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City Council Chambers, 4:00 P.M.
Monday, May 9, 1960

The City Council met in regular session. Present on roll call 7: Bott, Cvitanich, Easterday, Murtland, Price, Steele and Mayor Hanson. Absent 2, Perdue and Porter. Mr. Perdue and Mr. Porter coming in at 4:10 P.M.

Mr. Easterday moved that the minutes of April 25, 1960 be approved as amended. Seconded by Mr. Murtland. Voice vote on the motion resulted as follows: Ayes 7; Nays 0; Absent 2, Perdue and Porter.

Mr. Murtland asked that a correction be made on the minutes of May 2nd on the first page of the last line by changing the word "could" to "would."

Mr. Steele pointed out a typographical error on page 20 on the fourth paragraph from the bottom of the page where Mr. John P. Piper's name appears which was spelled "Pier" instead of "Piper."

Mr. Cvitanich asked that his remark be inserted in the minutes on page 10 whereby he asked that "roll be taken on Resolution No. 16124.

It was moved by Mr. Steele that the minutes be amended to make these corrections. Seconded by Mr. Murtland. Voice vote was taken on the motion, resulting as follows: Ayes 7; Nays 0; Absent 2, Perdue and Porter.

Mr. Steele then moved that the minutes of May 2nd be approved as corrected. Seconded by Mr. Murtland. Voice vote was taken, resulting as follows: Ayes 7; Nays 0; Absent 2, Perdue and Porter.

HEARINGS AND APPEALS:

This is the date set for hearing on the Assessment Roll for the improvement of Work Order No. 7707-A, for the construction, reconstruction and repair of sidewalks curbs and gutters along driveways and across sidewalks in various parts of the City.

No one appearing at the hearing, Mayor Hanson asked that the proper Ordinance be drawn approving and confirming the Assessment Roll for Work Order No. 7707-A for presentation at next week's Council meeting. 185
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Mr. Perdue and Mr. Porter coming in at this time.

COMMUNICATIONS:

Communication from James Walker, legal owner of the property on either side of 6th Avenue running east from Jackson Street, in reference to the action taken by the Council denying the vacation of this area. 111
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The communication was read in full by the City Clerk. *****

Mr. Rowlands explained that he had several photographs which were taken of the area, which shows that this triangular piece of property affects the 100 foot right of way. does not

Mr. Buehler, City Planner, stated that this triangular tract of land at the S. E. corner of 6th and Jackson was included in the vacation petition which was denied by the City Council at last week's meeting.

Mr. Rowlands said that the Public Works Department acquired this property several years ago and has no further use for it at the present time.

***** The communication requested that this portion of the petition be reconsidered.

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Mr. Bott then moved to reconsider the motion denying the vacation of 6th Avenue and the east side of Jackson Street. Motion seconded by Mr. Easterday.

Mr. McCormick, City Attorney, said he thought the City Council should move to reconsider the motion denying the entire petition and a new motion made to approve any or all of the vacation, inasmuch as it was all presented to the Council in one petition.

Mr. Buehler explained that according to the State Law notices must be posted 21 days before the date of hearing and also that the abutting property owners would have to be notified in the same manner as was followed in the original petition.

Mr. McCormick thought it would be safer to proceed in this manner.

Mayor Hanson said that in the original petition the Council had the power to grant the whole or any part of the petition and at the time of the hearing, they could have approved this small section. Therefore, he could see no reason why they had to give additional notice inasmuch as they are merely reconsidering action that had been taken at last week's meeting.

Mr. Porter thought the first action should be to reconsider the petition. Then, a motion be made to eliminate from the petition the portion of Jackson and the 10 foot right of way on 6th Avenue leaving only the triangular strip on 6th and Jackson. Action then should be taken to consider the triangular piece of property.

Mr. Porter moved to reconsider the action taken at last week's meeting to deny the petition of William Brasier for the vacation of a portion of 6th Avenue and Jackson Street. Motion seconded by Mr. Easterday and carried on a voice vote: Ayes 9; Nays 0; Absent 0.

Mr. Bott then moved that the Council sustain their action in denying the vacation of a 10' strip on both sides of 6th Avenue and a 10' strip on the east side of Jackson between 6th Avenue and Olympic Blvd. Seconded by Mr. Easterday and carried on voice vote: Ayes 8; Nays 0; Absent 0.

Mr. Murtland moved that final consideration be continued for two weeks until May 23rd on the balance of the petition. Seconded by Mr. Perdue. Voice vote on the motion resulted as follows: Ayes 9; Nays 0; Absent 0.

RESOLUTIONS:

Resolution No. 16095 . (Postponed from the meeting of May 2, 1960)

BY REQUEST OF CVITANICH:

Adopting the rules for the government of the City Council and rescinding Resolution No. 15608, adopted January 19, 1959, and all amendments thereto.

It was moved by Mr. Bott that the Resolution be adopted. Seconded by Mr. Easterday.

Mr. Murtland asked if this will be the last opportunity for discussion on this Resolution. If so, he said, he wished to talk against the Resolution. He said he felt the afternoon meetings have been adequate for the people who wish to attend and he understands that statistics show that more people have attended the meeting at this hour than when the Council met in the evenings. He said, he did not feel that sufficient reasons have been given by some Council members to change the time of the meetings.

