

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, August 8, 1967

Council met in regular session. Present on roll call 6: Cvitanich, Finnigan, Haley, Herrmann, Johnson and Murtland. Absent 3: Bott, Price and Mayor Tollefson.

In the absence of Mayor Tollefson, Deputy Mayor Herrmann presided.

Mr. Murtland moved that the minutes of the meetings of July 18th and July 25th be approved as submitted. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

HEARINGS & APPEALS:

a. This is the date set for hearing for the vacation of East B in the vicinity of East 86th to 88th Street, petition of the Tacoma School District #10.

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

b. This is the date set for hearing for the vacation of the west side of Jackson Ave. at No. 23rd St. , petition of Roy Quinn, et al.

No protests being made, Mr. Haley 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. Finnigan. Voice vote taken. Motion carried.

c. The City Planning Commission recommending denial of the petition of James P. Healy et al for the rezoning of the west side of Pine St. between So. 45th & So. 47th Sts. from an "R-3" to an "R-3-T" District.

An appeal has been filed by James P. Healy and the suggested date for hearing is Sept. 10, 1967.

Mr. Murtland moved that Sept. 10, 1967 be set as the date of hearing. Seconded by Mr. Haley. Voice vote taken. Motion carried.

d. The City Planning Commission recommending denial of the petition of Hokold Inc. for the rezoning of So. 61st & Ainsworth from an "R-2" to an "R-3-PRD" Dist.

Last day to file an appeal was July 31, 1967 and no appeal has been filed.

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

PETITION:

Petition submitted by Fred Roberson requesting rezoning of property on the west side of Fife St. between No. 21st & No. 23rd from an "R-2" & "R-3" to an "R-4-L" District.

Referred to the Planning Commission.

COMMUNICATION:

Communication from the Civil Service Bd. advising they have approved amendments to Sec. 1, 24, 420 C & 780 of the Civil Service Personnel Rules and are requesting the City Council to amend Sec. 1, 06, 470 of the official code as per communication submitted.

Mr. Johnson moved that an ordinance be drafted incorporating the above recommendations. Seconded by Mr. Haley. Voice vote taken. Motion carried.

RESOLUTIONS:

Resolution No. 19286

Fixing Tuesday, August 22, 1967 at 4:00 P. M. as the date for hearing for the rezoning of the area bounded by Orchard, Huson, So. 30th & So. 32nd St. extended. (petition of Gregory & Taylor)

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

The Resolution was passed unanimously by voice vote.
Ayes 6; Nays 0; Absent 3, Bott, Price and Mayor Tollefson.

Resolution No. 19287

Fixing Tuesday, August 22, 1967 at 4:00 P. M. as the date for hearing for the rezoning of the S. W. corner of So. 84th St. Freeway Offramp and Hosmer St. (petition of Victor L. Lyon)

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

The Resolution was passed unanimously by voice vote.
Ayes 6; Nays 0; Absent 3, Bott, Price and Mayor Tollefson.

Resolution No. 19388

Fixing Tuesday, Sept. 5, 1967 at 4:00 P. M. as the date for hearing for the vacation of the north side of East 34th St. between East M & N Sts. (petition of Tacoma School Dist. #10. -Rogers School)

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

The Resolution was passed unanimously by voice vote.
Ayes 6; Nays 0; Absent 3, Bott, Price and Mayor Tollefson.

Resolution No. 19289

Fixing Tuesday Sept. 5, 1967 at 4:00 P. M. as the date for hearing for the vacation of the west side of Jefferson Ave. between So. 23rd & So. 25th Sts. (petition of Dept. of Public Works)

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

The Resolution was passed unanimously by voice vote. Ayes 6; Nays 0; Absent 3; Bott, Price and Mayor Tollefson.

Resolution No. 19290

Awarding contract to Simon Junk Co. for the sale of scrap and brass for the total sum of \$1,653.50.

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

The Resolution was passed unanimously by voice vote. Ayes 6; Nays 0; Absent 3; Bott, Price and Mayor Tollefson.

