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CITY COUNCIL MINUTES

City Council Chambers. 7:00 P. M.
Tuesday, March 28, 1961

Council met in regular session. Present on roll call 9: Bott Cvitanich, Easterday, Murtland, Olson, Porter, Price, Steele and Mayor Hanson.

Mr. Porter said he has examined the minutes of March 13th and also March 14th and found several places he was in doubt about and he would like to have an opportunity to check the minutes of both meetings against the tape of which he has a copy; therefore, he moved that the approval of the minutes of these two meetings be postponed for one week. Seconded by Mr. Easterday. Voice vote: Ayes 9; Nays 0; Absent 0. Motion carried.

Presentation of Suggestion award to George Moore of the Public Works Department.

Mayor Hanson congratulated Mr. George Moore for his effort in increasing the efficiency of the operation of the Sewage Treatment Plant in the designing of a system whereby discharge pressure of the plant's water pumps replaces a large portion of the elaborate circulatory system. Mayor Hanson said he would like to announce that Mr. Moore has requested that the \$50.00 award be made payable to the Children's Home Society of Washington. Miss Bernice Burger, Executive Secretary of the Washington Children's Home Society, was present to receive the donation from Mr. Moore.

Mayor Hanson and Mr. Rowlands both congratulated Mr. Moore on his award and for his generous gift to the Society.

HEARINGS AND APPEALS:

This is the date set for hearing on the vacation of a portion of Portland Ave. and Sherman Street. (petition of Joe Pennington, et al.)

Mayor Hanson said the Planning Commission has recommended this vacation subject to certain conditions.

Mr. Easterday moved that the proper Ordinance be prepared for first reading, vacating this portion of Portland Avenue in the vicinity of Ea. Sherman Street extended, on the east side of Portland Avenue. Seconded by Mr. Murtland. Voice vote: Ayes 9; Nays 0; Absent 0. Motion carried.

PETITION:

J. B. Malyon, requesting the rezoning of property located at 635 East 57th Street from a "R-2" to a "R-4-L" District.

Referred to the Planning Commission.

Mayor Hanson said before proceeding with the Resolutions, he has asked Mr. Lewis Hatfield, business agent of Teamsters' Local 461, who is representing the drivers and enforcing officers of the Humane Society, to speak so as to apprise the Council of the situation that exists with the Humane Society.

Mr. Hatfield explained he regrets that they had to appear before the Council again. He said they feel that the Council has been fair in their treatment to the Humane Society in relation to supplying them with adequate funds to pay wages and the expenses of the Society. However, he added, the Society has a situation now that makes it imperative that this be brought to the Council's attention so that both sides of the question can be heard. Mr. Hatfield added that the employees were organized in January of 1959 and after they were unable to secure any benefits for themselves the Union was requested to represent them. He said they tried to meet with Management but were not able to come to any agreement at that time and a three-day strike resulted. The manager prevailed upon the Union and the Society to settle this strike and they went back to work. Some progress was made but no overtime or any fringe benefits were allowed; they also refused them arbitration in the event of a dispute.

In 1960 the Society increased their licenses, and after much negotiations they did receive a small increase in salaries, but no other fringe benefits. The employees offered the Society this proposition-If sufficient revenue is received at the end of the year it would be paid to them. They did go along with this. This year, he added they asked that this money be put into the Health & Welfare Plan. The Society said they would agree to this but not until after all of the rest of the matters were settled. In the meantime these employees have run up several medical bills and as soon as they receive this payment for the medical insurance the claims will be paid. As far as granting arbitration, mediation, overtime, etc., or even a wage increase as of now, no agreement has been reached. The employees of the Society do not have benefits that are normally in a labor agreement such as employment insurance, etc. The union has tried to negotiate with them since September of last year and have been granted only three meetings by the Society's Board. On March 1st, they decided to set a deadline of March 20th to get these differences ironed out. One week before the strike, he added, he tried to meet with the Society but to no avail. Therefore, they had no alternative but to strike.

He said they are not striking against the animals. The strikers are allowing deliveries of fuel oil and food for the animals and have been willing to keep the dogs fed if no other arrangements could be made.

Mr. Hatfield, further explained that they have since contacted the County Commissioners, Mr. Rowlands, and several times have tried to contact the Directors of the Humane Society, but each time they are told "get us the money and we'll take care of you." He said he does not feel this is the Union's proper function to obtain money for the Humane Society. We will lend our support if they have a legitimate request.

Mr. Hatfield said in order that the Society could allow a raise in 1959 the City waived the 5% of the Dog License fees which the city retained and gave it to the Humane Society to allow for raises. The following year an entirely new Ordinance was drafted raising the dog license fees which amounted to a considerable sum and assured the Council that the employees received only about twenty-five cents out of the dollar of that money. Now the Society is again saying, "go out and get more money for them and they will give us a raise." He asked how much would they have to obtain and was told \$3600, \$2400 of which would be given to the employees for a raise.

