

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, July 2, 1963

Council met in regular session. Present on roll call 8: Bott, Cvitanich, Finnigan, Herrmann, Murtland, Price, Steele and Mayor Tollefson. Absent 1: Haley.

Mrs. Price moved that the minutes of the meeting of June 18, 1963 be approved as submitted. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

Mayor Tollefson said a suggestion award will be presented to Charles E. Ashworth, an employee of the Transit System.

Mr. Rowlands explained that Mr. Ashworth's suggestion was for replacing one of the units in the bus, rather than removing the entire suspension system. He added, the suggestion will save the City \$250.00 the first year and considerably more in future years.

Mr. Rowlands presented Mr. Ashworth with a \$25.00 check and congratulated him for his suggestion.

Mayor Tollefson and the City Council members also expressed their appreciation to Mr. Ashworth for his suggestion.

HEARINGS & APPEALS:

a. This is the date fixed for hearing on the vacation of the alley from So. 13th to So. 14th Sts. between Yakima Ave. and "G" Sts, submitted by St. Leo's Parish. ¹⁷⁴₂₂₈

Mr. Steele moved to concur in the recommendation of the Planning Commission to vacate the property and that an Ordinance be brought in confirming the vacation. Seconded by Mrs. Price. Voice vote taken. Motion carried.

b. This is the date fixed for hearing on the vacation of Wright Ave. between Union Ave. and Washington St. submitted by Leo Pope. ¹⁷⁴

Mr. Steele moved to concur in the recommendation of the Planning Commission to vacate the property and that an Ordinance be brought in confirming the vacation. Seconded by Mrs. Price. Voice vote taken. Motion carried.

PETITIONS:

a. Petition submitted by Donald V. Olson for the rezoning of property located at So. Sprague between So. 78th and So. 80th from an "R-2" to an "M-2" District.

b. Petition submitted by B. H. Petersen requesting the rezoning of property located at 4802 So. "M" from an "R-2" to an "R-3" District. 356

Referred to the Planning Commission.

RESOLUTIONS:

Resolution No. 17530:

Awarding contract to Stacy-Benson & Associates, Inc. for L I D 4714 on its bid of \$44,334.30 which was determined to be the lowest and best bid.

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

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

Resolution No. 17531:

Awarding contract to Electric Construction Co. for ornamental street lighting in the vicinity of South 28th and "M" Streets on its Proposal No. 2 in the amount of \$3,150.00 including tax, which was determined to be the lowest and best bid.

Mr. Finnigan moved that the Resolution be adopted. Seconded by Mr. Bott.

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

Resolution No. 17532:

Rejecting all bids received on L I D 2345 inasmuch as the lowest bid is 26% higher than the estimate.

Mr. Steele moved that the Resolution be adopted. Seconded by Mr. Murtland.

Mr. Rowlands stated, at the time a petition was circulated for the L. I. D., it was not known that storm drains would be necessary and also the soil condition will require additional ballast. Therefore, another L. I. D. will be initiated.

Mr. Schuster, Director of Public Works stated, later, on the agenda there is

City Council Minutes - Page 3 - July 2, 1963

an Ordinance repealing this L I D, and then next week there will be a Resolution creating a new district.

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

Resolution No. 17533:

Authorizing the proper officers of the City to grant to Pierce County an easement for the purpose of constructing and maintaining a roadway in the area known as Little Dale and Pleasant Valley Roads in the vicinity of the town of Alder.

Mrs. Price moved that the Resolution be adopted. Seconded by Mr. Steele.

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

Resolution No. 17534:

Authorizing the issuance, sale and delivery from time to time of preliminary loan notes, the execution of requisition agreements and execution of project temporary loan notes for delivery in connection with Urban Renewal Project No. Wash. R-1.

Mr. Steele moved that the Resolution be adopted. Seconded by Mrs. Price.

Mr. Rowlands said the City will save thousands of dollars by being able to borrow money on short term notes from the bank. The interest rate will be 1.67% instead of borrowing from the government at a 4.98% interest rate.

Mr. Cvitanich asked how much money they anticipated borrowing for this project.

Mr. Rowlands said the amount would not exceed \$2,005,125.