Resolution No. 19291

Awarding contract to Tucci & Sons, Inc. on its bid of \$291,380.07 for Improv. No. 3120-P-2 Unit B.

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

The Resolution was passed unanimously by voice vote. Ayes 6; Nays 0; Absent 3; Bott, Price and Mayor Tollefson.

Resolution No. 19292

Awarding contract to Rogers Construction Co. on its bid of \$34,778.27 for L I D 3639 and 3655.

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

The Resolution was passed unanimously by voice vote. Ayes 6; Nays 0; Absent 3; Bott, Price and Mayor Tollefson.

Resolution No. 19293

Awarding contract to G. Carmack on its bid of \$966.10 for one solo Cycle and that items 2 and 3 be rejected and readvertised.

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

The Resolution was passed unanimously by voice vote. Ayes 6; Nays 0; Absent 3; Bott, Price and Mayor Tollefson.

Resolution No. 19294

Awarding contract to the American Rubber Mfg. Co. for the furnishing of the annual supply of fire hose on its bid of \$7,189.00 plus \$100.00 for freight charges.

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

The Resolution was passed unanimously by voice vote.
Ayes 6; Nays 0; Absent 3; Bott, Price and Mayor Tollefson.

Resolution No. 19295

Appropriating the sum of \$5,000 or so much as may be necessary from the General Fund for the purpose of paying the costs of remodeling and expanding the training division area of the Tacoma Police Dept.

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

The Resolution was passed unanimously by voice vote.
Ayes 6; Nays 0; Absent 3; Bott, Price and Mayor Tollefson.

Resolution No. 19296

Authorizing the proper officers of the City to enter into an agreement with the Pacific N. W. Bell Telephone Co. whereby the time-of-day facilities of the telephone company will be recorded on all radio communications recordings made by the Fire Dept.

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

The Resolution was passed unanimously by voice vote.
Ayes 6; Nays 0; Absent 3; Bott, Price and Mayor Tollefson.

Resolution No. 19297

Authorizing the transfer of the south 6 feet of land abutting the north line of So. 19th St. and the east line of Meyers St. owned by the Water Division to the Public Works Dept. for street purposes.

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

The Resolution was passed unanimously by voice vote.
Ayes 6; Nays 0; Absent 3; Bott, Price and Mayor Tollefson.

Resolution No. 19298

Authorizing the proper officers of the City to purchase a 100 foot piece of land two miles east of Federal Way in King Co., for the development of reservoir storage.

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

The Resolution was passed unanimously by voice vote.
Ayes 6; Nays 0; Absent 3; Bott, Price and Mayor Tollefson.

Resolution No. 19299

Authorizing the execution of an agreement with the State Highway Commission whereby the State agrees to reimburse the City for certain State constructed sewer line repair and restoration and maintenance of roadway surfaces on Sprague Ave. from So. 38th to So. Tacoma Way.

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

The Resolution was passed unanimously by voice vote.
Ayes 6; Nays 0; Absent 3; Bott, Price and Mayor Tollefson.

Resolution No. 19300

Authorizing the proper officers to execute and deliver to the Metropolitan Park Dist. a local improvement assessment deed for the sum of \$1,585.73, for vacant land located on East Morton between Portland Ave. & East R Street.

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

The Resolution was passed unanimously by voice vote.
Ayes 6; Nays 0; Absent 3; Bott, Price and Mayor Tollefson.

Resolution No. 19301

Authorizing the proper officers of the City to convey a quit claim deed to Pierce County for street purposes in the area of 144th St. East and 134th Ave. East.

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

The Resolution was passed unanimously by voice vote.
Ayes 6; Nays 0; Absent 3; Bott, Price and Mayor Tollefson.

Resolution No. 19302

Authorizing the proper officers to execute and deliver to the Metropolitan Park Dist. a local improvement assessment deed for property located at No. 33rd and Madison Ave. for the sum of \$113.11.

