

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, July 16, 1963

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

Mrs. Price moved that the minutes of the meeting of July 2, 1963 be approved as submitted. Seconded by Mr. Steele. Voice vote taken. Motion carried.

RESOLUTIONS:

Resolution No. 17547

Fixing Monday August 12, 1963 at 4:00 P. M. as the date for hearing on L I D 1011 for Fire Hydrants on 6th Avenue between Woodlawn and Mildred Streets.

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

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

Resolution No. 17548

Awarding contract to Mallon Motors for the furnishing of one 1964 model Cab and Chassis Truck on its bid of \$2,428.21 plus applicable sales tax, not including optional equipment, which is determined to be the lowest and best bid.

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. 17549

Awarding contract to Morris Construction for Improvement 3047-D-2 on its bid of \$6,469.54 including sales tax on items 1 thru 24, which is determined to be the lowest and best bid.

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. 17550

Awarding contract to (8) fuel oil companies for the furnishing of heating fuel requirements for the period of July 1, 1963 thru June 30, 1964 which was determined to be the lowest and best bids.

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

Mr. Rowlands explained that this is 4.5% lower than the bid last year and the city will be saving approximately \$1,556.00.

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

Resolution No. 17551

Awarding contract to Harmons Service Station for the furnishing of tires and tubes for the period of July 1, 1963 thru June 30, 1964 for Schedules I, II, III and IV on its bid of \$15,431.54 plus tax, and awarding contract to Wested Tire Company for Schedule V on its bid of \$2,969.70 plus tax, which bids are determined to be the lowest and best bids.

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

Mr. Rowlands stated that, based on last year's requirement, it is expected that the city will save approximately \$450.00 this year.

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

Resolution No. 17552

Authorizing the proper officers of the City to execute an agreement with the Clover Park School District No. 400 for supplying electric service to the Clover Park Senior High School.

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

Mr. Benedetti explained that this is similar to other agreements which the City has entered into with School District No. 10 where the school has assumed the responsibility for transformers and facilities on the school property. The District will receive this voltage which will then be distributed to the school property.

The reason for this agreement is that Clover Park School is enlarging. After analyzing the matter it was determined that it would be to the school's advantage to assume the responsibility for the transformers which the Department has maintained.

In answer to questions by the City Council, Mr. Benedetti stated that this is the first agreement entered into with Clover Park, and the City will make a reasonable profit for this distribution and that Clover Park will qualify for the E-4 Rate. This agreement will have no effect on the rates charged to the citizens of Tacoma, he added.

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

Resolution No. 17553

Accepting certain offers to sell real property situated within the Center Street Urban Renewal Project designated Project No. Wash. "R-1".

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

Mr. Finnigan asked that the legal description, size of the property, etc. be included on the sheet with the price.

Mr. Rowlands advised Mr. Finnigan that this will be included in the Resolution hereafter.

Dr. Herrmann asked Mr. Maffin how complete is the acquisition of property so far and how much remains to be acquired.

Mr. Maffin said approximately 85 to 87% has already been acquired and it is anticipated that the remaining property will be acquired by the fall term of the Court.

The Resolution was passed by voice vote.
Ayes 5: Herrmann, Murtland, Price, Steele and Mayor Tollefson.
Nays 3: Bott, Cvitanich and Finnigan. Absent 1, Haley.

Resolution No. 17554

Amending Resolution No. 17483 which authorized the execution and delivery of a certain project temporary loan note in connection with Project No. Wash. "R-3".

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

Mr. Rowlands explained there is a substitute Resolution submitted correcting the title as there was an improper reference made to the number of the Resolution.

Mr. Steele moved to accept the substitute Resolution. Seconded by Mrs. Price. Motion carried.

Mr. Steele moved that the Resolution be amended in the 5th paragraph on the first line to Resolution No. 17378 instead of Resolution No. 17377.

The Resolution was passed by voice vote.

Ayes 7: Bott, Finnigan, Herrmann, Murtland, Price, Steele and Mayor Tollefson. Nays 1: Cvitanich. Absent 1, Haley.

FIRST 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.

Mr. Rowlands stated this Ordinance would require one offstreet parking space for each dwelling unit constructed. Provisions are included to allow a separate offstreet parking facility within 200 feet of the larger unit dwellings as in an R-4, R-5, C-1, C-2, C-3 and M-1 Zoning Districts.

Mrs. Price said she thought in the more congested areas such as the shopping districts that have already been zoned for parking and particularly in the areas of small apartments that are occupied by elderly citizens who do not have cars, further consideration should be given to this matter as the property would be very expensive to acquire.

