

CITY COUNCIL MINUTES

**City Council Chambers, 4:00 P. M.
Tuesday, July 23, 1963**

Council met in regular session. Present on roll call 7: Cvitanich, Finnigan, Herrmann, Murtland, Price, Steele and Mayor Tollefson. Absent 2, Bott and Haley. Mr. Bott arrived at 4:15 P. M.

Mrs. Price moved that the minutes of the meeting of July 9, 1963 be approved as submitted. Seconded by Mr. Steele. Voice vote taken. Motion carried.

HEARINGS & APPEALS:

This is the date to which the hearing has been postponed on the construction and reconstruction of sidewalks in the area of 1401 & 09 No. Proctor St. (SCF-63)

No one appeared to object.

Mr. Steele moved that the proper Ordinance be brought in providing for the improvement. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

COMMUNICATION:

Communication submitted by the City Clerk regarding the results of checking the sufficiency of signatures on the referendum petitions on Ordinance No. 17376 filed on July 5, 1963. ²⁴¹ ₂₆₁

Mr. Metzler, Attorney, representing the Pierce County Taxpayers Association, requested that the two ordinances pertaining to increased tax and licenses be referred to the vote of the people at the next election. He said there were 7,024 signatures on the petition for the B & O tax ordinance and 5,626 on the license ordinance which exceeds the 10% required by law which is 4,257. He added that due to the holiday and the weekend, there wasn't sufficient time allowed to submit all of the petitions with the required number of signatures prior to the effective date as determined by the City Legal Department.

Mayor Tollefson stated the City Council has not as yet determined what procedure to follow. He said the City Council appreciated Mr. Metzler's feeling with regard to the limitation of time imposed by the Charter of the

City of Tacoma and the five-day work week which has been in effect for quite a number of years. The Council has been advised by Marshall McCormick, City Attorney, who has talked to other attorneys that represent the entire State Association of City Attorneys, and their opinion is the same as Mr. McCormick's.

Mayor Tollefson asked Mr. McCormick the possible steps the City Council might take concerning this situation.

Mr. McCormick said the Council could-

- (1) Stand on the opinion of the Legal Department that both ordinances are now in effect, and do nothing further.

If this is done, the burden would then be on the Tax Bureau to institute the necessary legal proceedings in the Superior Court of Pierce County to attempt to force the City Clerk to check for the sufficiency of the supplemental signatures on the petitions filed on Monday July 8.

- (2) Request that the City Attorney prepare ordinances repealing Ordinances No. 17373 and No. 17376 regardless of the sufficiency of the supplemental signatures to the petitions. If this is done it would restore the B & O taxes and the licensing taxes to the same status they had prior to the passage of these two ordinances.
- (3) Repeal both ordinances, re-enact both ordinances, and, after publication thereof but before they become effective, refer such ordinances to a vote of the people either by a special election or in connection with the municipal election in March of 1964.

Mr. McCormick further added that, in his opinion, the City Council cannot at this time simply refer the Ordinances No. 17373 and 17376 to a vote of the people inasmuch as any referral of an ordinance to a vote of the people must be made prior to the date that such ordinance becomes effective. In his opinion, these ordinances are now in effect and, consequently, a repeal and re-enactment as above indicated would be necessary. However, he added, this would be a matter of policy for the City Council.

Mayor Tollefson informed Mr. Metzler that the Council will take this under advisement and have an answer for them by the next council meeting. He added the City Council has debated long and worried a great deal over additional income for the City for the purpose of providing additional manpower and maintaining the present manpower.

RESOLUTIONS:

Resolution No. 17555:

Fixing Monday August 12, 1963 at 4:00 P. M. as the date for hearing on L I D 3566 for sanitary sewers on East 26th St. from M to N St.

Mr. Rowlands requested a two-week delay as the Public Works Department would like to gather additional information as there may be some changes in the area. Mr. Murtland moved to postpone the resolution until August 13, 1963. Seconded by Mr. Steele. Voice vote taken. Motion carried.

Resolution No. 17556:

Fixing Monday August 26, 1963 at 4:00 P. M. as the date for hearing on L I D 2353 for grading and oil mat surface on No. 40th from Orchard to Baltimore.

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. 17557:

Fixing Monday Sept. 9, 1963 at 4:00 P. M. as the date for hearing on L I D 2345 for grading and oil mat surface on East 67th from A to B St; and on East B from East 80th to 82nd Street.

Mr. Bott 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.