Mr. Cvitanich explained he was willing to change the time from Monday to Tuesday to conform with Mr. Murtland's request inasmuch as it interfered with his teaching class. He said his philosophy in requesting this change was to provide

those people who are working, an opportunity to appear before the Council to protest an L I D or other questions they desire. He said it would be difficult to ask an employer for a half a day off and lose a half a day's wages just in order to come to the Council meetings to protest improvements.

Mr. Perdue said in most cases the people who are employed can get to the meeting in time to be heard on their particular matter before it is discussed. He said they have found that if they go home it is very difficult for them to get back for the meeting at 7:00 P.M. He explained when this matter was discussed a year ago, a letter was received from the Central Labor Council asking the City Council to keep the 4:00 P.M. time.

Mr. Cvitanich said if there were such a letter he was not aware of it nor had he seen it.

Mayor Hanson explained, as he recalled, there was no action taken recommending one time or another.

Mr. Porter said that they had a precedent for their type of change, if the Council recalls two years ago the meeting was at 7:30 P.M. rather than in the afternoon. After they were elected and took office, the time was changed to 4:00 P.M. He said he recalled that a letter had been received from one of the members of the Central Labor Council advising he personally had no objections to the time being changed.

Mr. Bott said when the Council members ran for office they knew at that time when the Council met. He said he did not think it was fair to keep the audience to the last of the meeting, if they came to discuss one particular item.

Mr. Bott said with respect to Mr. Murland and Mr. Perdue's request, both of whom teach school, it was decided to postpone action on the Resolution until after school was dismissed. He also stated that he thought Mr. Perdue should refrain from voting on this Resolution inasmuch as he will not be affected by the Resolution.

Mr. Perdue said that by changing this Resolution, it will not affect him either way. He said it is purely a question as to which is the better time for the people. It has been his experience that more people have been in attendance at the 4:00 o'clock meetings than at the 7:00 P.M. sessions. He said he was of the opinion that for the Public's sake the afternoon meetings were better.

Mr. Bott said it also should be taken into consideration that by having the meetings at 7:00 P.M. Tuesdays, it will afford the Council one additional day to study the agendas and become more familiar with what is being considered.

Mr. Steele said he believed the conversation as to when the Council should meet overlooks the prime reason for the Council meeting which is to transact the business of the City.

He said the Council members were not present for personal pleasures or desires but for the purpose of considering and transacting the business relating to the City of Tacoma. He added that experience has shown that 4:00 P.M. is the better time and "Council should continue with that time." There should be a continuity of meeting time with reference to the business to be transacted by the City.

He stated that no item is put on the agenda that has not been considered by some department, Board or Commission before it is presented to the Council and there is ample time for anyone to be aware of what is to come before the Council.

Mr. Cvitanich referred to Mr. Steele's remark whereby he said that the Council meets to transact the business of the City. Mr. Cvitanich asked what is the business of the City, if it is not the people. He said it was not the Council, but it was the people that they represent, and he believed the Council should not lose sight of this fact.

Mr. Perdue said when the Council meets in the afternoon the City offices are open and it is a lot easier to obtain any information that should be needed.

As it is now, all of the City Departments are represented at the afternoon meetings. If the evening meetings are held it requires the heads of the various departments to return; it also is more difficult to obtain information at the evening meetings because the various offices are closed.

Mr. Cvitanich said that Mr. Perdue spoke of open offices, people come here with complaints and get no satisfaction even though the offices are open. They get just as much satisfaction when they are closed, he added.

Mayor Hanson advised that it is clearly a matter of opinion as to which is the better time for the Council meetings.

Mr. Rowlands explained that the Staff has always tried to answer the questions of the public. The City is a service organization and he said it is their duty to do this. He said he was proud of the way the various departments have tried to serve the Public.

Mayor Hanson advised that he was also conscious of the effort the departments have given to serving the public. Even though there are times when the public is not satisfied with the answers given, they want the answer that they want, and do not feel satisfied until they get it and therefore do not feel they are receiving service.

Mayor Hanson said he was satisfied that efforts are being made, and added, that there is always room for improvement which is a continuous thing for any business.

Mr. Porter said he felt that after experiencing both night and daytime meetings, he felt that the evening meetings were better. He also said that he thought it was better to have more time to study and investigate any item coming before the Council on the agenda.

He asked if this change in the meeting date is approved, will it become effective immediately or with the first meeting in June so as to allow a change in the Planning Commission and the L I D Meeting.

Mr. McCormick advised that the Resolution becomes effective immediately with reference to keeping the names from the Resolutions except for special requests, but the meeting time will take effect the first meeting in June.

Mr. Bott advised that statistics show that more people are available for attendance at the evening meetings and if the Public is interested enough they would be able to attend the evening meetings. He added that he believed the Council members would make themselves available for the evening meetings.

Mayor Hanson said he believed that from the Public standpoint the evening meetings would be better.

Mrs. Price stated that she would be in attendance whether the meetings were in the afternoon or the evening. She added that many times the meetings last quite late and she did not feel it was fair to the Public to make them stay through the dinner hour just to be present for a particular subject in which they were interested.

Mayor Hanson called for a roll call vote on the Resolution as amended, resulting as follows:

Ayes 5; Nays 4, Murtland, Perdue, Price (Passing) and Steele.
The Resolution was then declared adopted by the Chairman.

Resolution No. 16125: (postponed from the meeting of May 2, 1960)

BY BOTT:

Adopting the Generalized Land Use Plan as a part of the Comprehensive Plan of the City of Tacoma.

Mr. Bott said this was postponed from last week and inasmuch as they had not had an opportunity to study the plan, he felt that more time was desired.