Mr. Hatfield said one thing disturbs him and that is the Society plans to make a further move. They are planning to send people in commission to the City to start this soliciting and moving the trucks and start things in full operation with strike-breaker labor. The Local has attempted to run a clean high-type strike, but of course, if that situation arises he was sure that all the labor movements in the City will be up in arms, and the Union will no longer be responsible for anything that might happen. We are trying to find some solution. We are hoping that the Council in some way or other can intercede on behalf of the employees.

Mayor Hanson thanked Mr. Hatfield and thought the restraint shown throughout his presentation today is consistent with the restraint he has shown in these very lengthy negotiations. Mayor Hanson said it was certainly his impression that the only thing left was to strike. He did not feel that Mr. Hatfield could have done otherwise and still fulfill the promises he made to the people depending upon him for representation. He said this is a situation in which there is a government function being performed under contract by the Humane Society. The City does not have any direct authority to enter into those negotiations, however, the City does have a responsibility to see that its agent carries on the function, and when something arises that no longer renders the agent capable of performing a service then, he did think, the City had the obligation of looking into the matter.

Mr. Bott asked how these employees were commissioned - "through the County or the City?"

Mr. Hatfield replied, "they were commissioned through the City."

Mr. Bott said that being the case, he thought the City was definitely not under obligation to commission anyone in their place until such time as this is settled.

Mr. Porter asked if the City's contract with the Humane Society was for a definite term, and if it can be terminated for special reasons before the term is up if necessary.

Mr. McCormick said as he recollects the contract is for a definite term and renewable unless the City gives notice of a breach on their part. As a matter of fact the Charter specifically provides that the City can enter into a contract with the Tacoma Humane Society, granting to said Society the control and operation of all city pounds. Such contract shall be subject to cancellation by the City for any violation thereof.

Mr. Porter said he would like to know as soon as possible what the terms of the contract are and what the causes are for possible termination in the event it might come to that situation.

Mayor Hanson said, he assumed then, the contract actually runs to a performance, something along an unilateral contract where a performance is required to maintain our obligation.

Mr. Murtland said the contract then merely provides that the Society will do a certain function; it does not say that they have to hire anyone.

Mr. McCormick said that is correct. Of course, he added, if they do not perform the functions properly then they are not satisfying the conditions of the contract.

Mayor Hanson asked what was the basic wage under consideration.

Mr. Hatfield said the monthly salary is \$393.75.

Mayor Hanson said the actual increase then of 5% would result in approximately \$19 or \$20 a month increase.

Mr. Rowlands said he thought it should be emphasized that the City Council has in the past tried to be very fair in waiving the 5% which the City was receiving and also raising the license fees so that adjustments could be made. It has been discussed many times and he was sure that it was the Society's opinion that the services being rendered in the County right now exceed the money being received from the County.

Mayor Hanson asked Mr. Hatfield if he had any information from the Humane Society with reference to the priority upon which they would apply any increases obtained.

Mr. Hatfield said that the Society said they would have to balance their budget first which would amount to \$1100 before any increases would be applied.

Mayor Hanson said he would like to have information on the amount of additional revenues paid to the society as a result of turning over the 5% and also as a result of the increase in fees.

Mr. Rowlands said that could be obtained.

Mayor Hanson said it seemed to him that the concern at the time the City increased the fees was to put them in a position to pay a reasonable wage. From his investigations thus far he did not believe that that has been done.

Mrs. Price said it seemed to her that 3 years ago the City was receiving 17% of all the license fees, then this was reduced to 5% and now the City receives nothing. The city also passed an Ordinance increasing the license fees.

Mr. Steele said it appeared to him that the Society has not demonstrated the ability to properly discharge its function. He said he has had complaints about the local animal situation and thought that perhaps the Council should take a long look at the program and maybe restore the function to the general Government as it was some years back.

Mr. Easterday asked how much money was involved to give these employees what they think is justified.

Mr. Hatfield said to give the employees a 5% increase would involve some \$2400. He said in all honesty though this is not going to settle this contract this time, as they are going to insist on a mediation clause to enable a third party to be brought in to settle these problems, as they do not want to strike every year. He said they also want to be able to call on arbitration. "We are faced with a dictatorship down there and it is either strike or take it."

Mayor Hanson said this is a very pressing situation since the strike goes on, and if we are to wait another week before we make a decision, it will be another week down the drain. We have now been officially notified of the situation and perhaps we should continue this meeting to Wednesday or Thursday and invite the representatives of the Humane Society to attend so that we can take some action. This cannot be allowed to go on indefinitely, not only out of concern for the City but for these men who have served long and faithfully who are also entitled to consideration.

Mayor Hanson said it may well be that it will not be necessary to terminate the contract. However, this is certainly going to have to be aired and a solution to the problem be found.