Resolution No. 17558:

Fixing Monday Sept. 9, 1963 at 4:00 P. M. as the date for hearing on L I D 2347 for sidewalks on So. 76th from Thompson to L and nearby streets.

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

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

Resolution No. 17559:

Fixing Monday Sept. 9, 1963 at 4:00 P.M. as the date for hearing on L I D 4694 for paving on Yakima Ave. from So. 56th to 72nd Street.

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

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

Resolution No. 17560:

Authorizing the proper officers of the City to execute an agreement with the architectural firm of Harris & Reed for the design and preparation of plans and specifications for a new fire station.

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

Mr. Rowlands said the amount of \$65,000 should be inserted on page 3 in the 11th paragraph in the blank space.

It was moved by Mr. Steele that this amount be inserted. Seconded by Mrs. Price. Motion carried.

Mr. Murtland asked where the future location of the fire station will be.

Mr. Rowlands said it will be located in the vicinity of 6th and Union and will be Station # 9. He pointed out that the acquisition of the property will be separate from the cost of the building.

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

Resolution No. 17561:

Authorizing the proper officers of the City to execute an agreement with the architectural firm of Robert Billsbrough Price for the design and preparation of plans and specifications for a new fire station.

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

Mr. Rowlands said that \$250,000 should be inserted on page 3, paragraph 11 in the blank space.

It was moved by Mr. Steele that this amount be inserted. Seconded by Mrs. Price. Motion carried.

Mr. Rowlands said this station will be the Fire Department Headquarters and will be located within two blocks of the County-City Building.

Mr. Jvitanich asked who determined the location of the new fire stations.

Mr. Rowlands said the plan was developed by the Planning Commission and was checked by the Fire Chief and Staff; it also conforms to National Board requirements.

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

Resolution No. 17562:

Authorizing the proper officers of the City to execute an agreement with the architectural firm of McGuire and Muri for the design and preparation of plans and specifications for a new fire station.

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

Mr. Rowlands said the amount of \$60,000 should be inserted on the 3rd page of the agreement in the 11th paragraph in the blank space.

It was moved by Mr. Steele that this amount be inserted. Seconded by Mrs. Price. Motion carried.

Mr. Rowlands added that this station is to be located on the other side of the 11th Street Bridge.

Mr. Bott asked if it would be more practical to have one plan for the construction of the fire stations, or wondered if it is due to the topography that each station has to be designed differently.

Mr. Rowlands said there will be changes in design due to topography as these stations will be in residential, business and industrial areas.

Mr. Bott said there are some very nice stations in residential areas such as the one located out on 6th Avenue.

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Chief Reiser said the 6th Avenue station has only one stall and there will be two stalls at 6th and Union, two in the industrial area and four on Tacoma Avenue.

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

Resolution No. 17563:

Awarding contract for the sale of property near East "Q" St. and Puyallup Ave. to the Red Top Ladder Co., on its bid of \$7,400 which bid is determined to be the highest and best bid.

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

Mr. Rowlands pointed out this property was used by the old inter-urban system for storage and a turning around point. This property was acquired when the Transit System was purchased and is of no use to the City.

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

Resolution No. 17564:

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

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. 17565:

Terminating the expenditure of funds for Urban Renewal purposes until such time as Urban Renewal programs shall be ratified by the electorate of the City of Tacoma.

Mr. Cvitanich moved that the Resolution be adopted. There was no second to the motion.

The Resolution was lost for want of a second.

Resolution No. 17566:

Extending condolences to the family of Battalion Chief Arthur Strong due to his untimely death in the performance of his duty, and recognizing his many years of devoted service.

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.

FIRST READING OF ORDINANCES:

Ordinance No. 17398:

Re-enacting and amending Chapter 6.48 of the Official Code of the City 237 relating to Licenses and Taxes on Small Loan Companies.

Mr. Murtland moved to amend the ordinance to reduce the amount of \$275.00 to \$250.00 per annum. Seconded by Mr. Cvitanich. Ayes 6; Nays 2; Steele and Tollefson; Absent 1, Haley.

The Ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 17397:

Amending Subsection 13.06.350-A-1 of the Official Code of the City relating to Automobile parking and loading areas.

Roll call was taken on the Ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Haley.

REPORTS:

Report from the City Clerk regarding additional remonstrances filed against L I D 5374 for water mains in No. 21st from Stevens to Orchard.