Mr. Bott then moved that the Resolution be postponed for two weeks to May 23, 1960. Seconded by Mr. Easterday. Voice vote on the motion resulted as follows: Ayes 9; Nays 0; Absent 0.

Resolution No. 16131:

Fixing Monday, June 6, 1960 at 4:00 P.M. as the date for hearing on the vacation of the N. W. Corner of So. 19th and Prospect Streets. (Petition of Jardeen Brothers, et al)

It was moved by Mr. Easterday that the Resolution be adopted. Seconded by Mr. Perdue. 193

Mr. Porter said inasmuch as the Council meeting time has been change now this Resolution should be amended changing the hearing date to Tuesday, June 7th at 7:00 P.M. instead of Monday, June 6th at 4:00 P.M.

Mr. Perdue then moved that Resolution No. 16131 be amended for the hearing to be held on Tuesday June 7th at 7:00 P.M. instead of Monday, June 6th at 4:00 P.M. Motion seconded by Mr. Easterday. Voice vote was taken on the motion resulting as follows: Ayes 9; Nays 0; Absent 0.

Voice vote was then taken on the Resolution, as amended, resulting as follows:

Ayes 9 Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16132:

Awarding contract to Jensen's Toggery for furnishing 374 pair trousers on their bid of \$2,535.72 and Phil Brodsky for 396 grey shirst and 238 white shirts for \$1,380.50 plus tax which bids are determined to be the lowest and best bids.

It was moved by Mr. Perdue that the Resolution be adopted. Seconded by Mr. Bott.

Voice vote was taken on the Resolution, resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16133:

Awarding contract to DeSoto Chemical Coatings, Inc., for the furnishing of 1,000 gallons of pre-mixed white traffic paint and beads on their bid of \$3,256.00 plus sales tax.

It was moved by Mr. Perdue that the Resolution be adopted. Seconded by Mrs. Price.

Voice vote was taken on the Resolution, resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16134:

Awarding contract to George Madsen Co. for L I D 4661 in the amount of \$18,845.98 which is determined to be the lowest and best bid.

It was moved by Mr. Easterday that the Resolution be adopted. Seconded by Mr. Murtland.

Mr. Rowlands explained this is the first bid that has been received for some time, which was over the Engineer's estimate. This bid is over the estimate by approximately \$300.00, but it was felt the bid was close enough to warrant making the award.

Voice vote was then taken on the Resolution resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16135:

Authorizing the proper officers of the City to sell at private sale property located at 2805 North Washington Street to Evelyn Stannard, as Executrix of the Estates of Henry D. and Adelaide Keune, for the sum of \$139.60.

It was moved by Mr. Easterday that the Resolution be adopted. Seconded by Mr. Perdue.

Mr. Rowlands explained that the City will recover all costs plus a service charge of \$100.00.

Mr. Bott asked if this was property that the City had received from non-payment of taxes.

Mr. Rowlands said this was a normal private sale and the City has no particular need for the property.

Mr. Murtland asked if this were a vacant lot?

Mr. McCormick, City Attorney, advised that according to information received from the City Treasurer, the City acquired title by a foreclosure deed in 1959. He explained that the attorney, representing Mrs. Stannard, the Executrix of the estates of Henry and Adelaide Keune, advised the City Treasurer that they desired to have the property deeded back to the estate inasmuch as the property was originally a part of their homestead which they had for many years.

He said it was foreclosed and sold without their knowledge and they are now willing to pay the total cost of the assessments.

Mayor Hanson advised that the City acquired the title to this land by virtue of the fact that through their inadvertence the L I D Assessment had not been paid.

Mr. Bott asked if there was a specified time in which the former owner could repossess their property after it has been foreclosed by L I D Assessments.

Mr. McCormick said they have two years in which to claim back their property.

Mayor Hanson explained that the City acquired this property because of their failure to pay a \$39.60 assessment.

Voice vote was taken on the Resolution resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16136:

Authorizing the proper officers of the City to execute Permit No. 88241 of the Northern Pacific Railway Company permitting the installation of storm and sanitary sewer pipe lines across the railroad right-of-way in the area of Wakefield Drive near Yakima Avenue and J Streets.

It was moved by Mr. Easterday that the Resolution be adopted. Seconded by Mr. Cvitanich.

Mr. Rowlands said that this Resolution replaces the present agreement with a non-revocable agreement as every six months they have had to renew this agreement. This will expedite the City's program without having to bring it up every six months.

Mr. Cvitanich said that in the Urban Renewal discussion the question was raised as to who owned the railroad right-of-way, and, he added, this has not been determined. He said he understood that the Urban Renewal Project is in the area where these sewers will be installed.

Mr. Rowlands advised that no definite conclusion has been reached on this subject.

Mr. Buehler stated that they have been working on this problem and it possibly will have to go to Court to get a ruling on that particular angle.

Voice vote was then taken on the Resolution, resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16137:

Consenting to the establishment of limited access on a portion of Primary State Highway No. 1 in the vicinity of the Puyallup River to the east City limits.

It was moved by Mr. Perdue that the Resolution be adopted. Seconded by Mr. Cvitanich.

Mr. Rowlands said this Resolution was in connection with the right-of-way needed to construct a new bridge over the Puyallup River. He added that the State Highway Department is at a stand-still as far as the big Pacific Avenue Interchange is concerned and has elected to proceed with the plans to eliminate the bottleneck created by the bridge crossing the Puyallup River. This Resolution will allow the City to pick up a small amount of right-of-way in order that the City and State can proceed with the construction of the bridge.

