

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, June 27, 1957

Council met in regular session. Present on roll call 9: Bott, Cvitarich, Finnigan, Haley, Herwigana, Johnson, Murkland, Price and Mayor Tollefson.

Mr. Haley moved that the minutes of the meeting of June 13, 1957 be approved as submitted. Seconded by Mrs. Price. Voice vote taken. Motion carried.

Mayor Tollefson welcomed members of the School Workshop Group who had been meeting in the Council Chambers to discuss City government.

HEARINGS & APPEALS:

a. This is the date set for hearing on the petition for the vacation of So. 10th St. to So. 12th St., Villard St. to Shirley St., submitted by Jackson W. Bailey, et al.

Mr. Buehler, Director of Planning, stated that the Planning Commission had considered this vacation request jointly with a proposed apartment rezoning request for the area.

No one appearing and 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 Mr. Murkland. Voice vote taken. Motion carried.

b. This is the date set for hearing for the rezoning of the property on the north side of So. 12th St. between Shirley & Villard St. from an "R-2" District to an "R-4-L" PRD" District, submitted by Jackson W. Bailey and Associates.

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 Mrs. Price. Voice vote taken. Motion carried.

PETITIONS:

a. Petition submitted by Servicea Investment Co., Inc. requesting rezoning of the property located between So. 29th and So. 30th Sts. between Proctor and Adams St. from an "R-3" to an "R-3-PRD" District.

b. Petition submitted by Arthur J. Breback requesting rezoning of the property located on the N. E. corner of No. 25th and Stevens St. from an "R-2" to an "R-4-L" District.

c. Petition submitted by Salvatore A. Giusti requesting rezoning of the property located on the N. E. corner of Ea. 72nd & Ea. "K" St. from an "R-2" to an "R-2-T" District.

Referred to the Planning Commission.

RESOLUTIONS:

Resolution No. 19240

Fixing Monday, Aug. 14, 1967 at 4:00 P. M. as the date for hearing on LID 4815 for permanent paving on Cushman from So. 51st to So. 53rd; Montgomery from So. 72nd to So. 74th; Warner from So. 72nd to So. 76th; "P" from So. 53rd to So. 54th & So. 83rd from Yakima to So. "P" St.

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

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

Resolution No. 19241

Fixing Monday, Aug. 14, 1967 at 4:00 P. M. as the date for hearing on LID 4814 for permanent paving on Gove St. from No. 31st to No. 33rd et al.

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

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

Resolution No. 19242

Fixing Tuesday, July 25, 1967 at 4:00 P. M. as the date for hearing for the vacation of property located East of Mullen St. between So. 49th St. and 50th St. extended. (petition of Lawrence A. Musick)

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

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

Resolution No. 19243

Fixing Tuesday, July 11, 1967 at 4:00 P. M. as the date for hearing for rezoning of property located 160 feet east of Pacific Ave. and 300 feet north of So. 96th St. from an "R-2" to a "C-2" District. (petition of Glenn Ash.)

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

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

Resolution No. 19244

Fixing Tuesday, July 11, 1967 at 4:00 P. M. as the date for hearing for rezoning property on the N. E. side of Division Ave. between No. "M" and the alley lying immediately northerly thereof, from an "R-5" to an "R-5-T" District. (petition of Douglas Donner)

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

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

Resolution No. 19245

Awarding contract to E. J. Rody & Sons on its bid of \$35,067.17 including sales tax, for L I D 3642.

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

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

Resolution No. 19246

Awarding contract to Tucci & Sons on its bid of \$5,156.03, including applicable sales tax, for W. O. No. 91122.

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

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

Resolution No. 19247

Awarding contract to R. W. Rhino, Inc. on its bid of \$11,913.00, including sales tax, for W. O. No. 54922.

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

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

Resolution No. 19248

Authorizing the proper officers of the City to execute and file an application for Community Improvement Program Funds.

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

Mr. Rowlands explained that this study is required by Federal officials in connection with Tacoma's workable program under which Tacoma remains eligible to participate in Federal aid projects. He added that the City's share of the cost for the next two years would be approximately \$50,000, which would include hiring of additional personnel.

Mr. Finnigan asked Mr. Rowlands to prepare a list of local federal aid programs which involve contributions in kind by the City's staff.