Mr. Easterday said he understands that there is another organization besides the Tacoma Pierce County Humane Society which deals with animals. He also would like to know whether the Society puts up any funds other than those received from the City.

Mayor Hanson said rather than continuing this discussion further he thought that at the end of this session, rather than adjourning, the Council could recess until either Wednesday or Thursday at which time all the material requested could be furnished.

Mrs. Price asked if the City has ever received a financial statement from the Humane Society. She said she would like to see some of the Society's financial statements.

Mayor Hanson said along that line he thought they should see some comparative statements over the past few years so that the Council can see the direction they have taken.

After discussion the Council decided that Thursday at 4:00 P. M. would be the most convenient time for the continued meeting.

Mayor Hanson said in the meantime the County Commissioners and Humane Society would be contacted so that they could have all the facts before them.

RESOLUTIONS:

Resolution No. 16493:

Awarding contract to Preservative Paint Co. on their bid of \$9,458.28 including sales tax, for 4500 gallons of white traffic paint, which bid is determined to be the lowest and best bid.

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

Mayor Hanson said this matter was set over from last week as there is a very slight difference in the bids received from the Preservative Paint Co., a Seattle Firm, and the Parker Paint Co., a local firm.

Mr. Easterday asked Mr. McCormick in what position would the City be placed were they to award the contract to Parker Paint Co. whose bid is \$181 higher and who is a local firm.

Mr. McCormick said the best answer to this is that the Charter states Section 7.11 "Competitive prices or bids for all purchases and public works and improvements performed by contract shall be obtained where practicable and the purchase made from, or the contract awarded to, the lowest and best responsible bidder. . . ." Insofar as responsibility is concerned, all things being equal, he thought it would have to be awarded to the lowest bidder. If the Council can, on the facts presented, make within its discretion a finding that for some reason or other, one of those bidders, even though he were the higher bidder, was more responsible, that the product was the better product, etc., then he thought the Council could find that they were the more responsible bidder. But he did think the Council would have to have some facts upon which to make that determination; otherwise they are bound to award it to the lower bidder.

Mayor Hanson said in the past the paint obtained from the Parker Paint Co. gave extremely fine service, substantially better service than would be expected under the specifications. We have had a very limited time to evaluate the Preservative Paint Company's product while we do know the quality of the Parker Paint. He said he knows having a local firm available to establish themselves in the eyes of the community we certainly would have a firm that would be anxious to come forward and remedy any problems that might arise. He said he feels that the Parker Paint Co. although a small percentage point higher than the low bid is the best bid.

Mr. Bott said inasmuch as he would like to see a local concern be awarded this contract there is a difference of \$181 and we have awarded contracts on lower differences merely on the basis of being the lowest bid, and he cannot see where there can be any question that they are not qualified. Therefore, he added, we could not say they were not the best bidder. "I think in all fairness, and in keeping with the procedure generally followed, we cannot let our heart rule our judgments and we would be obligated to allow it to the lowest and best bidder."

Mayor Hanson said he thought each situation should be taken up separately and each one examined with reference to its effect upon the contract and the analysis of what is the best bid.

Mr. Bott said the ramifications of this could enlarge. There is not a great sum involved but there could be in the future and then the Council could well be open to much criticism.

Mayor Hanson said he felt in this case there was a \$181 advantage in having a local manufacturer with whom we have had extreme satisfaction in the past.

Mr. Murtland said he thought each situation should be studied on its own merits and its own basis. This paint is manufactured in Tacoma, they have laboratories here and a technical staff that is available. There would be many

indirect benefits. Some \$2300 of this amount would be spent within the City including labor, material and overhead. That is an indirect benefit which cannot be used as a basis for awarding this particular contract but he believed in this particular instance the more responsible bidder could very well be the local bidder because of those factors.

Mr. Steele said, the Charter outlines that in the competitive bidding field, everything being equal the contract should be let to the low bidder. The letter received from the Preservative Paint Co. points out that they do quite a good deal of business in this community and it did not seem that the Parker Paint Co. relies conclusively upon the amount of material sold to the City of Tacoma. They undoubtedly bid in other cities also. He said it seems to him that the Council is belaboring this considerably over the simple point that this is a local concern. If this is awarded to the local concern whose bid is \$181 higher, is it not reasonable to conclude that in future years the outside bidders will decide not to bid. The local companies will be bidding with a price, "nine miles high" - then where will you be?"

Mayor Hanson said he agrees with Mr. Steele-unless the Council can see that the additional value received is worth that amount, we should not give it to the second low bidder. However, the argument given with reference to the effect on bidding so as to discourage other bidding, looking at it from another angle, perhaps it would encourage them to sharpen their pencils even further.

Mr. Cvitanich moved the previous question.

