

## CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.  
Tuesday, July 9, 1963

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

a. Mrs. Price moved that the minutes of the meeting of June 25, 1963 be approved as submitted. Seconded by Mr. Murtland. Voice vote taken. Motion carried.

b. Approval of the excerpts of the minutes of the meeting of July 2, 1963 pertaining to Resolution No. 17534.

Mr. Rowlands stated that the Bond Counsel would like to have the names of the Council members voting Yes, listed on each Resolution and Ordinance recorded. Therefore, this Resolution should be amended to indicate the names of Aye votes.

Dr. Herrmann moved that the Council member's names be recorded on the Aye votes on Resolution No. 17534. Seconded by Mrs. Price. Voice vote taken. Motion carried.

### HEARINGS & APPEALS:

This is the date fixed for hearing on the Sidewalk Construction Fund, 1963 for the construction, reconstruction of sidewalks at 1401, 1403 and 1409 North Proctor.

Mr. Bott moved for a two-week's postponement of this hearing as an individual affected is out of town and he would like to have this postponed so that he can appear at a later date. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

### COMMUNICATIONS:

Urban Renewal Plan for New Tacoma Urban Renewal area-Project No. Wash. R-14.

Referred to the Planning Commission.

### RESOLUTIONS:

Resolution No. 17535: (postponed from the meeting of July 2, 1963)

Appointing Jay A. Grenley as a member of the Public Utility Board for a

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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 Mr. Finnigan.

The Resolution was passed by voice vote.  
Ayes 7; Nays 1, Cvitanich. Absent 1, Haley

Resolution No. 17536:

Fixing Monday, August 12, 1963 at 4:00 P. M. as the date for hearing on L I D 4731 for paving on Orchard St. from 6th Ave. to No. 8th and various north end Streets.

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

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

Resolution No. 17537:

Fixing Tuesday, August 6, 1963 at 4:00 P. M. as the date for hearing on<sup>263</sup> the vacation of a portion of the east-west alley in the area bounded by 6th Ave., So. 8th, Shirley & Winnifred Streets. (petition of Reyler & Wick Construction Co.)

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

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

Resolution No. 17538:

Awarding contract to E. J. Rody & Sons for Improv. No. 3031-K-2 Unit "C", on its bid of \$84,111.94 including sales tax on items 1 to 24, which is determined to be the lowest and best bid.

Mr. Finnigan 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. 17539:

Awarding contract to Tucci & Sons on its bid of \$98,374.00 for Improv. 3048-D-2 which is determined to be the lowest and best bid.

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

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

Resolution No. 17540:

Authorizing the proper officers of the City to execute to the State of Washington a local improvement assessment deed for property located in the gulch east of Pacific Ave. on 35th St. for the sum of \$1,042.02.

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

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

Resolution No. 17541:

Settling the claim of Fred T. Haley in the sum of \$900.00.

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

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

Resolution No. 17542:

Extending the period of one year, commencing June 28, 1963 on the agreement between the City of Tacoma and the Washington Transit Advertising Co. for leasing of advertising space on buses.

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

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

Resolution No. 17543:

Accepting certain offers to sell Real Property situated within the Fawcett Urban Renewal Project No. Wash. "R-3".

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

The Resolution was passed by voice vote.

Ayes 6; Bott, Finnigan, Herrmann, Price, Steele & Mayor Tollefson; Nays 1, Cvitanich, Absent 2, Haley Murtland -(temporarily)

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Resolution No. 17544:

Commending Jack A. Morrison for his many years of service he has devoted to the welfare of the City as a member of the Board of Adjustment.

Mr. Finnigan 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. 17545:

Commending Mr. J. B. Feist for his many years of service that he has freely given in the performance of his duties as a member of the Planning Commission.

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

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

Resolution No. 17546:

Commending E. K. Murray for his many years of service as a member of the Public Utility Board of the City of Tacoma.