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

The Resolution was passed unanimously by voice vote.
Ayes 6; Nays 0; Absent 3; Bott, Price and Mayor Tollefson.

Resolution No. 19303

Authorizing the proper officers to execute and deliver to George T. & Mary M. Byers a local improvement assessment deed for the sum of \$2,783.10 for property located at 2134 So. G Street.

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

The Resolution was passed unanimously by voice vote.
Ayes 6; Nays 0; Absent 3; Bott, Price and Mayor Tollefson.

Resolution No. 19304

Authorizing the proper officers of the City to execute an easement for and on behalf of the City for sewer purposes on East L St. between Ea. 38th & 40th Streets.

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

The Resolution was passed unanimously by voice vote.
Ayes 6; Nays 0; Absent 3; Bott, Price and Mayor Tollefson.

Resolution No. 19305

Authorizing the proper officers of the City to execute a superseding agreement relative to a fixed-base operator with TideAir, Inc.

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

Mr. Rowlands suggested that this resolution be postponed for at least two weeks so that meetings can be held in regard to a legal problem.

Mr. Haley moved that this resolution be set over until Tuesday, Aug. 22, 1967. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

Mr. Haley moved to suspend the Rules so that Resolution No. 19306 could be considered. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

Resolution No. 19306

Authorizing the filing of an application with the Dept. of Housing and Urban Development for an open-space grant in the Ruston Waterfront Development and rescinding Resolution No. 19237.

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

Mr. Rowlands explained that this resolution is relative to the City's request from the Dept. of Housing and Urban Development, to acquire fee simple interest to 15 acres in the Ruston Waterfront Development, which is to be held and used for permanent open-space land for Park, Recreation and Conservation of Natural beauty. The cost of acquiring said interest will be \$152,000 instead of \$150,000. The application for a grant was changed from \$75,000 to \$76,000. It was suggested that a change be made to read, instead of the proper officers, that the title "City Manager" be inserted in the body of the resolution.

The Resolution was passed unanimously by voice vote.
Ayes 6; Nays 0; Absent 3; Bott, Price and Mayor Tollefson.

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FIRST READING OF ORDINANCES:

Ordinance No. 18360

Vacating the alley east of Mullen St. between So. 49th & So. 50th St. extended. (petition of Lawrence A. Musick)

The ordinance was placed in order of final reading.

Ordinance No. 18361

Amending Title 9 of the official code of the City by adding a new chapter 9.17 whereby abutting property owners will be responsible for injuries and damages arising out of defective and dangerous conditions relative to sidewalks etc.

Mr. Rowlands stated this matter was discussed several weeks ago. Mr. Rowlands asked Mr. McCormick, City Attorney, to explain a recent Supreme Court ruling on the matter.

Mr. McCormick explained this ordinance which would make property owners, instead of the city, liable for injuries caused by defective sidewalks or obstructions in the right-of-way, has been discussed many times, particularly in connection with the insurance committee. He noted an increasing number of claims have been filed against the City.

The Supreme Court decision brought out that the property owners have a right to improve the area between the curb and the property line, as long as this area had not been dedicated as a public highway. However, in this ordinance the property owner can escape liability for defective sidewalks, by giving the City notice.

Mr. Russ Meade, residing at 2519 No. Lawrence, said that the sidewalk in front of his residence is separating from the curb and is in a dangerous condition. He said he is now reporting this to the City Council according to the requirements of the ordinance.

Mr. Rowlands said he would have the Public Works staff check into the matter.

The ordinance was placed in order of final reading.

Ordinance No. 18362

Amending Title 11 of the official code of the City to include new regulations governing motorcycles.

The ordinance was placed in order of final reading.

Ordinance No. 18363

Vacating East 55th St. and the alley immediately south between Portland Ave. and East N St. (petition of Hillcrest Investment Co.)

The ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 18355

Amending Chapter 13.06 of the official code of the City by adding two new sections 13.06.045-7 & 120-52 to include the area on the east side of Union Ave. between So. 18th & 19th Sts. in an "R-2-T" & "C-1" District. (petition of the Puget Sound National Bank)

Roll call was taken on the ordinance, resulting as follows:

Ayes 6; Nays 0; Absent 3; Bott, Price and Mayor Tollefson.
The Ordinance was declared passed by the Chairman.