Mayor Hanson said they have been working on this matter for some time hoping to proceed with the bridge sooner. He said they had received very fine cooperation from every department in the State in regard to this matter.

Voice vote was taken on the Resolution, resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Mr. Rowlands explained that there were two Resolutions which did not appear on the agenda which should be considered at today's meeting. It was moved by Mr. Bott that the Council rules be suspended in order to consider Resolutions Nos. 16138 and 16139 at this time. Seconded by Mr. Perdue. Voice vote on the motion resulted as follows: Ayes 9; Nays 0; Absent 0.

Resolution No. 16138:

Authorizing the proper officers of the City to execute a written agreement giving and granting Woodworth & Co. a revocable right and privilege to enter upon a portion of the City owned gravel pit for the purpose of erecting a screening plant.

Mr. Easterday moved that the Resolution be adopted. Seconded by Mr. Porter.

Mr. Bott asked that the entire Resolution be read which was done at this time.

Mr. Rowlands advised that from the standpoint of time these Resolutions were not ready to be placed on the agenda Friday. He added that time was of the essence and that they desired to have this Resolution passed today.

Mr. Schuster explained that Woodworth and Co. has the contract for the paving of the Tacoma Freeway from So. 72nd to approximately M Street. Part of the contract requires the placing of top soil on the divided areas and some of the slopes adjacent to the Freeway.

He stated that the owners of the property on either side of the City's gravel pit have authorized Woodworth & Co. to use their top soil. He said this top soil is from 3 to 5 feet deep and contains some gravel over three-fourths inches, which will be given to the City in exchange for the top soil. Woodworth & Co. has until approximately November 1st to complete this work, he added, and they desire to get the plant set up so that the top soil will be ready to use as soon as it is needed. The gravel which is screened from the topsoil is to be used primarily for bedding for the sewer transmission lines.

Mr. Porter asked if they are going to remove all of the top soil.

Mr. Schuster advised that they would only remove the top soil from an area of approximately 300 feet by 375 feet.

Mr. Steele said he thought this would be an advantageous agreement for the City.

Voice vote on the Resolution, resulted as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16139:

BY REQUEST OF CVITANICH

Authorizing the Legal Department to study and report to the City Council the various legal problems and requirements in connection with the legality or possibility of the replacement of said Meter Maids with regular police officers or with physically handicapped persons.

It was moved by Mr. Cvitanich that the Resolution be adopted. Seconded by Mr. Easterday.

Mr. Steele said he was not willing to concede that there were many legal issues and problems caused by the employment of Meter maids and the policing of traffic in downtown Tacoma. However, he was willing to concede that there is probably an area wherein the Personnel Department might inform the Council on the performance by the Meter Maids, or as to the availability of physically handicapped persons. He said he did not believe the Legal Department should be burdened with a study of this matter.

Mr. Cvitanich explained there was a United States Supreme Court decision on its way from Washington D. C. regarding the legality of the matter and he would be glad to show it to Mr. Steele if he so desired.

Mr. Cvitanich said he would like to submit amendments to three sections in the Resolution changing the three paragraphs as follows:

The third "Whereas" would read: "WHEREAS, the said duties and additional police duties not now being performed by Meter Maids were formerly performed by regular police officers, and when said police officers were reassigned this left the public and the downtown area with little protection."

The fourth "Whereas" would read: "WHEREAS, the Federal Government has urged employment of the physically handicapped by industry and public governmental municipalities when such handicapped person can perform the required duties."

The fifth "Whereas" would read: "WHEREAS, the Council recognizes that there may be legal issues and problems which should be considered in making the final determination as to whether the policy of hiring Meter Maids in downtown Tacoma should be ^{continued or whether the Meter Maids should be} replaced with regular police officers or with handicapped persons and for that reason this matter should be referred to the Legal Department for study and for a report to the Council."

Mr. Cvitanich moved that the foregoing amendments be made to the Resolution. Seconded by Mr. Easterday. Voice vote resulted as follows: Ayes 9; Nays 0; Absent 0.

Mr. Bott objected to a Resolution being introduced and amended at a Council meeting as the Council members will not have an opportunity to study the Resolution, before hand.

Mayor Hanson explained that he was not clear on several points and asked if deletions or additions were made to the Resolution.

Mr. Cvitanich explained that he was merely changing some of the wording.

Mayor Hanson said as it appears there is certain portions of the original wording of the fifth Whereas retained, but there has been a substantial reorganization of the paragraph.

Mr. Cvitanich advised that was correct, and added there were changes in the Resolution for his own protection.

Mayor Hanson asked Mr. Cvitanich if it would be acceptable to him if this Resolution were set over for one week, so that the Resolution could be redrafted to conform with the amendments.

Mr. Easterday then moved to postpone Resolution No. 16189 until May 16th. Seconded by Mr. Cvitanich. Voice vote: Ayes 9; Nays 0; Absent 0.

Mr. Bott suggested that no Resolution be presented to the Council for immediate action unless it be declared an emergency or unless it be given to the Council members with their agendas previous to the meeting. He said he felt that the Resolutions being presented today, which did not appear on the agenda, were not emergencies as far as he was concerned.

Mayor Hanson said one way to handle that matter would be by not voting to suspend the rules, which would not allow any action to be taken on any item that was not on the agenda.

