedural step for payments to be made to the City by the Federal government.

Mr. Schuster, Public Works Director, explained this request is to the Federal government for reimbursement of costs involved in the demolition of buildings in the downtown area deemed dangerous as a result of the 1965 earthquake.

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

Resolution No. 19438

Authorizing the execution of agreements between the City of Tacoma and the Urban Arterial Board for Project No. 1128-1 thru 6.

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

Mr. Rowlands explained this resolution would qualify the City for State financial assistance, under the urban arterial program, which would take care of six major street improvement projects. He added, that 90% of the funds would come from the gas tax and 10% from the general fund.

Mayor Tollefson remarked, if the City does not match the funds, it will not receive any money. He mentioned that this is the portion of the legislative bill reflecting the support of the Legislature which would give the cities the same type of gas tax money for the building of the streets inside the cities, as the State itself has for building its highways. The bill was amended to this particular extent with review boards, etc., but he had been of the opinion that a City the size of Tacoma would know where to plan its streets.

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

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Resolution No. 19439

Authorizing a temporary loan in the sum of \$100,000.00 from the General Fund to the Urban Arterial Street Fund.

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

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

Resolution No. 19440

Authorizing the release of an easement by the Light Division at Villa Plaza which was previously granted for overhead distribution and service wires.

Mr. Haley moved that the resolution be adopted. Seconded by Mrs. Price.

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

Resolution No. 19441

Authorizing the purchase of property on So. 96th St. and Barnes Lane from the City of Omaha. Money for the sum of \$5,750.00 for the construction of a new substation.

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

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

Resolution No. 19442

Fixing Monday December 11, 1967 at 4 P. M. as the date for hearing on L I D for water mains in East 59th from East K to M; East 60th from East K to L; East L from East 58th to East 61st Street.

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

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

Resolution No. 19443

Authorizing a temporary loan in the sum of \$481,125 from the L I D Guaranty Fund to the General Fund and transferring said sum to the Urban Arterial Street Fund.

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

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

Mr. Johnson moved to suspend the Rules to take up Resolution No. 19444 which does not appear on the agenda. Seconded by Mrs. Price. Voice vote taken. Motion carried.

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Resolution No. 19444

Appointing Ronald E. Thompson to the Board of Adjustment expiring on Sept. 30, 1970 and Robert E. Moriarty to the Board of Adjustment expiring Sept. 30, 1971

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

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

FIRST READING OF ORDINANCES:

Ordinance No. 18428

Amending Sec. 2.02 020 and repealing and re-enacting Section 2 02.430 of the Official code relative to up-dating the sprinkling section of the Uniform Building Code.

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Mr. Rowlands remarked, this matter relative to the cost of meters, was discussed during the past week and also what would be involved in installing meters as far as sprinkler systems are concerned. The staff is also carrying out the Council's suggestion of re-evaluating the portion of the code in connection with the older buildings, and a report will be made to the Council as soon as possible.

James Reiser, Fire Chief, explained, there is a new State law relative to fire prevention, and he suggested that he submit a request for an ordinance relative to incorporating the State regulations in the City Fire Code.

Chief Reiser also suggested that an ordinance be prepared to include that the pre-existing nursing homes, rest homes and hospitals, etc. have sprinkling systems without exception. He said this ordinance relates only to new nursing homes, rest homes, etc.

The ordinance was placed in order of final reading.

Mr. Finnigan commended the Water Dept. and Fire Dept. for their close cooperation in obtaining a more efficient fire prevention system.

Ordinance No. 18429

Establishing an Urban Arterial Street Fund to conform to Chapter 83 of the Extra Ordinary Session Laws of 1967.

The ordinance was placed in order of final reading.

Ordinance No. 18430

Appropriating the sum of \$3,000 or so much as may be necessary from the General Fund for the purpose of paying salaries for Youth Corps employees.

Mr. Rowlands informed the Council that funds for the Youth Corps employees were made available from Congress through the middle of December, 1967, and it is indicated that Congress will act favorably on this matter.