Mr. Buehler stated the CIP study would involve a complete inventory of the City. The information would be stored in a computer data bank for use in City decisions and policy making.

Mr. Rowlands stated this prospectus has been previously reviewed and favorably recommended by both the Citizens' Committee for Tacoma's Future Development and the City Planning Commission.

Mayor Tollefson remarked that if both the CIP study and the Hilltop 'model neighborhood' study are approved by the Federal government, the staff will have to see that there is no overlapping of effort.

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

Resolution No. 19249

Authorizing the proper officers of the City to execute with the Dept. of the Army, Corps of Engineers, a lease for the Tacoma U. S. O. for a 5-year term expiring June 30, 1972.

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

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

Resolution No. 19250

Accepting a sealed bid for the purchase of real property situated within the Fawcett St. Urban Renewal Project No. Wash. R-3, located at the N. E. corner of So. 11th and Tacoma Ave.

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

Mr. Richmond, Director of Urban Renewal, explained that two offers were submitted, one by the State Savings and Loan Association, and one by Edward F. Kirchen, Donal D. Sherfy and David A. Hunt.

He added, in accordance with the Land Disposition Ordinance No. 18225 the proposal of the State Savings & Loan Association in the amount of \$52,500 has been recommended, as their bid was satisfactory in all respects. The higher proposal of Kirchen, Sherfy and Hunt in the amount of \$54,001., did not meet requirements of the plan as to parking, open space and setbacks.

Mr. Richmond further explained that the acceptable bid was based on a \$385,000 structure with one level on Tacoma Ave. plus another office level and a parking level below.

Mr. McCormick, City Attorney, said that State law provides that after the opening of bids, a firm cannot change its bid to further comply with the specifications.

Mr. Sherfy, an attorney, contended that the four-story office building and restaurant, which he and his associates had proposed, would result in more property and business taxes for the City and would service more people.

He added that his group had not had much time to prepare plans as they had approached the City in late May about the site and found that bids were being opened June 6th, 1967.

Mr. Richmond explained that urban renewal property is advertised for bid when someone shows an interest in buying. He stated that while bids were opened on this site three weeks after the announcement, the property had been for sale for one and one-half years.

A number of Councilmen suggested that the time between Urban Renewal bid announcements and the opening bid date be extended to at least four weeks.

Mr. Finnigan felt the Council should set down more specific guidelines to shape the redevelopment of the Fawcett Ave. and Downtown Tacoma Urban Renewal areas.

Mayor Tollefson stated that three weeks is the general period of time in all sales of this nature, even at the State level.

Mr. Leo McCavick, attorney for the State Savings & Loan Association stated it was entirely possible that the association may decide to add another level for office space and another level of parking, which would make the cost nearly \$750,000. He felt his client's bid was according to specifications and hoped it would be accepted.

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

Ayes 7; Nays 2; Cvitanich and Finnigan; Absent 0.
The Resolution was declared passed by the Chairman.

Resolution No. 19251

Reappointing J. Ralph Williams as a member on the Building Appeals Commission for a five-year term terminating February 4, 1972.

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

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

Dr. Herrmann moved to Suspend the Rules in order to consider Resolution No. 19252. Seconded by Mayor Tollefson. Voice vote taken, Motion carried.

Resolution No. 19252

Approving and accepting the bid of Smith, Barney & Co., Inc. for the purchase of \$1,500,000.00 of Sewer Revenue Bonds of the City of Tacoma for 1967 and fixing the interest rates for the same.

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

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

FIRST READING OF ORDINANCES:

Ordinance No. 18335

Amending Chapter 13.06 of the official code by adding a new section 13.06.055 (3) to include property on the east side of Hosmer St. between So. 90th and So. 92nd Sts. in an "R-3-PRD" District. (petition of Oscar T. Hokold)

The ordinance was placed in order of final reading.

Ordinance No. 18336

Relating to elections and precincts by amending Chapter 1, 14 of the official code by amending Sections 1, 14, 134-135-136-149-155-157-158-159-160-165 and 167 and by repealing Sections 1, 14, 190 and 1, 14, 191.

The ordinance was placed in order of final reading.

Ordinance No. 18337

Amending Chapter 5, 04 of the official code by amending Sections 4, 05, 030, 070 and 080, and adding a new section 5, 04, 175 relating to air pollution.