Mr. Bott said, as a matter of policy the Council members should have the Resolutions and Ordinances so that they can be studied before consideration is given, but, he said, if it is an emergency that is different.

Mayor Hanson said the problem is to determine whether or not there is a true emergency and in doing that it would take quite a lot of discussion and analysis.

Mr. Murtland suggested if a Resolution is an emergency a statement should accompany the Resolution stating the reasons for the emergency. This way the reasons could be in writing rather than a verbal request.

Mr. Bott said each Council member should use their own discretion and not introduce a Resolution or Ordinance that is not an emergency.

Mayor Hanson agreed that would be the best approach, and if the Council feels this approach is abused, they can exercise their powers of voting by not permitting a Resolution to come before the Council.

FIRST READING OF ORDINANCES:

Ordinance No. 16576:

Vacating a portion of Wright Avenue lying south of the Flume line right-of-way and west of the west line of Fife Street extended. (Petition of Ben Etsksen) Read by title and placed in order of final reading.

Ordinance No. 16577:

Amending Chapter 13.06 of the Official Code of the City in reference to zoning by adding a new section known as Section 13.06.130 (7) to include property in the vicinity of South 71st and C Streets. Read by title.

Mr. Rowlands asked Mr. Buehler to give an explanation of the Ordinance.

Mr. Buehler explained that there had been some technical questions relative to the rezoning posed by the Council when this property was originally rezoned. This Ordinance was drawn to clear up any questions as far as the legal processing of the zoning was concerned.

He said the Bowling Alley Proprietor had asked that a 75 foot strip of land to the north of their present location be rezoned, but the Commission denied this portion inasmuch as several people from the area objected to any expansion of the building to the north. This will also include an additional 40 feet that was omitted from the original description of the property. By rezoning this area it will provide a more squared-up and businesslike district for the area.

He said he contacted the Attorney representing the Bowling Alley interests, but he was unable to attend and would be at the Council meeting on the 16th of May, at the final reading of this Ordinance.

Mr. Buehler further added that one of the previous objections on the rezoning was that they had gone around Albertson's Grocery Store and, if this Ordinance is approved, it will be dividing the Store into a C-1 and C-2 District. The meat cutting establishment behind the Drive-In Restaurant is in a "C-2" non-conforming use, and if the Ordinance is passed, this property will be in the correct zone. In the back of the Bowling Alley is a contractor's storage yard which is an "M-1" non-conforming use, he added, and they will still be able to continue with this non-conforming use even after it is zoned in a "C-2" District.

Mr. Dvitanich asked for what purpose is the squaring-up of this area.

Mr. Buehler said it was merely to establish the boundary lines of the zoning and to maintain the proper description; also that it can be tied into the "C-2" zone which had already been established.

In reply to a question by Mr. Easterday, Mr. Buehler explained that an expansion program was contemplated in this area and the zoning is already completed for the expansion area to the south.

Mr. Buehler further added that in order to correct technical errors this piece of property is being rezoned as it was the intent of the original zoning request that the present area be rezoned.

Mrs. Price asked if they expand to the south and use their parking lot as a part of the expansion area, "what will be used for off-street parking purposes?"

Mr. Buehler said they still have sufficient off-street parking, which must be within 200 feet and adjacent to their property and in "not-to-be" rezoned areas.

Mr. George B. Anderson, residing at 232 South 70th, said he believed the original intent of the bowling alley people was to expand their business. He said when they originally circulated the petition requesting this rezoning they assured the residents in the area that there would be no noise, but it has proven to be quite noisy; Mr. Anderson also complained of the debris strewn over the area adjacent to his home.

Mr. W. V. Hunter of 238 South 70th Street, complained of the noise caused by the balls rolling down the alleys at any time during the day or night. He said he could see no reason for the Bowling Alley to expand in any direction.

Mr. Bott explained when he attended the Planning Commission meeting and heard Mr. Hunter complain that he could hear the bowling balls rolling down the alley, he thought it was strange, but upon visiting Mr. Hunter in his home and while sitting in his living room, he found it was actually true as it sounded like Thunder in the distance. He said, now what is being asked is to build on the north side of the building which would bring it closer to Mr. Hunter's home. This, he thought would be unbearable due to the noise.

Mayor Hanson said the Planning Commission has recommended that they not build to the north, but even if they build on the south, it would still be unbearable due to the extra traffic and the strewing of refuse in the parking lot area.

Mr. Perdue asked if the Bowling Alley proprietors had enough property for this expansion and also a sufficient parking area.

Mr. Buehler replied that they had.

Mr. Perdue stated in other words there is nothing that could stop them from building whether this Ordinance were passed or not.

Mr. Buehler advised that was correct. The only question was that some legal technicalities that have never been ruled as far as the Court was concerned, inasmuch as there was some discussion as to the litigation relative to the zoning because of the procedure, but that was finalized. What is being done now is going back and clearing up some of the legal steps.

As the City Council will recall, the petition was denied, then at the following meeting the motion was reconsidered. There had been some discussion as to whether there should have been a hearing after the vote for reconsideration was taken; therefore this is being reconsidered to clear up any question or doubt.

This property is actually zoned at the present time. If this Ordinance is not approved, it will allow the Bowling Alley people to build further to the north because of the error in the legal description of the original Ordinance.

Mr. Perdue then stated that if this Ordinance were not passed it would actually be more detrimental to Mr. Hunter because it would allow an extension to the north end of the Bowling Alley.

Mr. Buehler advised it would be.