Mr. McCormick, City Attorney, then suggested that the ordinance be stricken from the agenda.

Mr. Bott moved that Ordinance No. 18430 be stricken from the agenda, and that the minutes reflect the passing of this ordinance will not be necessary. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

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Ordinance No. 18431

Vacating East B Street between East 86th and 88th Street extended. (petition Tacoma School District #10-Larchmont School)

The ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 18426

Vacating all of Durango Street between So. 29th & 30th Street. (petition Services Investment Company)

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. 18427

Amending Chapter 13.06 of the official code by adding a new section 13.06.055-5 to include property on both sides of Durango St. between So. 29th & 30th Streets. (petition of Services Investment Company)

UNFINISHED BUSINESS:

The Director of Public Works presents the following assessments for hearing:

a. L I D 4802 for paving on No. 14th from Alder to Cedar; alley between Tacoma Ave. & G; 6th Ave. to So. 7th; alley between I & J and So. 19th to 21st and other alleys.

b. L I D 6875 for street lighting on So. 17th at alley between J & K; Grandview from Wright Ave. to 900 feet south & other nearby streets.

Mr. Haley moved that Monday, Dec. 11, 1967 at 4 P. M. be set as the date for hearing on the above assessment rolls. Seconded by Mrs. Price. Voice vote taken. Motion carried.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. State Auditor's report for the Sewer Utility Division-Dept. of Public Works for Jan. 1, 1966 to Dec. 31, 1966.
- b. Tacoma Employees Retirement System report for Oct. 1967.
- c. City Planning report for the month of October 1967.

COMMENTS:

Mr. Rowlands distributed a communication from Mr. Schuster, Director of Public Works, relative to the Urban Arterial Program which outlines the program in detail.

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Mr. Rowlands remarked that he was proud to announce that the employees of the City of Tacoma received one of the outstanding awards for exceeding their UGN allocation this year. He thanked Mr. Bond, Public Information office, for his efforts in helping City departments exceed their quotas.

Mr. Rowlands announced a Conference on Community Planning to be held at the Sherwood Inn in the Guild Hall, Friday, Nov. 17, 1967 at 8:45 A. M. It is being sponsored by the Pacific Lutheran University. Many outstanding speakers in this field are on the program. The purpose of this seminar is to discuss what has been done in other areas, and what should be done in the Puget Sound Region. He asked if any of the Council members would like to attend his office would make reservations for them. 203

Mr. Rowlands explained that the Public Works Dept. has been checking with the State Highway Dept. in regard to the Freeway from the Puyallup River Bridge to the King County line. It is understood that additional lanes are planned to the Freeway in that area. The design is being worked out and they hope to have it completed by the middle of 1968. 211

Mr. Rowlands submitted MC-504 relative to Drive-Ins, which was requested by the Council. ✓

Mr. Rowlands submitted MC-505, Progress on Bantz Freeway which is a tentative schedule for the City Council's information. 211

Mr. Finnigan, Mr. Cvitanich, Mr. Murtland, Mr. Johnson and Mr. Bott commended the outgoing Councilmen and wished them well.

Mrs. Price reiterated the accomplishments and improvements that have been made in her nine and one-half years on the City Council, stating she has been very proud to be a part of these programs and wished to express her thanks to the employees of the City and the City Council for these rewarding years.

Mr. Richmond, Urban Renewal Director, explained that the property on Fawcett Ave. next to the new Fire Dept. headquarters, was sold earlier this year to the First Baptist Church on its bid of \$48,000. At that time there was an oral understanding with the persons who represented the Baptist Church that there would be a payment in lieu of taxes made to the City. Under State law a retirement home is exempt from paying real property taxes. However, in the process of applying for a loan from the Federal government they found that HUD would not condone the offer made to the City.

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Mr. Richmond introduced Mr. E. D. Oldham, HUD's Seattle based senior citizen housing chief for Northwest States to explain the situation.