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

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

FIRST READING OF ORDINANCES:

Ordinance No. 11 17390:

Naming a certain portion of an unnamed street and changing the names of certain other streets all located in the northeastern portion of the City. (Browns Point Blvd.)

The Ordinance was placed in order of final reading.

Ordinance No. 17391:

Vacating the alley from So. 13th to So. 14th Sts. between Yakima Ave. & G St. (petition of St. Leo's Parish)

The Ordinance was placed in order of final reading.

Ordinance No. 17392:

Amending Chapter 13.06 of the Official Code of the City and adding a new section 13.06.130-23 to include property on the north side of Center St. between Mullen and Gove Sts. in an "R-2" One-Family Dwelling District & a "C-1" Commercial District. (petition of Joseph Iverson)

The Ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 17374: (postponed from the meeting of July 2, 1963)

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

Mr. Rowlands stated that Mr. Mann, Attorney representing the small loan companies, had been called out of town and he has requested that this Ordinance be held over for one week.

Mr. Steele moved that Ordinance No. 17374 be postponed until the next Council meeting on July 16, 1963. Seconded by Mrs. Price . Voice vote taken. Motion carried.

Ordinance No. 17377: (postponed from the meeting of June 25, 1963)

Amending Sections 6.70.010 and 6.70.020 of the Official Code of the City to raise the gross earnings tax of the Belt Line.

Mrs. Price moved that Ordinance No. 17377 be tabled. Seconded by Mr. Murtland.

Mr. McCormick, City Attorney, stated that if the Council wished to keep the tax at 5%, which is now in effect, for the Belt Line that the Ordinance should not be tabled but should be changed back to 5%.

With the consent of the Second, Mrs. Price withdrew her motion to table.

Mr. Steele moved that the Ordinance be changed from 8% back to 5% for the tax on the Belt Line. Seconded by Mrs. Price.

Roll call was taken on the amendment. Ayes 8; Nays 0; Absent 1, Haley.

Roll call was taken on the Ordinance as amended.

Ayes 8; Nays 0; Absent 1, Haley.  
The Ordinance was declared passed by the Chairman.

Ordinance No. 17378:

Amending Section 6.70.040 of the Official Code of the City to delete certain deductions from utility gross earnings tax.

Mayor Tollefson stated, the only question involved in this particular Ordinance of primary importance is whether the gross earnings upon which the tax is assessed should include interest earned on the funds of the Utilities. The Mayor asked Mr. McCormick, City Attorney, if the State included interest in computing the gross income upon which the Utilities paid the tax to the State.

Mr. McCormick stated, that it was his understanding that the State in computing the amount of gross income upon which Utility taxes were assessed did not include interest earned by the Utilities.

However, Mr. McCormick further stated, that the City Council had in 1958 by Ordinance definitely defined what was meant by gross earnings, and under this definition, interest was included as one of the items that could be included, if the Council so desired in determining the total amount of gross earnings. He further stated, that the definition of gross income on earnings by the State did not necessarily mean that the definition of the City had to be the same. That the inclusion or exclusion of such an amount was entirely a matter of policy to be determined by the Council.

Mr. Bott stated, it has been rumored if the Ordinance passes it would increase the light rates and would be included in the Utility bills. He felt this was an error and wanted the Council's opinion.

Mayor Tollefson stated, that it was an error. Light rates are fixed periodically by the Utility Board and then brought to the Council for approval. Under the Charter this is reviewed at least once every 5 years. He added, this amount of money mentioned would be in lieu of taxes. Approximately 8% of the 4% earnings, if they earn 4% which, of course would be .32 of 1%. This is the same rate of all departments of the City that are operated as Utilities, and the rate would not be affected.

Mayor Tollefson further stated, last night the Council met with the Utility Board but no decision was made as to the determining date when the Council and the Board would discuss the rates. However, the building program such as Mossyrock, will all be done under the present rate; it is felt what this Ordinance would bring to the General Fund would not cause an increase in rates. This is an item for the Council to decide, whether this should be included or should not be included in gross earnings.