Mayor Hanson said he would like to entertain a motion to amend the Resolution to award the contract to the Parker Paint Co. No motion being made, voice vote was taken on the Resolution, resulting as follows:

Ayes 8; Nays 1, Murtland; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16497:

Fixing Monday, April 24, 1961 at 4:00 P. M. as the date for hearing on L I D 6783 for ornamental Street lights on No. Carr Street from Yakima Ave. to No. 26th Street.

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

Mr. Easterday asked if this L I D was initiated by petition of the property owners or initiated by the Department.

Mr. Calkins, City Engineer, explained that this was initiated by petition of the property owners.

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. 16498:

Fixing Monday May 8, 1961 at 4:00 P. M. as the date for hearing on L I D 6784 for ornamental street lights on So. 54th from Pacific Ave. to So. G Street, So. 53rd from Pacific Ave. to So. D Street.

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

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. 16499:

Awarding contract to General Electric Co. for furnishing of (11) Mobile Radio units for the sum of \$5,514.08, including sales tax.

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

Mr. Rowlands explained that the amount of money to be paid by the City of this \$5,514.08 was originally \$2,863.08, the other half being paid by the Federal Government. However, Frank Evans, Civil Defense Director, has been in touch with the Civil Defense people on these purchases, and as a result of his activities the State has agreed to participate to the extent of 25% which will cut down the City's participation approximately \$1400.

This will enable the Public Works Dept. to obtain 11 more radio units which are time savers. In the event any difficulty arises the vehicles can be reached by radio and dispatched more quickly.

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. 16500:

Awarding contract to Arnold's Bulldozing for the demolition and site clean-up of (7) sites on their bid of \$1,065.00 plus sales tax, which was determined to be the lowest and best bid. (Center St. Urban Renewal Area.)

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

Mr. Rowlands explained this Resolution provides for the demolition and cleaning up of (4) houses plus the cleaning up of (3) other sites which is a very good 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. 16501:

Accepting certain offers to sell Real Property situated within the Center Street Urban Renewal Project Designated Project No. Wash. R-1.

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

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. 16502:

Accepting certain offers to sell improvements only situated within an Urban Renewal Project Designated project No. Wash. R-1.

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

Mr. Rowlands said the difference between Resolution 16501 and 16502 is that this Resolution involves a bakery located in the Urban Renewal area. The bakery is one of the businesses which will continue to exist, but they desire to expand and improve their property. So these particular two houses located on the bakery property will be eliminated.

Mr. Murtland noted that the property address is given as 916 So. I.

Mr. Rowlands said this is an error. It should be 2916 So. I.

Mr. Murtland moved that the Resolution be amended correcting the address to 2916 So. I. Seconded by Mr. Steele. Voice vote: Ayes 9; Nays 0. Absent 0. Motion carried.

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. 16503:

Authorizing the proper officers to execute on behalf of the City a local improvement assessment deed conveying property to Donald W. Lyle, Inc. for the sum of \$10,000 in cash, located at the northerly corner of East 11th and Canal Street.

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

Mr. Rowlands said according to an agreement entered into between the City and Mr. Lyle 5 years ago, Mr. Lyle has the right to exercise this option as of the 31st of March 1961. For the past 5 years Mr. Lyle has been paying the City \$500 a month for the use of this property which is owned by the Local Improvement District Guaranty Fund. This would amount to \$30,000 at the end of 5 years plus the option to purchase outright by adding another \$10,000, which Mr. Lyle is doing at this time.

Mr. Rowlands said he and Mr. McCormick were involved in negotiating this prior agreement 5 years ago at which time Mr. Lyle was paying the City only \$125 a month. This was raised to \$500 a month which the previous Council felt was a fair adjustment in view of the circumstances.

Mr. McCormick explained that Mr. Lyle had a long time lease prior to the expiration date in 1956, with the option at the end of that time to renew it for another 5 years. Mr. Lyle failed to renew his option and by the terms of the lease all of his property was forfeited to the City so that when he began re-negotiations, legally the City owned his entire plant which amounted to some two or three hundred thousand dollars. The City Council felt at that time \$40,000/a fair evaluation, giving him credit for what he had paid into the property, and negotiated an agreement for a term of 5 years at the monthly rental of \$500 with the understanding that at the end of that period he could purchase said property for the sum of \$10,000 in cash, which would make a total of \$40,000. This is the Resolution which authorizes the sale of that property to Mr. Lyle, he added.

Mr. Rowlands said this property being leased is L I D property. So in effect this money will not be going into the General Fund but into the L I D Guaranty Fund.

Mr. Olson said in effect then the Council should vote for this Resolution to fulfill terms already agreed upon.

Mr. Rowlands said that was correct.

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. 16504:

Authorizing the Department of Public Works to negotiate for the acquisition of (12) additional acres of land adjoining the present sanitary land fill at a cost not to exceed \$12,000.