Ordinance No. 18356

Vacating all of the alley lying between So. I and So. J Sts. from Center to So. 28th Street. (petition of the Urban Renewal Dept.)

Roll call was taken on the ordinance, resulting as follows:

Ayes 5; Nays 1, Cvitanich; Absent 3; Bott, Price and Mayor Tollefson.
The Ordinance was declared passed by the Chairman.

Ordinance No. 18357

Providing for the improvement of L I D 3664 for sanitary sewers in No. 41st from Baltimore to Orchard and in Lexington from No. 49th to No. 51st Street.

Roll call was taken on the ordinance, resulting as follows:

Ayes 6; Nays 0; Absent 3; Bott, Price and Mayor Tollefson.
The Ordinance was declared passed by the Chairman.

Ordinance No. 18358

Providing for the improvement of L I D 5442 for water mains in Mullen St. from So. 56th to So. 62nd Street.

Roll call was taken on the ordinance, resulting as follows:

Ayes 6; Nays 0; Absent 3; Bott, Price and Mayor Tollefson.
The Ordinance was declared passed by the Chairman.

Ordinance No. 18359

Providing for the improvement of L I D 5443 for water mains in Shirley, Baltimore and Villard Streets from No. 35th to No. 38th; No. 38th from Baltimore to Orchard Street.

Roll call was taken on the ordinance, resulting as follows:

Ayes 6; Nays 0; Absent 3; Bott, Price and Mayor Tollefson.
The Ordinance was declared passed by the Chairman.

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REPORTS:

MC-493 Report on European Trip.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Report from the Fire Dept. for the month of June 1967.
- b. Report from the Personnel Dept. for the month of June 1967.
- c. Report from the Finance Director for the month of June 1967.
- d. Annual report for 1966 - Traffic Engineering.
- e. Report from the Water, Light and Belt Line Division for June 1967.

COMMENTS:

Mr. Finnigan advised the Council that a meeting is to be held Wednesday at 10:00 A. M., Aug. 9th, 1967 in Seattle in regard to moving Firlands Sanatorium patients from Seattle to Mt. View General Hospital in Tacoma. He noted that the King County residents were not in favor of the move, even though Dr. Bucove, State Director of Health, had ruled in favor of the move. He felt representatives of Tacoma should be at the hearing.

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Mr. Rowlands reminded the Council that the first band concert would be held in Wright Park on Sunday, Aug. 13, 1967 at 2:00 P. M.

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Mr. Rowlands stated that a number of bus benches have been made available at bus stops and a report should be submitted next week.

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61-148

Mr. Rowlands asked that the Council members be present at a study session at noon on Monday, Aug. 14th, 1967 as he wished to review phases of the Six-Year Capital Improvement Program.

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62-128

Mr. Rowlands stated there have been a number of inquiries concerning the Fire Station at 9th and A Sts. wishing to utilize the building for one purpose or another. A report has been submitted by Mr. Schuster, Public Works Director, and it would take approximately \$142,000 to have the building meet the building code requirements.

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62-310

Deputy Mayor Herrmann said he was proud to wear his Tacoma badge when he attended the National League of Cities convention in Boston. He noted the one outstanding memory was that people always mentioned what a fine job Mayor Tollefson had done the past year, in the position as President of the National League of Cities.

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Mrs. Virginia Shackelford, executive director of the Hilltop Citizens Association, suggested several grass-roots programs Tacoma could coordinate in the area.

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61-17

Mr. Rowlands stated a study is being developed in cooperation with private industry relative to some of the suggestions.

Mr. Johnson moved that Mayor Tollefson, Mrs. Price and Mr. Bott be excused from this meeting. Seconded by Mr. Haley. 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 5:10 P. M.


Mayor of the City Council

Atteston 
City Clerk