Mr. Rowlands stated that if this Ordinance were passed it would remove any doubt as to the zoning.

Mr. Steels stated, he believed the passage of this Ordinance would be favorable to the objectors in the neighborhood because it would cut down the area to the north of the Bowling Alley by 75 feet.

Mr. Bott asked Mr. McCormick if it were possible to preclude the Bowling Alley owners from taking advantage of this Ordinance now by starting to lay the foundation. It is possible to have a first and second reading on this Ordinance as this time, so that the Ordinance could be passed tonight.

Mr. McCormick explained that it would not be possible inasmuch as the Charter provides that there must be a first and final reading on Ordinances with the exception of certain types as set forth, such as L I D's, Assessment Rolls, etc.

Mr. Bott then asked if there was anything in his opinion that would protect the property owners from such an emergency.

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Mr. McCormick said he had not gone into this matter thoroughly since this case was before the Courts, but, he understood that the owners of the Bowling Alley can legally make this expansion even though this Ordinance does not pass.

Mr. Buehler said it was the intent of the Bowling Alley owners not to expand to the north but it was because of these errors made that this Ordinance is being presented. He said he felt they would not get a building permit to build on the north, but for the south which is already zoned.

Mayor Hanson requested that a copy of the original map presented at the time the Ordinance was presented for first reading be submitted with their agendas for next week's meeting along with the present map, etc.

The Ordinance was then placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 16567:

Amending Sections 12.10.060 and 050 of the Official Code of the City and adding two new sections known as 12.10.155 (1) and (2) relating to charges for water service inside and outside the City limits. Read by title

Mr. Cvitanich asked if this involved the County in any way and if Mr. Benedetti had talked to any of the County representatives.

Mr. Benedetti advised that he had not talked to any of the County representatives, but it does involve the County as far as extensions outside the City limits are concerned.

Mr. Benedetti said the provisions are that where extensions are contemplated that the franchise for placing the necessary facilities in the County will be presented to the City by the developers for those individuals who desire the extensions, so there will be no need for the City to secure the franchises for the right in the County. They will be presented with the requests for whatever extensions are desired.

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

Ordinance No. 16568

Amending Section 1.36.010 of the Official Code relating to Collection charge for Unpaid Bank Checks. Read by title and passed.

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

Ordinance No. 16569:

Amending Section 9.08.030 of the Official Code of the City to provide for continuous bonds in place of the stipulation limiting said bonds to a period of one year only. Read by title.

Mr. Bott asked for an explanation of this Ordinance.

Mr. McCormick explained that at the present time there is an Ordinance in effect whereby the abutting property owner can use certain portions underneath

the street whereby the use of it would not interfere with the City. He said it was stipulated in the Ordinance that when the abutting property owner occupies the property they must then file a bond each year which would guarantee non-liability for the city. This would provide a continuous bond instead of applying for one every year.

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

Ordinance No. 16570:

Amending the Official Code of the City in reference to zoning and adding a new section to be known as 13.06.050 (5) to include property on both sides of No. 10th Street adjacent to the N. W. and S. W. corners of No. 10th and Lawrence. (Petition of Adaline Rose Hosfield.) Read by title. 126

Mayor Hanson explained he was handed a letter from James E. O'Hern, protesting the rezoning of Block 7 of Balcom's Addition, because the proposed rezoning would constitute spot rezoning and also because he believes the reclassification would have a serious affect upon the desirability of the neighborhood and property values of the existing dwellings.

Mr. Paul Narrigi residing at 922 No. Lawrence appeared and spoke in opposition to the rezoning of Block 7. He stated he understood the petitioner was actually interested in the rezoning for Block 6 but the application was amended by the City to include Lot 7 also.

He said if Lot 7 were included it would take in a large two-story older home that has been remodeled into a duplex and is adjacent to his property. He said a home of this type did not lend itself to the desirability of the neighborhood.

Mr. Narrigi requested that the Ordinance be amended to exclude Block 7 from the Ordinance.

Mr. Porter asked, when the duplex was converted to a two-family unit and whether or not there was a building permit issued for the construction.

Mr. Buehler advised that it was around 1940 when the Land Use Survey was made. He said prior to 1953 a duplex could be built any place within the City, and in 1953 the boundaries were established for the different zones.

He explained that the reason Block 7 was included in this Ordinance was to make it as a conforming use, inasmuch as the duplex was already constructed.

Mr. Perdue explained that in his opinion there are many expensive homes in this area, and he felt it would be wrong to permit the construction of a duplex even though there is one in the area at the present time.

Mr. Buehler said there has been many requests for duplex construction in this area to accommodate many of the teachers and students attending the University of Puget Sound.

Mrs. Price said she could not see why the Council objected so strenuously to the construction of duplexes as she thought they were badly needed in certain areas.

After further discussion by the Council, it was moved by Mr. Bott that Block 7 be deleted from the Ordinance. Seconded by Mr. Cvitanich. Roll call was taken on the motion resulting as follows: Ayes 5; Nays 4, Murtland, Porter, Price and Steele; Absent 0.

Roll call was then taken on the Ordinance as amended resulting as follows:

Ayes 7; Nays 2, Murtland and Perdue; Absent 0.

Ordinance No. 16571:

126

Amending the Official Code of the City in reference to zoning and adding a new section known as 13.06.120 (14) to include property located on the south side of East 56th Street adjacent to the S. W. corner of East 56th and McKinley Avenue. (Petition of D. W. Weaver) Read by title and passed.