Mr. Oldham explained that HUD's chief interest is in keeping rents down to the middle income persons. If a payment had to be made in lieu of taxes, the retirement home might have to raise the rents in order to bring in sufficient income to pay back the HUD loan. He added, that HUD takes this position because of the law that exempts such retirement homes from being taxed. He said it was also possible that a taxpayer might sue the developer and the City on the grounds that the lieu of taxes payment was below the amount which would have to be paid if actual taxes applied.

Mr. Oldham stated that HUD has agreed tentatively to grant the Baptist Church a year loan, repayable at a 3% interest.

Mr. Oldham continued, if the City insisted on receiving payments in lieu of taxes, HUD could not loan money for development of the retirement home on the proposed site.

Mayor Tollefson explained that the City Council had to decide whether it should lease the property and sell it to a user who would have to pay taxes or accept this proposal offered by the purchasers to make payments of \$25,000 to the City in lieu of taxes.

Dr. Herrmann said he felt at the time this was a very gracious gesture on the part of the purchasers, in offering a sum of money to the City in lieu of taxes, and not a condition of the sale. He felt the Council should not forget the human element involved.

Mr. Cvitanich asked what percentage in Pierce County is tax exempt. He added, the last figure that was reported was 46%. He felt that too much property was not being taxed in Pierce County and Tacoma, and suggested delaying this decision, pending a further study.

Mr. Murtland asked Mr. Richmond for a report on this particular piece of property, regarding the costs.

Mr. Bott felt more information on the question should be forthcoming before any decision was made on this matter. He felt the retirement home developers might locate elsewhere.

Mr. Harald Bergerson, Executive Director, of the Housing Authority, explained the rent structure of the lower income group in the Housing Authority's property.

Mr. Finnigan felt that the benefits received by the people who are to live in this home would certainly outway the problem of any taxes. He stated, the tax exempt problem is a State law.

Mr. Johnson felt no change should be made in the situation.

Mr. Johnson moved that the City reaffirm its former approval of the sale of the property, whether or not it receives any payment in lieu of real property tax. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

Mr. Rowlands expressed his appreciation to the outgoing Councilmen for their efforts, courtesies and cooperation.

Mayor Tollefson stated, he had held the position of Mayor for the past five and one-half years and he has been proud and honored to serve as Tacoma's Mayor. The City business is a big business and it is a living thing, a viable thing. It changes constantly because of the people that are in it. Government business never ends as everything you build today will be too small tomorrow. He reminded the Council that when they plan for the future, give some margin to growth.

Mayor Tollefson felt the results of the last vote indicated that the people of the City may like to review the City's Charter. If he had been elected he felt he would have requested a resolution for a freeholder's meeting. There are many things in the Charter which need review. Many State laws have been passed. At a freeholder's meeting there would be ample opportunity to review and discuss such matters in view of the public and press. Then when a recommendation was made by these freeholders the people in due course would have an opportunity to vote on it. He suggested to the Council that they give full consideration to this aspect of City business

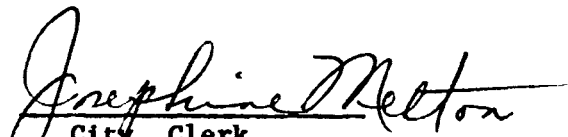
Dr. Herrmann presented plaques to Mayor Tollefson, Mr. Haley and Mrs. Price in appreciation of their membership on the Tacoma City Council. Mayor Tollefson thanked Dr. Herrmann in behalf of all three recipients.

Mr. Newhouse, representing the City employees thanked Mayor Tollefson, Mr. Haley and Mrs. Price for their services on the Council.

Mr. Beckman, a citizen of Tacoma, complimented Mayor Tollefson and Mr. Howlands for their leadership as top officials in NLC and ICMA as they brought national recognition of the City of Tacoma to the entire United States.

There being no further business to come before the Council, upon motion duly seconded and passed the meeting adjourned at 6:30 P. M.


Mayor Tollefson

Attest: 
City Clerk