Mr. Cvitanich said at one time the City Council specifically designated the City Manager as the Local Public Agency. He couldn't understand how the City Manager could delegate the authority to a subordinate.

Mr. Rowlands explained, when the City Manager is out of town, then his Executive Assistant, Mr. Sankovich, could make the authorization as the bids would have to be acknowledged immediately.

Mayor Tollefson said this specific resolution authorized the Executive Assistant to act on this particular matter for the City Manager in the event the City Manager is not available; this does not give him the general power of the Local Public Agency.

**The Resolution was passed by voice vote.
Ayes 7; Bott, Finnigan, Herrmann, Murtland, Price, Steele and Mayor Tollefson.
Nays 1; Cvitanich, Absent 1, Haley.**

Mr. Steele moved to suspend the rules to consider Resolution No. 17535. Seconded by Dr. Herrmann. Voice vote taken: Ayes 6: Nays 2, Cvitanich and Murtland; Absent 1, Haley. Motion carried.

Resolution No. 17535:

Appointing Jay A. Grenley as a member of the Public Utility Board for a five-year term expiring on the 30th day of June 1968, replacing E. K. Murray whose term expired on the 30th day of June, 1963.

Mr. Steele moved that the Resolution be adopted. Seconded by Mrs. Price.

Mr. Cvitanich said, he had not attended the Study Session when discussion was held regarding Mr. Grenley's appointment, however, he would say that Mr. Murray has done a tremendous job for the Utilities. He thought the City Council was making a mistake by not re-appointing Mr. Murray, as through the years he has always represented the taxpayers of the community as a member of the Utility Board. He said he felt the Council was doing a dis-service to the people of Tacoma by not re-appointing Mr. Murray.

Mayer Tollefson said, there is no doubt that Mr. Murray is an outstanding man, not only as an authority on utilities, electrical projects, etc., but also on his loyalty to the City of Tacoma and to the Utilities. He added, there are numerous men who have worked for the Utilities Dept. as directors and members of the Board, and there was no big fuss when other very competent men who have served four or five years whose terms had expired, were not re-appointed. The City Charter itself provides for a five-year term for a member. He thought that Mr. Murray has given five good years of service. He didn't know that they should impose another five years of service upon him.

Mr. Bett said, inasmuch as this Resolution was not on the agenda, he didn't think it should be taken up as an emergency.

Mayer Tollefson said he thought this was agreeable to the members of the Council, but if the Council members wish, it could be put over until next week.

Following a discussion by the Council, Mr. Finnigan moved that the Resolution be set over until July 9, 1963. Seconded by Mr. Steele. Voice vote taken. Motion carried.

FIRST READING OF ORDINANCES:

Ordinance No. 17385:

Amending Section 1.12.490 of the Official Code of the City to implement the results of the classification review of the Engineering and Technical series.

Mr. Rowlands explained this is merely a housekeeping Ordinance and establishes additional positions in the Engineering services, and doesn't involve any adjustments in pay rates.

The Ordinance was placed in order of final reading.

Ordinance No. 17386:

Amending Chapter 13.06 of the Official Code of the City by adding a new section 13.06.120-33 to include property at the S. E. corner of So. 66th & Verde in the "C-1" Commercial District. (Petition of Wm. H. Measaw) 173
231

Mr. Measaw, petitioner, stated he intended to construct a real estate office on the property as it is not suitable for a residence. The property is located on South 66th St. bounded by Verde St. and Grove Place; it comprises approximately 3400 square feet of property.

Mr. Buehler, Director of Planning, explained that a petition was submitted to the City Clerk's office last Friday with 32 property owners protesting the proposed rezone on the basis that the property faces a park, and that this would be spot-zoning. He added, that one block east of this property, there is property available for commercial purposes that is for sale.

Mr. Measaw pointed out that many of the signatures on the petition were outside of the 400 foot perimeter, and a number of those within the area have indicated they have no objection to the rezone.

Mr. Bott asked Mr. McCormick if it would be possible to have a restricted covenant, whereby only a real estate office could be built; then that would overcome any fears that anyone might have of anything else being put in.

Mr. McCormick, City Attorney, said a zoning cannot be effected only by putting on restrictions.

Mr. Bott said he thought the Zoning Ordinance should be revamped for some types of zones; from his observation a real estate office should not be in an industrial area. He would like to see some changes made in the various land use classifications of the Ordinance.