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

Ordinance No. 16572:

126

Amending Chapter 13.06 of the Official Code of the City in reference to zoning by adding a new section known as Section 13.06.180 (3) to include property in the area bounded by McKinley Avenue, East G, East 71st and East 74th Streets in an "M-1" Light Industrial District. (Petition of Russell H. Garrison) Read by title.

Mr. Bott asked if any objections had been received regarding this rezoning. Mr. Buehler advised that one gentleman had objected to the rezoning because he wanted his property included. One other protest had been received from a man living in Spokane. Mr. Buehler advised that his property was one-half to three-fourths of a block away from the area in question.

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

Ordinance No. 16573:

Vacating the southerly 17 feet of So. 3rd Street between South J and South K Streets. (Petition of the Tacoma General Hospital) Read by title.

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Mr. Buehler advised that he wished to have this Ordinance postponed for one week as some of the conditions had not yet been met.

Mr. Easterday moved that Ordinance No. 16573 be postponed for one week. Seconded by Mr. Steele. Voice vote on the motion: Ayes 9; Nays 0; Absent 0.

Ordinance No. 16574:

Authorizing the condemnation of property in the area of the Narrows Bridge approach (Olympic Blvd.) for the purpose of the construction and installation of a sewage treatment plant. Read by title and passed.

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

Ordinance No. 16575:

Authorizing the condemnation of property in the area of South Tyler between So. 64th and 66th Streets, for the establishment of sidewalks, slopes and fills. Read by title and passed.

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

ITEMS FOR FILING IN THE OFFICE OF THE CITY CLERK:

Tacoma Municipal Court report for the month of April 1960.

Report from the Police Department for the year 1959.

Report from the Traffic Division for January, February and March 1960.

Financial statement from the Metropolitan Park District.

COMMENTS:

Mr. Rowlands commented briefly on his recent trip East and the various meetings he had attended. He said that last Wednesday while in Pittsburg, Pa. he had the opportunity to visit the Rockwell Manufacturing Company as a follow-up to a meeting held ten days ago by representatives from Tacoma who were in attendance at an Industrial Development Program sponsored by the Puget Sound Industrial Development Council, and at that time have an opportunity to meet with representatives from the Rockwell Mfg. Co.

Mr. Rowlands explained he had a conference with Mr. W. F. Rockwell who was Chairman of the Board of Directors and Principal stockholder, with the idea of encouraging the Rockwell Mfg. Co. to locate in Tacoma. He said he explained the advantages and areas available. Their nearest plant to this area is at Porterville, California and they manufacture pipes, parking meters and valves, water meters, gas meters, etc.

He explained Mr. Rockwell was a very good friend of Mr. Kaiser who spoke before the Tacoma Rotary Club three or four weeks ago. Mr. Rockwell felt if Mr. Kaiser were interested in the Northwest, their company would also be interested.

Mr. Rowlands also explained that he had the opportunity to talk to the Bonding Companies in regard to the Bonds for the Parking Garages. Both Bonding Companies have expressed a desire that they would be interested if the Bonds were marketable and offered for sale at a later date.

He said some of the companies would like to have negotiations in that respect but under the City Charter it is not allowed as they would have to bid on the Bonds on the open market. 89
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He further stated that he wanted to be sure that the Bonding Companies would accept any up-dating surveys by Barton and Associates, as they were recognized nationally.

Mayor Hanson asked Mr. Rowlands if the discussion was based on no participation by the City.

Mr. Rowlands advised that it was based on no participation. Mr. Thorgrimson, Attorney for the Bond Company, has indicated that the City could not participate by guaranteeing \$25,000 from the General Fund. The Bonds would have to be made attractive without the City pledging money from the General Fund.

Mr. Steele said there may have been some confusion from what source the \$25,000 is being pledged. The \$25,000 cannot be pledged specifically from the Meter Revenue as the revenue from the Meters go into the General Fund rather than into a Special Fund, he added.

Mayor Hanson said he realized there is a great number of details yet to be worked out, and added that they will be hearing from some of the Parking Committee members in the next week or two.

Mr. Rowlands advised that a meeting had been held by the Firemen's Rating Committee in which the Assistant Director of American Municipal Association was present. At the Board Meeting of the City Managers Association, they went on record as authorizing the retention of a Fire Engineer.

He said for the last thirty to forty years the National Board of Fire Underwriters, with their technical staff, have made regradings and changes without anyone defending the cities. Through the cooperation of the City Managers Association and the American Municipal Association, they hope to have approximately \$6,000 to gather facts for submission to the National Board in New York.

The Engineer that was hired, is a professor of Fire Engineering at Illinois Tech. He was also one of the top men on the National Board so he knows the problems that confront the cities.

He said the cities will for the first time, be in a position to know all the facts by this new procedure.

Mr. Cvitanich asked if there was any report on the Fire Training Tower which is to be built, and if any deadline has been set.

Mr. Rowlands explained that they were still negotiating with the Utility Department, as they own some property in that area.

Mr. Buehler, Planning Director, said that no report was available at this time, and they have some meetings scheduled for next week to discuss the acquisition in this area.

Mr. Cvitanich said he understood there was a deadline to meet.

Mr. Rowlands said they were trying to move along in order that the Architect can be given a green light. They were going to petition the State Civil Defense for matching funds for the tower, for the reason it is a public safety function and is to be used for training of various groups as well as for the City Firemen.