Mrs. Olson said upon investigation she has found that the School's most recent purchase of 11 acres in the area amounted to \$7200 two years ago. According to this figure it comes to slightly over \$650 an acre instead of \$1000 an acre. She said she could not see the fact that the City has been putting garbage on the school land would increase the value of the rest of the land that much.

In that event the Swan Creek residents would have been glad to have the City dump garbage in their gulch. She then moved that this Resolution be amended so that we could make our original offer on the basis of \$650 an acre. Seconded by Mr. Cvitanich.

Mr. Rowlands said our appraisers checked the area and there have been several other purchases during the past two years which did indicate that the price was in line. This property would be similar to any other piece of property that may enhance in value over a period of years. He said, negotiations can still continue but it is rather vital for the Garbage Utility to have this land available. The Council members will recall that we have been negotiating for 50 to 60 acres near by. That property is also selling for approximately \$1000 an acre. This proposition that has been submitted to the City by the other party involved a rather substantial lease arrangement of something like \$10,000 to \$12,000 a year over a 5 or 6 year period without the City even purchasing the property outright. This property owned by Mr. Miller contemplates the outright purchase by the City - the garbage will be in there as a sanitary land fill and it conceivably would have some useful purpose either as an extension of the recreational facilities of the school or for some other purpose.

Mayor Hanson said ultimately a great deal of the investment would be recovered.

Mayor Hanson asked that an explanation be given of what process was followed by the appraisers.

Mr. Calkins, City Engineer, explained that the appraisers compared comparable sales in the area in the last two or three years. It is true that the Tacoma School District has purchased two pieces - one in 1957 at the rate of \$250 an acre and one in 1959 or early 1960 at \$650 per acre, showing that the land is changing in value. This larger piece referred to by Mr. Rowlands is presently on option to the person who is attempting to negotiate a larger fill site for the City. This party has an option to purchase it at \$1000 an acre. It is also on the market at the expiration of the option for \$1250 per acre. Because of these figures and the fact that the land appears to be changing in value quite rapidly, it appeared that the price is not out of line.

Mr. Murtland asked if the land purchased by the School for \$650 an acre was comparable land to this 12 acres.

Mr. Calkins said it is all rolling country; the land purchased by the School is on higher elevation which is more suitable for their purpose. The property wanted by the City is at the bottom of a valley which is more suitable for the City's needs.

Mr. Murtland said he would go along with Mrs. Olson's idea. He questioned \$1000 an acre for this 12 acres to fill in when the school bought land ready made to build on for \$650 an acre.

Mayor Hanson said the \$1000 per acre seems high to him also but it could only indicate that the School got a very fine bargain. The question here is whether the City, by setting it at \$650, has reasonable hope of culminating the purchase.

Mr. Rowlands said one point to clarify is that the area the City is filling now is School owned property. The City always has a recourse to condemnation if it is felt the price is out of line and negotiations fail. Based on the information received from our appraiser, it was thought the price was reasonable.

Mr. Steele said on the tour conducted of this area he observed that there was not necessarily a buyer's market out there but somewhat a seller's market as there is much activity just over the hump for some 53 acres and when we get into a situation where we can acquire 12 acres which we need very badly for \$1000 per acre and it is going to be of benefit to us in our improving it for the sanitary land fill, we are not going to put the City into a hole. He said he was satisfied that we will come out with 12 acres of property worth substantially more than \$1000 an acre.

Mr. Bott said Mr. Rowlands indicated that this other party wishes to lease to the City some property but he thought this was just a speculative deal and wishful thinking on their part. He did not think the City could accept this figure. He agreed with Mrs. Olson in what she said as to the value of the property. The land is changing in value. If garbage is being dumped in the vicinity the land is going down and not up in value, he felt. He could not see where it would greatly increase the value of the property.

Mayor Hanson said the idea of a sanitary land fill lowering property values is not necessarily correct, because that property is being held by people who are not presently planning to build on it but are holding it for sale to future developers. The fact that the gullies are being filled in and the area is being prepared for ultimate development, would rather bring closer the time when it would be ready for sale. However, he said he would be willing to go along on this \$650 figure although it is extremely important that the City has an escape valve for its garbage.

Mrs. Olson said the \$7200 for the 11 acres was a value established by the Port and, of course, the City has the same power of condemnation as does the School District. She felt the City should come in with what they conceive as a reasonable offer and if it is rejected she thought the City could very well proceed with condemnation and let the Courts determine the value as far as the City is concerned. The fact that the first 11 acres was purchased by the School 2 years prior to this at an amount over \$2000 would indicate that the original purchaser might have been sympathetic with the School and their needs. The second 11 acres was owned by the same person from whom we are contemplating purchasing the 12 acre parcel and his idea of the value of his land was more inflated and he was able to sustain in the Courts that he was to obtain \$650 an acre for it. But she would question the fact that it has depreciated 40% in value in the last 2 years or less, especially basing it on the 53 acre tract next door which she would assume from all discussions, the value or the price offered, was predicated on whether or not the City is going to lease it from the prospective purchasers with the purpose of filling it with garbage. She would imagine that that option would not be exercised if the City does not proceed and then it may set on the market for \$1250 an acre for 20 years.