Mr. Buehler, Director of Planning, stated that anything existing at the present time would not have to comply with the Ordinance. The Planning Commission felt these should be the minimum standards for parking; also, the F. H. A. has the same minimum standards for parking, which are one for one. The matter was studied by the Planning Commission for approximately three months; also recommendations were sent to the home builders and apartment home builders and no protests were received.

The Ordinance was placed in order of final reading

FINAL READING OF ORDINANCES:

Ordinance No. 17374 (postponed from the meeting of July 9, 1963)

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

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Mr. Earl Mann, attorney speaking for small loan companies, asked that the City Council consider a \$250.00 license fee rather than a tax on small loan companies.

Mayor Tollefson thought it was the consensus of the City Council to recommend a percentage tax, however, if a license fee is recommended the amount should be equivalent to the proposed tax. If a license fee is recommended, the Council would like to reserve its right to readjust this fee at a later date, recognizing that economy changes from year to year. At the present time they feel a reasonable fee would be appropriate but a \$250.00 fee, as suggested, is relatively low. Mayor Tollefson thought a \$275.00 fee would be more or less on a par with what a percentage rate would bring into the City.

Mr. Murtland asked how many loan companies out of the sixteen would actually be required to pay less than \$250.00 if they were on the present 1/4 of 1%.

Mr. Mann said there would be seven.
Mr. Steele requested an ordinance setting the fee at \$275.00.
Mr. Cowen, also speaking for the small loan companies, said he felt they have imposed upon the City Council a great deal and appreciated the courtesy extended to them by the Council. He said the suggested fee of \$250.00 mentioned by Mr. Mann was the limit that they were authorized to go and if the Council intends to introduce another ordinance for \$275.00 it would only delay matters.

Mayor Tollefson said he appreciated the fact that it is necessary for Mr. Cowen to speak on behalf of his group as it would not be fair if he sat idly by and did not raise a question. He said he also appreciated his remark that the Council members had been courteous.

Dr. Herrmann said the question is whether the \$250.00 or \$275.00 license fee would bring in as much revenue as the proposed tax. He added that if the \$250.00 license fee would bring the same revenue as the tax he would be satisfied.

Mr. Murtland said that if the small loan companies were paying 1/4 of 1% they would be paying less than \$250.00.

Mr. Cowen said that a \$275.00 license fee would bring more revenue than the B & O tax.

After some discussion, Mrs. Price moved that an Ordinance be brought in setting the license fee at \$250.00 per annum.

Mayor Tollefson explained that a request had been made by Mr. Steele to bring in an Ordinance fixing the license fee at \$275.00. He thought it would be appropriate to have an Ordinance prepared for a fee of \$275.00 and if the Council wished to change the amount it could be changed at the time it is presented.

Mayor Tollefson suggested that inasmuch as a request for an Ordinance was made setting a license fee at \$275.00, Ordinance No. 17374 should be voted down.

Roll was then taken on the Ordinance resulting as follows:

Ayes 2; Steele and Mayor Tollefson. Nays 6; Bott, Cvitanich, Finnigan, Herrmann, Murtland and Price. Absent 1, Haley. The Ordinance was declared lost by the chairman.

Ordinance No. 17385 (postponed from the meeting of July 9, 1963)

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

Mr. Rowlands stated this was set over from last week at the request of Mr. Ketler.

Mr. Ketler stated that the Ordinance had been reviewed and they have found that it is satisfactory to all concerned.

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. 17390

Naming certain portions of an unnamed street and changing the names of certain other streets all located in the northeastern portion of the City.

Roll call was taken on the Ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Haley.

Ordinance No. 17391

Vacating the alley from South 13th to South 14th Streets between Yakima Avenue and G Streets (petition of St. Leo's Parish) 228

Roll call was taken on the Ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Haley.

Ordinance No. 17392

Amending Chapter 13.06 of the Official Code and adding a new section 13.06.130-23 to include property on the north side of Center Street between Mullen and Gove Streets in "R-2" One-Family Dwelling District and a "C-1" Commercial District. (Petition of Joseph Iverson) 229

Roll call was taken on the Ordinance resulting as follows:

Ayes 7; Nays 0; Absent 2; Haley, Tollefson (temporarily)

Mayor Tollefson resumed the chair

Ordinance No. 17393

Providing for the improvement of L I D 2297 for grading and oil mat surface on Fife Street from South 76th to South 78th Street.

Mrs. Winston of 7635 So. Fife stated she was informed by the City that they could not guarantee a 60-foot width as it could be 65 or 70 feet. She said she would like to know definitely how wide the right-of-way would be as 70 feet would bring it too close to her property.