Mr. Cvitanich leaving at this time

Mayor Tollefson stated that Mr. Bott had made mention of these changes before but the Planning staff have been too busy to make any revisions in the Ordinance.

Mayor Tollefson said, if Mr. Bott wished, he would spend some time with him to check over the Ordinance to see if any changes can be made and also submit it to the Planning Dept. for their study. Then a draft can be made and submitted to the Planning Commission for their approval.

The Ordinance was placed in order of final reading.

Ordinance No. 17387:

Amending Chapter 13.06 of the Official Code of the City by adding a new section 13.06.120-34 to include property at So. 6th to So. 8th from Pearl to Banta Blvd. in the "C-1" Commercial District. (Petition of C. G. Francis) 97
231

Mr. Francis stated he intended to construct an office building and an apartment.

Mr. Buehler, explained that this property is isolated on a triangular

City Council Minutes - Page 6 - July 2, 1963

piece of property which is almost prohibitive for residential use.

Mr. Bott said, here again is the situation where he feels perhaps the Zoning Ordinance should be changed.

The Ordinance was placed in order of final reading.

Ordinance No. 17388:

Vacating the property located at So. 30th St. between Madison St. and the alley between Madison & Gannison Streets . (Petition of Keith Petersen)

202
231

The Ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 17374: (Postponed from the meeting of June 25, 1963)

211
229

Amending Section 6.68.270 of the Official Code of the City relating to occupation tax and deleting small loan companies from exemptions.

Mr. Murtland said to relieve the anxiety of some of the small loan companies, the permit fee of \$150.00 would be eliminated if this Ordinance were enacted.

Mr. Mann, Attorney, representing the small loan companies, stated letters had been sent to each Council member from the Washington State Consumer Finance Association, signed by R. M. Cowen, Secretary-Treasurer, objecting to the removal of the exemption of small loan companies. He added, the small loan companies cannot pass along this added tax as they are governed by State statutes. He urged continuation of a flat license fee, and that the license fee be increased \$50.00, making the total fee \$200.00 in lieu of the B & O Tax.

Mayor Tollefson said, in comparing Tacoma's license fee with Seattle, it was disclosed that Seattle is paying a flat fee of \$400.00.

Mr. Murtland stated, Mr. Mann has said the Association agreed to a \$250.00 increase. He asked if the loan companies would be able to absorb the percentage tax as well as the increased license fee, since it would amount to the same figure.

Mr. Cowen, speaking for the loan companies, said they prefer to be taxed on the basis of a flat license fee, as the small loan companies could try to get more business to meet this additional expense. However, if their volume of business is increased, it wouldn't be reducing their tax as the tax would be increased along with the increase of business, but on a fixed tax the companies have an opportunity to recoup part of this as an incentive to do more business.

Dr. Herrmann asked if it would be possible to amend the ordinance to increase the license fee instead of the percentage tax, as it would generate the same amount of money for the general fund.

After some discussion by the Council, it was requested that Mr. Mann obtain from the companies he represents, figures on their gross income on which they pay the State B & O tax, and submit them to the City Council for further clarification on July 9th, 1963 at the Council meeting.

Dr. Herrmann moved that the Ordinance be postponed for one week, until July 9, 1963. Seconded by Mr. Murtland. Voice vote taken. Motion carried.

Ordinance No. 17375:

Amending Section 6.62.010 of the Official Code of the City and making bowling subject to admission tax.

Mayor Tollefson absent, temporarily. Dr. Herrmann presided.

Dr. Herrmann stated that Mayor Tollefson left the meeting at this time because of a pecuniary interest in a bowling alley.

Mr. Horace Gerr, Attorney and Secretary to the Pacific Lanes, contended that the proposed tax on bowling would put the Pacific Lanes in an unfair competitive position with nearby lanes in the County. He stated that on a gross income of about \$221,000 last year they paid a total of \$13,535 in total taxes. He added, that Pacific Lanes paid \$44,000 just for leasing, its pinsetters and the 4% sales tax on this amount to the State. The Pacific Lanes are in no position to pay the new tax and realize any profit.

It was asked what bowling alleys were in competition with Pacific Lanes.