Mr. Steele requested that an Ordinance be brought in repealing Ordinance No. 17368 due to the fact that the protests have exceeded 60%. He said this matter was discussed with Mr. McCormick, Mr. Benedetti,

Assistant Director of Utilities, and himself. It was their desire to repeal this ordinance to delay the street improvement pending Mr. Benedetti's efforts to solve the water problems.

Mr. Benedetti explained that the department plans to re-initiate the district and inform the people of all of the issues involved, as many of the residents have deposits with the Water Department for the construction of the water main and in some instances will receive a refund. He was hopeful, by informing the people, to gain their acceptance for the water project.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. State Audit report for the Water Division period covering Jan. 1, 1961 to Dec. 31, 1962.
- b. Report from the City Planning Commission for the months of April, May & June, 1963.

COMMENTS:

Mayor Tollefson said Mr. John Willis, President of the Fire Fighters' Union No. 31, would like to address the City Council at this time. 242
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Fire Captain Richard E. George, Vice President of the local union, said he would like to speak in Mr. Willis' behalf as Mr. Willis was ill and could not be present.

Captain George read into the record a letter and report submitted by the Fire Fighters' Union, signed by Mr. Willis dated July 23, 1963. The communication made reference to the tragic death of Chief Strong at the Port of Tacoma Dock fire, which they feel was due to the shortage of manpower. The Union recommended that 54 additional firemen, two additional inspectors and an additional fire radio frequency be added to the Fire Department. It indicated that there are fewer firemen on duty at the present time than in 1959 when the City's fire rating was down-graded by the National Board of Fire Underwriters.

Fire Chief Reiser read from a report submitted to the City Manager, dated July 23, 1963, which stated that, in his opinion, the death of Chief Strong was not in any way due to the present manpower level, but quite the contrary. The report clearly indicates that were there more men in that particular area when the ships were towed from the pier, the injury to and possible loss of personnel would have been greater.

Mr. Walt Lambert of Spokane, Secretary of the Washington State Council of Fire Fighters, said every city has financial problems but it appears that in order to balance the budget, fire forces are being depleted.

Mayor Tollefson noted that the additional personnel would cost the City \$350,000 a year. He said many of the Departements of the City are undermanned, notably the Police Department.

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Mr. Rowlands quoted statistics from 1961 and 1962 pointing out that Tacoma compares very well with other cities of its size, taking into consideration, however, that Tacoma's area is larger than most of the cities.

Seven out of 38 cities have more men per 1,000 population than Tacoma to date. Mr. Rowlands added because of the obligations placed on the City many departments have had to reduce power, but Tacoma is well within the No. 3 rating with the National Board of Fire Underwriters.

Mr. Finnigan asked if the City Council had the authority to establish regulations for the Port. Mr. Rowlands explained that it would require an ordinance covering docks and piers. At present, the City does not have such an ordinance.

Marshall McCormick, City Attorney, said it is debatable whether a city ordinance would be enforceable on port property.

Fire Chief Reiser said the fire officials had met informally with the port officials prior to the construction of Pier 7 and had recommended standards prescribed by the National Fire Protection Association.

Mr. Jack Waller of Spokane, Vice President of the International Association of Fire Fighters, said he was positive that if there were sufficient manpower available to man the lines, the tragic death of Chief Strong would not have occurred. He added that this man was doing his job with inadequate protection and lack of manpower. He said that local firefighters are present today to plead for the necessary finances from the City Council to provide minimum standards of fire personnel for the City of Tacoma.

Mayor Tollefson said this is a very serious matter, one with which the Council is concerned. He said the Council is aware of the tragic death and is extremely sorry. He added that the Council respects the position of the firemen and is proud of the fact that they have worked so well that the City has been able to obtain an increased rating with the National Fire Bureau. He said that the City Council has imposed taxes upon various areas of business to obtain funds and immediately a deluge of protests was received from the people who, in many instances, desire these services.

The City Council will do all that is within its power to bring the Fire Department closer to the standards of the National Board of Fire Underwriters to obtain a No. 1 rating, and also will do the same with the Police Department which, he feels, is undermanned as much, if not more than the Fire Department.

Mr. Murtland mentioned that a one-step increase for the city employees would amount to approximately \$350,000 which, again, is a large sum of money for the Council to acquire.

Mr. Cvitanich asked Mr. Rowlands if, in the event the National Board of Fire Underwriters were to inspect the Fire Department, their rating would drop due to the shortage of personnel.

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Mr. Rowlands said there would be no danger as we are definitely well within the No. 3 rating.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 6:50 P. M.

W. M. Jolley

Mayor of the City Council

Attest: *Josephine Melton*

City Clerk