Dr. Herrmann stated, some of this is merely a bookkeeping procedure and he was under the impression if the Council decides to impose this tax, money would not be available. In other words, if the Utilities would try to accumulate a large amount of funds to build a substation, they would spend it only piece-meal in order to save money, rather than in one lump sum.

Mayor Tollefson stated that all of the Departments would still receive on their investments, based on the supposition of a 4% return, they would still receive a 3.68% earnings and it wouldn't seem to be good business to give up 3.68% earnings just to avoid making the payment of this particular tax which would benefit the General Fund. There may have been a misunderstanding at one time as to what this amounted to, but he felt it had been clarified since that time.

Roll call was taken on the Ordinance as follows:

Ayes 4; Nays 4; Bott, Cvitanich, Finnigan and Herrmann; Absent 1, Haley.  
The Ordinance was declared LOST by the Chairman.

Ordinance No. 17385:

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

Mr. Kettler requested that the City Council postpone this Ordinance due to the fact that a letter has been filed asking for a hearing to clarify some of these classifications.

Mr. Bott moved that Ordinance No. 17385 be postponed until the meeting of July 16, 1963. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

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 SE corner of So. 66th and Verde in the "C-1" Commercial District. (Petition of Wm. H. Measaw) 220

Roll call was taken on the Ordinance resulting as follows:

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

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 South 6th to South 8th from Pearl to Bantz Blvd. in the "C-1" Commercial District. (Petition of C. G. Francis) 221

Roll call was taken on the Ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Haley.  
The Ordinance was declared passed by the Chairman.

Ordinance No. 17388:

Vacating the property located at So. 30th St. between Madison St. and the alley between Madison and Gunnison Sts. (Petition of Keith Petersen) 221

Roll call was taken on the Ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Haley.  
The Ordinance was declared passed by the Chairman.

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Ordinance No. 17389:

Providing for the improvement of L I D 4713 for paving on So. J Street from So. 59th to So. 61st St. and other nearby streets, and repealing Ordinance No. 17158, passed Sept. 4, 1962.

Roll call was taken on the Ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Haley.  
The Ordinance was declared passed by the Chairman.

UNFINISHED BUSINESS:

The Director of Public Works presents the following assessment for hearing:

L I D 6793 for street lighting in the vicinity of East 72nd & Roosevelt Avenue.

L I D 6797 for street lighting on Pearl Street from So. 10th to So. 16th Streets.

Mrs. Price moved that Monday, August 12, 1963 at 4:00 P. M. be set as the date for hearing on the assessment rolls for L I D 6793 and L I D 6797. Seconded by Mr. Steele. Voice vote taken. Motion carried.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

Tacoma Employees Retirement System report for the month of June 1963.

COMMENTS:

Mr. Steele moved that Mayor Tollefson be authorized to sign the letter to Mr. W. D. Whinery, Jr., representative of Tideair Inc., fixed base operator, selected for the Tacoma Industrial Airport, authorizing Tideair to perform certain work at its own risk pending the signature of a formal agreement for the construction of a hanger and operations. Seconded by Mrs. Price. Voice vote was taken. Ayes 5; Nays 3; Finnigan, Bott and Cvitanich. Absent 1, Haley. Motion carried.

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Mr. Steele moved that Mr. Rowlands, City Manager, be authorized to circulate prospectus to Architects for the proposed Civic Auditorium. Seconded by Mrs. Price. Voice vote was taken. Ayes 6; Nays 2, Cvitanich and Bott; Absent 1, Haley. Motion carried.

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Mayor Tollefson introduced the guest of Dr. Humiston, Chairman of the Sister City Committee, Takehisa Hayashi, son of the Mayor of Kokura, Japan who is visiting the Northwest.

Mayor Tollefson stated that Mr. Hayashi is only 19 years of age and is well on his way in the study of Law.



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There being no further business to come before the Council, upon motion duly seconded and passed the meeting adjourned at 5:20 P. M.

W. M. Sullivan  
Mayor of the City Council

Attest: Josephine Melton  
City Clerk