Mr. Geer explained that County bowling lanes would be classified as competitors.

Mae Thomas, President of the Tacoma Women's Bowling Association, stated that it would be difficult for Tacoma to attract the big State and Northwest tournaments if this admission tax were passed.

Mr. Cvitanich left at this time.

Mr. Patrick Corbett, representing the Washington State Bowling Association, stated that during the past year one Tacoma bowling establishment filed bankruptcy, another went into receivership and seven were losing money. He added, the bowling establishment operators are plagued with high personal property taxes because of the expensive equipment and building requirements. He noted that the bowling business is one with a very high investment and a very low return.

After some discussion by the Council members Mrs. Price moved that the word "bowling" be deleted in Paragraph "A", 9th line down and after the word "skating" on the same line, add "but excluding bowling". Seconded by Mr. Steele.

Roll call was taken on the Amendment: Ayes 6; Nays 0; Absent 3, Cvitanich, Haley and Mayor Tollefson. Motion carried.

Roll call was taken on the Ordinance as amended:

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

Mayor Tollefson resumed the Chair.

Ordinance No. 17379:

Providing for the improvement of L I D 4722 for paving on So. 54th St. from So. "M" to Sheridan Ave. and Sheridan Ave. from So. 54th to So. 55th St.

J. H. Epperson, 6838 So. "M", explained at the L I D hearing held on June 24th, 1963, the area on So. "M" from So. 68th to So. 72nd was deleted from L I D 4722 since it was contiguous to the area which had a 46.4% remonstrance. He stated his neighbors are 100% for this improvement and asked if the Council would initiate another L I D to improve their street.

Mr. Steele explained that the heavy remonstrance filed against the adjoining area resulted in the deletion of the street to which Mr. Epperson has reference.

Mayor Tollefson assured Mr. Epperson that the Public Works Dept. will initiate another L I D to include his street as soon as possible.

Roll call was taken on the Ordinance resulting as follows:

Ayes 7; Nays 0; Absent 2, Cvitanich and Haley.
The Ordinance was declared passed by the Chairman.

Ordinance No. 17380:

Providing for the improvement of L I D 4724 for resurfacing Yakima Ave. from So. 7th to So. 27th Street.

Roll call was taken on the Ordinance resulting as follows:

Ayes 7; Nays 0; Absent 2, Cvitanich and Haley.
The Ordinance was declared passed by the Chairman.

Ordinance No. 17381:

Providing for the improvement of L I D 6829 for ornamental lighting with underground wiring on "C" St. from So. 48th to So. 50th St. and on So. 52nd from Fawcett Ave. to "G" St.

Roll call was taken on the Ordinance resulting as follows:

Ayes 7; Nays 0; Absent 2, Cvitanich and Haley.
The Ordinance was declared passed by the Chairman.

Ordinance No. 17382:

Providing for the improvement of L I D 6831 for intersection lighting on Sunset Dr. from 6th Ave. to So. 19th St.

City Council Minutes - Page 9 - July 2, 1963

Roll call was taken on the Ordinance resulting as follows:

Ayes 7; Nays 0; Absent 2, Cvitanich and Haley.
The Ordinance was declared passed by the Chairman.

Ordinance No. 17383:

Providing for the improvement of L I D 6832 for modern lights on ornamental standard on No. 14th St. from Lawrence to Pine and on Shirley St. from No. 14th to No. 18th St.

Roll call was taken on the Ordinance resulting as follows:

Ayes 7; Nays 0; Absent 2, Cvitanich and Haley.
The Ordinance was declared passed by the Chairman.

Ordinance No. 17384:

Repealing Ordinance No. 17153 passed August 21, 1962 for L I D 2345 for an oil mat surface on East 67th from East "B" to "A" Sts. and East "B" from East 80th to 82nd Streets.

Roll call was taken on the Ordinance resulting as follows:

Ayes 7; Nays 0; Absent 2, Cvitanich and Haley.
The Ordinance was declared passed by the Chairman.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Report on the Sewer Utility Div., Dept. of Public Works for the period of January 1, 1961 to December 31, 1962.
- b. Traffic Division report for the month of May 1963.
- c. Report from the Light & Water Division for the month of May 1963.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 7:00 P. M.



Mayor of the City Council

Attest: 

City Clerk