Mr. Calkins said to condemn the property would entail a considerable length of time. A compromise solution might be to have an independent appraisal made of the property which could be accomplished more quickly so that the Council would have an additional figure to compare with the City appraiser's figure.

Mrs. Price moved that this Resolution be postponed for two weeks so that this could be accomplished. Seconded by Mr. Steele.

Mr. Easterday asked how long would it take before it would be absolutely necessary to use this 12 acres or some other site for the City's sanitary land fill.

Mr. Rowlands said at the most it would be about 3 months.

Mr. Calkins said his information was that it would be a month and one half. He also said it also should be brought to the Council's attention that the option on this property expires the first of the month.

Mr. Rowlands said in that event they would have to obtain an extension of time.

Voice vote was then taken on the motion to postpone action for two weeks, resulting as follows:

Ayes 9. Nays 0; Absent 0. Motion carried.

Mayor Hanson said before proceeding with the next Resolution, Mr. Steele has an announcement he would like to make at this time.

Mr. Steele said the Council may have read recently of the controversy in Olympia as to the songs relating to "Century 21". It so happens that the City of Tacoma is proud to have as its residents Antoinett Mineo, daughter of Joe Lento a very fine guitarist here for many years, and her husband Art Mineo, a very fine musician from Brooklyn, New York. Tony Mineo has in the past year and a half been composing a "Rhapsody 21" which is a symphonic musical arrangement and relates to "the awakening of the sleeping giant". He introduced the Mineos to the Council and also passed out autographed copies of their composition.

Mayor Hanson explained that they are indeed proud of Mr. and Mrs. Mineo. He said he was especially intrigued by the title "The Awakening of the Sleeping Giant" and would like to feel that some of the inspiration for it came from the City of Tacoma, which has been referred to as the sleeping giant and we like to feel that it is starting to sit up and stretch.

Resolution No. 16305:

Authorizing David D. Rowlands, City Manager to file an application with the Government of the United States for a Federal advance for preliminary planning for a Civic Auditorium.

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

Mr. Rowlands said this matter has been reviewed by the Planning Commission and was also discussed by the City Council about a month ago. This Resolution is merely asking for a Federal advance for preliminary planning for a Civic Auditorium.

Mr. Murland asked how much money is involved. He asked why the amount was not inserted in the Resolution.

Mr. Rowlands said this should be incorporated. The amount is \$100,000 and should have been included in the Resolution.

Mr. Murland moved that the Resolution be amended so as to incorporate the sum of not to exceed \$40,000.00. Seconded by Mr. Cvitanich. Voice vote. Ayes 9, Nays 0, Absent 0. Motion carried.

Mr. Rowlands said this advance would permit the City to proceed with the investigation for planning for the Auditorium. The Housing and Home Finance Agency will not advance money to the City unless they have some idea of some plans to use this money in the future. Until the Auditorium is actually under construction the grant does not have to be repaid, he added.

Mr. Bott asked if this would not be a duplication of the study already made in conjunction with the proposition of the Auditorium that was on the ballot in November.

Mayor Hanson said the study was not completed at that time. There were some conclusions made that were well founded and based on considerable study but it definitely could not be regarded as a full and complete study.

Mr. Porter said the study was the best that could be made in the brief time allowed without any funds.

Mayor Hanson said the study was adequate to clearly indicate that an Auditorium would be of great benefit to the community. However all questions were not answered to the full satisfaction of the public and this study should supply the answers to those questions.

Mr. Murland asked what will the \$39,000 be spent for?

Mr. Buchler, Planning Director, explained that it would be for the hiring of Consulting Engineers and Architects.

Mr. Bott said it seems strange that the Council is bringing this up again since the people just turned down this Auditorium proposition at a recent election. He said in asking for this now, in essence, we are saying we are going to build it.

Mayor Hanson said in submitting the application the City will make it clear that the building of the Auditorium will be based on millage levy and a vote of the people. The City of Tacoma is in no different position than other Cities in the United States that finance this type of a project on that basis.

Mr. Steele said the Council placed the proposition on the ballot at the last election on the basis of the information that they had at that time. The people in their good judgment determined that they did not want an Auditorium on the basis of that information and he is reasonably confident, from the number of people he has spoken with about this proposition, that they would have voted differently perhaps if they had known the exact location proposed. He said, "We still hope to build this type of auditorium." He was sure that the people would be happy to know that the Council is attempting to obtain some funds, which are available, for further information on this matter.

Mayor Hanson said, it is possible that this study, if it is thoroughly detailed, may come up with the conclusion that it is impractical. We are certainly not promising the Federal Govt. that we are going to ignore the findings of this report and proceed to build it anyway. We are merely showing our good intentions to proceed along a certain path and obtain additional information upon which we will base our decision. The very purpose of the report is to assist local governments in obtaining necessary information prior to embarking upon this type of a project.