Mr. Rowlands stated that the substitute ordinance submitted to the Council at this meeting encompasses many features from the San Francisco Bay Area ordinance, and that it should control the amount of chemical emission from the Smelter stack more effectively than in the past. He noted that this was an interim measure and it is hoped it will give immediate relief during the summer.

Mr. McCormick, City Attorney, explained that the substitute ordinance changes only Section 5, 04, 175 which is the new section added to the present City ordinance. This section was amended by renumbering Subsection (a) and Subsection (b) to Subsections A and B, by capitalization; adding a new sentence to Subsection B, and adding additional Subsections C, D, and D-1 through D-9.

Mr. Durain, Air Pollution Control officer, said the Smelter is presently the only local industry which is generating sulphur dioxide in amounts covered by the ordinance. Basically the ordinance prohibits ground level concentrations of the chemical in excess of 1.5 parts per million. The stack emission limits have been added to cover a situation in which another industry might start contributing heavy doses of sulphur dioxide. The St. Regis Paper Co. and the U. S. Oil and Refining Co. now emit small amounts of the chemical.

He added that his department is somewhat apprehensive about the pilot coal plant which is to be built in the industrial area by the Federal government. He noted the local limits are based on those which have been in effect for five years in the San Francisco Bay area.

Mr. Rowlands stated that Mr. Shinkoskey, the Smelter's manager, does recognize that in order to meet these standards the operations of the Smelter will have to be curtailed periodically. He noted that Mr. Shinkoskey has stated they hoped that a long range answer to the problem will be forthcoming.

Mr. Richard Hodge, an attorney who is the Chairman of the Chamber of Commerce, Air and Water Standards Committee, stated his committee will be meeting on Wednesday, June 28th and they will study the proposed ordinance in detail.

Mayor Tollefson said the Council appreciated the efforts of the Chamber of Commerce and of people qualified to be of assistance to the Council in this matter.

Mrs. Judy Alsos, Chairman of a Citizen's committee on air pollution formed several years ago in protest against the Smelter's emissions, suggested that the Council be cautious in setting limits. She noted that concentrations of 1.5 parts per million of sulphur dioxide may be acceptable in the Bay area, but may not be acceptable here. She contended that humans react to .5 per million of sulphur dioxide.

Mayor Tollefson agreed that the Council does not know precisely what the effect of 1.5 parts per million would be, but this ordinance is at least a start and the limits could be made more stringent later on.

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Dr. Ernst Kredel, County-City Health Director, said the length of exposure to sulphur dioxide is a factor but a two or three minute exposure to 1.5 parts per million would have little effect on a person. Longer exposure would have an effect and this ordinance takes that into account.

Mrs. Caroline Ebert, property owner, asked if readings had been taken at 11:00 A. M. on Saturday, June 24th at which time the air was unusually contaminated. She contended people could not live in an atmosphere such as it was at that time and that if it were then within the 1.5 parts per million, the limits to be set must be more stringent.

Mr. Darnin stated the City does not yet have its monitoring stations set up, but the City could check the Smelter's own record and let Mrs. Ebert know. He added, the City is borrowing some equipment from the State and hopes to have three monitoring stations set up in a few weeks.

Mr. Haley felt the City's assault on air pollution should be accelerated and the City should spend the \$28,000 appropriated, rather than conserving it in the hope of getting matching federal money.

Mr. Rowland's noted that if the ordinance does not result in a noticeable improvement, he could ask Governor Evans to call in the U. S. Public Health Service.

Mr. Haley moved to accept the substitute ordinance. Seconded by Mr. Johnson. Voice vote taken, Motion carried.

The ordinance was placed in order of final reading.

Ordinance No. 18338

Amending Title 8 of the official code of the City by adding a new section 8.12.025 relating to public safety and morals.

Mr. McCormick explained that the constitutionality of a like ordinance of the City of Seattle had come before the Supreme Court, and on Feb. 17th, 1967 the Court ruled that the loitering or prowling section of that ordinance was unconstitutional. Since the Tacoma ordinance was almost identical, he requested this change so the City's ordinance would conform to the decision of the Supreme Court.

The ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 18334

Amending Chapter 13.06 of the official code by adding a new section 13.06.083 (4) to include property on the S. W. corner of South 15th & Union in an "R-4-LT" District. (petition of Walter D. Widmeyer)

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

Ayes 6; Nays 1, Finnigan, Absent 2, Cvitanich and Murtland.
The Ordinance was declared passed by the Chairman.

UNFINISHED BUSINESS.

The Directors of Public Works and Utilities present the following Assessment rolls for hearing:

- a. L I D 4782 for permanent paving on So. 47th from Pine to So. Tacoma Way.
- b. L I D 5420 for water mains in No. 14th & 18th from Baltimore to Orchard St. & Villard from No. 14th to No. 21st St.

Mr. Martland moved that Monday, Aug. 14, 1967 at 4:00 P. M. be set as the date for hearing on the above assessment rolls. Seconded by Mr. Haley. Voice vote taken. Motion carried.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Report of the Director of Finance for the month of May, 1967.
- b. Personnel Report for the month of May, 1967.
- c. Report from the Tacoma Police Dept. - Traffic Div. - May, 1967.

COMMENTS:

Mr. Rowlands stated that a request from one of the tenants of City-owned property at the Municipal Dock has been received, asking that the City not raise the rent on their lease, but that they be allowed to renovate the building and make improvements, which would amount to approximately \$8,000. The staff had felt the rent should be raised to approximately \$100 a month more, but in lieu of that adjustment, they would recommend that the tenants be allowed to rehabilitate the building and keep the rent at the same level. He noted he would send a memo to the Councilmen before the next meeting on this subject.

Mr. Rowlands said another problem is whether the City should call for bids on surplus houses on Sprague Ave. or whether a public auction could be held.

Mr. Schuster, Public Works Director, explained that in connection with the Nalley-Valley overcrossing the City will be widening the road in the Sprague Ave. area from So. 23rd north to about So. 18th St. A number of houses have been purchased by the City and the question arises of how to dispose of them. He asked for an opinion from the Council as to the possibility of having an auction, as the experience of the Highway Dept. has been that the auction method is more profitable than the sealed bid method.

After some discussion, it was suggested that a resolution be presented at next week's meeting authorizing the City to sell at auction the surplus buildings acquired incident to the Sprague Ave. acquisition program, with a minimum acceptable price on each property of \$1.00.

Mr. Rowlands reminded the Council that the County-City baseball night is scheduled for July 3rd, 1967 and he hoped many members could attend.

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Mr. Rowlands informed the Council that the City's request for matching federal funds for the Solid Waste Disposal Demonstration program was approved. Over the next two years the amount to be received from the Public Health Service will be \$287,000.00. The Public Works Dept. will be responsible for carrying out this project.

Mr. Schuster explained that equipment will be needed for this project such as scales to weigh the material coming into an area, a compactor and an electrically powered crusher. This is a pilot program and reports will be prepared for the Federal government so that everyone will have a comparison of the City's gain by using this method, rather than the method used at this time.

Mr. Rowlands stated the estimate on the cost of demolition of the old City Hall Annex has been updated to \$34,500.00.

Mr. Finnigan felt the City should proceed with a call for bids on this demolition.

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Mayor Tollefson reminded the members of the Equalization Board that the meeting is July 3rd at 9:00 A. M. in the County Assessor's office.

Mayor Tollefson stated that the Utilities Dept. has indicated that perhaps the Council would like to accept an invitation to visit the Cushman Development. If the Council agrees, a date should be arranged and transportation provided.

Mayor Tollefson stated he would inform the Department to set up a date for Monday, the 17th of July.

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Mr. Rowlands stated the Tacoma Axis Commission has requested a July 10th meeting with the Council at the study session.

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Mayor Tollefson remarked that there was a projected saturation expectancy of 15 years on the sanitary land-fill for the City. At different times he has asked the Manager to study the possibility of an incinerator. It seemed to him that with the expected increase in population in this area, the sanitary land-fill area will become exhausted. He felt this problem should be studied very carefully.

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Mr. Schuster remarked that at various times they have checked cost figures for an incinerator and they seem to be prohibitive. The initial investment is high and the costs of operation are substantial.

Mr. Rowlands stated the staff could obtain all the information available regarding the incinerator and, perhaps, one could be obtained on a County or regional basis.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 7:05 P. M.

W.A. Jellebrun

Mayor of the City Council

Attest: _____
City Clerk