Mr. Rowlands said that, if the application is filed by July 1st, the Architect is of the opinion that he will have enough information available so that the City can make that request.

Mayor Hanson said the Architect is cooperating by preparing some of the preliminary designs that would be standard, no matter where the Training Center would be located. He said considerable time would be saved if the Architect could proceed with the plans before the site is selected.

Mr. Rowlands advised that the site should be determined within the next two weeks.

Mayor Hanson said even though the Resolution was postponed until the acquisition of the site, he suggested the matter be presented again before the site is selected, as considerable time could be saved by the Architect.

Mr. Rowlands advised that before returning to Tacoma on Saturday, they visited the Steven-Adams Plant in Aurora, Illinois. He said they went through the plant and checked the type of moving ramp that they felt would be feasible in Tacoma.

Previously, he added, they had order the smooth ramp, but now they find that the smooth ramp does not mesh like an ordinary escalator when they get to the top of the ramp. After checking several installations in Aurora, it was found that many women were catching their high heels where the smooth mesh type was installed and consequently, this type was changed to the corrugated or grooved ramps.

Mr. Rowlands explained the grooved ramps will cost approximately \$23,000 more than the smooth type.

Mr. Rowlands distributed copies of the "Kiplinger Washington Letter" which spells out the difficulty the cities are having in reference to Urban Renewal

and the necessity for a Department of City Affairs and a Department of Urbiculture. He said the cities are becoming more urbanized without having the cities difficulties recognized by the Congress and by the Federal Agencies. It was pointed out that there will be great strides in the next ten years for recognition, taxwise, to the cities.

Mr. Rowlands explained, last week a copy of the telegram was distributed advising the City that the joint use of McChord Airfield would not be permitted. After receiving this telegram, letters were written by the Mayor and Mr. Steele and others to officials in the East urging the approval of the Peninsula site. 43
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He said Mr. Fetterolf stopped in at Washington D. C. and discussed the matter with our Senators and Representatives, and also to Mr. Paul Morris who was present at the Airport Hearing last December. Mr. Morris told Mr. Fetterolf that they expected an answer in the next ten days as to the status of the Peninsula Airport site.

Mayor Hanson advised, he believed the City was actually getting closer to an answer on the airport problem.

Mr. Rowlands explained that many telephone calls are received from Citizens whose calls are switched from one Department to another in an effort to obtain the right information. He said often times it is difficult for the switchboard operators to know to whom the call should be referred. Therefore, he said they are installing an information desk on the first and second floors where the calls can be referred if the telephone operators are rushed. It is felt that the person at the information desk will be able to spend a little more time with the person in order to refer them to the proper department.

Mrs. Price said she attended a recent meeting representing the City at the Tacoma Safety Council wherein the City was awarded a 1959 Certificate of Achievement on behalf of the National Vehicle Safety check for communities, which she presented to Mayor Hanson.

Mayor Hanson advised that he had attended a meeting with the Park Board in Olympia with Mr. Bert Cole, Commissioner of Public Lands, in an attempt to resolve the problem of obtaining the slagged-up area for a moorage and small boat area.

He said he met this noon with representatives of the Port of Tacoma and the Custom officers at a luncheon aboard the Tosho Maru, a Japanese ship, and while there he arranged for the Captain and his entire crew of 47 persons to attend the Ballgame tonight.

Mayor Hanson advised that the Park Board has invited the City Council to their annual Fishing trip, Thursday, June 16th at 1:00 P.M. More details will be furnished later, and said it was a wonderful opportunity to have a good time, as well as a get together with the various Park Board members and discuss their many problems.

Mr. Bott asked what had been done in cooperating with the Port Commissioners in bringing new industries into the City of Tacoma. He said he knew there was one Company that was interested in settling in Tacoma and upon investigation decided to go elsewhere, because of the exorbitant costs requested for the property by the Port of Tacoma.

Mayor Hanson explained that the company in question has not decided on a located as yet. In fact, he said, there were several areas they wished to investigate further.

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Mr. Bott asked if there was a Committee working on this, or how is it handled.

Mayor Hanson advised that there has been some cooperation, but not to the degree that a Committee has been appointed. He explained that prior to his taking office as Councilman he thought there should have been a Department to correlate the activities of the City Light Department, the Chamber of Commerce and the Port of Tacoma, and also the City of Tacoma. He said he did feel however that the City should take more of an active part in the program.

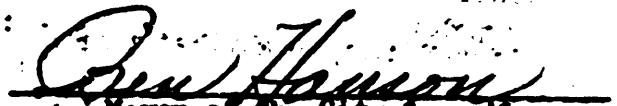
Mayor Hanson said his main concern was "what was the extent of the City's participation and what type of an organization would be best to set up."

Mr. Bott suggested that a Council Committee be appointed to work with the Mayor on this problem.

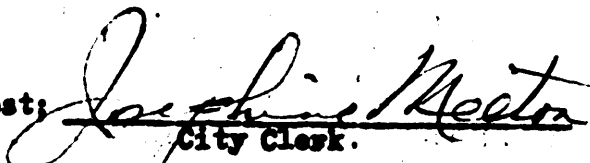
Mr. Perdue and Mr. Martland leaving at this time.

Mayor Hanson advised that there is a great deal to be done on this matter and this would be a good topic for a Study Session whereby plans could be formulated, for this committee.

There being no further business to come before the City Council, upon motion duly seconded and passed, the meeting adjourned at 6:40 P.M.


Mayor of the City Council

Attest:


City Clerk.