Mrs. Olson said we keep going round and round about this business of what the A I A will do or what the engineers will do as far as submitting data, information or help. She said she would like to make a formal request that the Planning Dept. find out from the local A I A or whatever other agencies there are, as to exactly how they wish us to proceed. She thought it would be well if we understood and knew the rules so that we could apply them. She further would like to say in connection with this particular Resolution that she would move to postpone the Resolution for 2 weeks so that more information can be obtained on how we expect to spend this money. Seconded by Cvitanich. She thought the Council should know whether a percentage is going for expert services, for hiring a specific Architect or Engineers.

Mayor Hanson said perhaps Mrs. Olson was confused for what purpose these funds would be extended, but this matter has been before us previously. This project is not a great deal different from many other projects. There are obvious areas that need study and additional information and the application of extensive professional specialty work which cannot be obtained on a gratis basis. A great deal of contribution is received but a matter of this type requires additional study. The fact that we make application does not mean that tomorrow we will have money. There will be sufficient delay for us to consider the specific aspects prior to the necessity of actually accepting any money that is tendered. He thought all these questions could be answered to everyone's satisfaction between now and then. We do not have to ultimately accept the money. However, he added, we can make application consistent with an action taken some weeks ago, at which time this particular project was mentioned. Therefore, we would have given all Council members an opportunity to make full inquiry whether it be from the Architects Association or the Engineering Society or our staff. He could see no reason why this should be delayed.

Voice vote was then taken on Mrs. Olson's motion to postpone the Resolution for 2 weeks. Motion lost.

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

Ayes 8; Nays 1, Olson; Absent 0.

The Resolution was then declared adopted by the Chairman.

Mr. Rowlands advised the Council that either next week or the following week there will be available for their consideration a request for aid on the other two projects the Council agreed to consider; namely the 15th Street

Bridge construction and also the possible consolidation of the refuse utility and the maintenance barn, etc

Mr. Easterday said he understands that money is to be appropriated by the Legislature - approximately \$400,000 to Tacoma annually, which the City will have to match in the amount of 25%

Mr. Rowlands said it would run about \$2.90 per individual which will run roughly about \$450,000.

Mr. Easterday asked Mr. Rowlands if that money could be used in the 15th Street Bridge.

Mr. Rowlands said this money could be used in the 15th Street Bridge in the A Street extension or any of these projects. But again for the benefit of the Council, the statements made by the Legislators and the Governor and others regarding assistance to the Cities will not be of any benefit because this gas tax money will not help the General Fund. At the present time the City is using every cent received from Gas Tax money just for maintenance operation. In order to get this money from the State from this additional 1/2 cent gas tax, we have to find 25% to match that money and it can only be used on arterials. It is not helping our General Fund.

Mayor Hanson said he would like to qualify this statement. He appreciated the action taken by the Legislators in providing these funds for arterials although further problems remain to be solved. He certainly hoped that they do not feel that this is the total solution to the City's problems because in some respects it creates an additional problem wherein the City will have to find someplace in the General Fund Revenues to come forth with this 25%.

Mr. Rowlands added, fortunately we do have some money in the bond fund. We have approximately one half million dollars now. We might be able to use this for projects if the right projects are chosen; that is, by spending \$50,000 we can obtain \$150,000.

Resolution No. 16506

Accepting and approving the plat of Mt. Tahoma Meadows 2nd Addition, located on both sides of So. 73rd St. between Mason Ave. and Mullen St.

It was moved by Mr. Easterday 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. 16507

Authorizing the proper officers of the City to enter into a written agreement with the Disabled American Veterans, Harmony Chap. No. 18 for the operation of the Baseball Parking lot.

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

Mayor Hanson asked if this agreement was substantially the same as the agreement entered into last year for the operation of the baseball parking lot

Mr. Rowlands replied that it was. It will mean that the City and County will be getting 60% of the proceeds; the Disabled American Veterans Club will get 40%. Last year this netted the City some \$4200 or \$4300, and also the same amount to the County

Mr. Rowlands said the paving of the south parking lot began yesterday and should be completed by opening day, April 21st.

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. 16508:

Authorizing the proper officers of the City to enter into an agreement with the International Brotherhood of Electrical Workers, Local Union 483 concerning wages, hours and conditions of labor of the Light Division electrical workers from April 1, 1961 to and including March 31, 1962

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

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. 16509:

Authorizing the proper officers of the City to execute certain easements to the Port of Tacoma in exchange for easements for rights of way for the transmission facilities for the Northeast Substation

Mr. Rowlands explained that it has been requested that this Resolution be postponed for one week, until April 4, 1961.

Mr. Easterday then moved that the Resolution be postponed for one week. Seconded by Mr. Cvitanich.

Voice vote was taken on the postponement resulting as follows:

Ayes 9; Nays 0; Absent 0

FIRST READING OF ORDINANCES.

Ordinance No. 16770:

Providing for the construction and reconstruction of sidewalks in various parts of the City (SCE #61) Read by title

The Ordinance was then placed in order of final reading

FINAL READING OF ORDINANCES

Ordinance No. 16767:

Amending Chapter 13.06 of the Official Code and adding a new Sec. 13.06.160 (4) to include property on the west side of Sprague Ave. between So. 35th and So. 37th St. in a "M-1" Light Industrial District. (Lincoln Land Co. Read by title

Mr. Rowlands said the parties involved in this particular Ordinance have not yet had the opportunity to conclude their negotiations; therefore, he would like to have this held over for two more weeks.

Mr. Steele moved that this Ordinance be postponed for two weeks to April 11th. Seconded by Mrs. Price. Voice vote: Ayes 9; Nays 0; Absent 0. Motion carried

Ordinance No. 16768

Amending the Official Code of the City relating to zoning by adding a new section known as Sec. 13.06.120 (2) to include property on the south side of Center St. between Monroe and Gunnison Sts. in a "C-1" Commercial District. (Keith Harrison) Read by title and passed.

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

Ayes 8; Nays 1, Porter; Absent 0.

The Ordinance was then declared passed by the Chairman

Ordinance No. 16769:

Vacating the alley between Union Ave. and Washington St. from North 13th to North 14th. (petition of UPS.) Read by title and passed.

Mr. Murtland explained that although there may be no conflict, he has been a member of the faculty at UPS for 15 years and anything that benefits the University might benefit him, so he asked to be excused when the vote was taken on the Ordinance.

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

Ayes 8 Nays 0. Absent 1, Martland (temporarily).
The Ordinance was then declared passed by the Chairman.

Mr. Martland coming in at this time.

UNFINISHED BUSINESS

The Director of Public Works and Director of Utilities present the following Assessments for hearing.

L I D 4553 paving on streets in the vicinity of So. "K" and 54th Streets

L I D 5323 cast iron water mains in the area bounded by No. 24th, Hawthorne Drive, No. 37th and Skyline Drive

Mrs. Price moved that Monday, May 8, 1961 be set as the date for hearing on the assessment rolls for L I D 4553 and L I D 5323. Seconded by Mr. Steele. Voice vote on the motion resulted as follows: Ayes 9, Nays 0, Absent 0.

REPORTS

MC - 338 - Fire Grading & Rating Program

Mr. Rowlands said this gives a little breakdown of what is being done by the Committee and is just the start of what will be a continuing program under the auspices of the American Municipal Association.

MC-339 - Remodeling of the City Council Chambers.

Mr. Rowlands said three sketches were submitted with this MC showing the different possibilities.

Mayor Hanson said the Council would accept this report for study and discuss it more fully before the next Council meeting.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Report from the Light Division for January 1961.
- b. Report from the Belt Line Division for February 1961.

COMMENTS:

Mr. Easterday explained that Mr. Cvitanich, Mr. Steele and himself attended the L I D Committee and apparently one L I D that was heard was not petitioned by any of the property owners. At this time he would like to

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request that a Resolution be drafted whereby L I D's will be considered by the Committee only after a petition has been presented with 30% of the frontage represented. Then if there is no petition he thought it should come by direct action of the Council.

Mr. Cvitanich said he would like to have his name included on this Resolution.

Mr. Easterday said he would suggest that when the Public Works Department desires to make an improvement and create an L I D it should be taken up with the L I D Committee and then the Committee could recommend to the Council. This would prevent the confusion that was experienced at the L I D meeting yesterday, he added.

Mr. Cvitanich asked how Mr. Murtland's suggestion in reference to the "Century 21" program is proceeding.

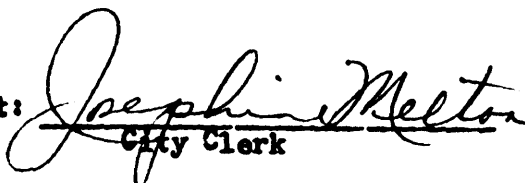
Mr. Murtland said he believed there were two conceptions of what Tacoma was to do in the "Century 21" Committee. He thought the Committee together with Mr. Sass had gone ahead and are working on a Pavilion in Seattle. The suggestion he raised sometime ago was on the basis of trying to bring something to Tacoma.

Mayor Hanson said this has been the intention all the way through. He trusted that the Committee was engaging itself in preparations of establishing a program necessary to accomplish these matters. Mayor Hanson suggested that a meeting be held shortly of the "Century 21" Committee, and any member of the Council desiring to attend may do so.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting recessed at 10:15 P. M. until Thursday at 4 P. M.


 Mayor of the City Council

Attest:


 City Clerk