Myron Calkins, City Engineer, explained that there are situations in various parts of the City that have to be more than 60 feet; however, in this particular area this does not apply. The driveway approaches are subject to additional cost to those property owners who have driveway approaches, the cost adjusting can be accomplished at the same time the street is graded.

Roll call was taken on the Ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Haley.

Ordinance No. 17394

Providing for the improvement of L I D 5368 for cast iron water mains in the vicinity of Sunset Drive & Locust Lane from 6th Ave. to No. 8th Street.

Roll call was taken on the Ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Haley.

Ordinance No. 17395

Providing for the improvement of L I D 5375 for cast iron water mains in Whitman Street from North 42nd to North 45th Street and in North 45th Street from Whitman to Vassault Street.

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Roll call was taken on the Ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Haley.

Ordinance No. 17396

Providing for the improvement of L I D 5376 for water mains in East "B" Street from East 80th Street to East 82nd Street.

Roll call was taken on the Ordinance resulting as follows:

Ayes 8; Nays 9; Absent 1, Haley.

UNFINISHED BUSINESS:

Mr. Steele moved that Monday, August 12, 1963 at 4:00 P. M. be set as the date of hearing on the assessment roll for L I D 3548. Seconded by Mrs. Price. Voice vote taken. Motion carried.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Report from the Municipal Court for the month of June 1963.**
- b. Report from the Belt Line Division for the month of May 1963.**

COMMENTS:

Mr. Cvitanich stated he had received numerous calls from City 212 employees regarding the petitions that were submitted by the Pierce County 24 Taxation Bureau. Three or four City Departments have received photostatic copies of the petitions that Mr. Ketler circulated and he had asked that the City employees contact various people who signed these petitions to have them withdraw their names. He added that in past City elections, an order has specifically been given forbidding City employees to participate in politics. If the Council approves soliciting either signatures or withdrawals from the referendum, that would be fine, but he did not approve of orders emanating from the City Manager's office when a City election is held that no City employee can participate in a campaign.

Mayor Tollefson stated that according to State Law these records are available to the public.

Mr. Rowlands stated that this soliciting had been conducted by the Joint Labor Committee. The committee consists of about 5 members representing 18 unions.

Mr. Cvitanich stated he felt that using City employees to do this job puts them in a poor position in this community.

Mayor Tollefson stated the Charter provides, under 6.8, "no person holding a position in the classified service shall take any part in a campaign involving an election of any City official, further than to cast his vote and to express privately his opinions."

Mayor Tollefson asked Mr. McCormick, City Attorney, his opinion on this chapter.

Mr. McCormick stated this has definite reference to an election of any City official, and no City official is being elected at this time. This referendum petition which Mr. Cvitanich has reference to relates to an Ordinance which was passed by the City Council. He did not think it was a violation of the Charter, but certainly it would be up to the City Council if they did not think it to the best interest of the City that any employee should be engaged in an activity such as this.

Mr. Cvitanich stated he felt the City had a moral point to be consistent.

Mr. Rowlands stated the position of City employees regarding elections is explained very clearly in the Charter.

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Mrs. Price asked Mr. Rowlands who is responsible for the dock ²⁵¹ where Sunday's terrible fire originated and who is accountable for the hiring of the employees.

Mr. Rowlands stated the responsibility and the hiring of personnel is under the jurisdiction of the Port of Tacoma.

Mr. Murtland stated since the City does not have the responsibility of the supervision of the Dock, in what measure does it become responsible as to the Fire fighting units?

Mr. Rowlands explained that the City does not have an Ordinance specifically covering the docks but the Building Inspector and the Fire Marshall have had informal meetings with the Port officials and recommended some time ago that manholes be put in every 18 to 20 feet, which would have enabled the firemen to get down to the fire.

Mr. Murtland said if the City is required to furnish firefighters, he felt they should be able to ask them to put in certain preventive measures.

Mr. Rowlands stated he felt the Port would work very closely with the City as the rehabilitation takes place.

Mr. Rowlands also added that one engine was completely destroyed and the ladder truck would probably be rehabilitated. The No. 4 Engine truck which was completely destroyed was to be replaced this year and money has been set aside for that purpose.

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Mr. Bott said he thought that condolences should be sent to the Strong family.

Mayor Tollefson remarked that a Resolution is being prepared for next week's meeting expressing sympathy to the Strong family.

Mr. Finnigan said he trusted that everyone understands that the Council is not being critical of the management of the Port of Tacoma because they were unfortunate in having such a tragedy. He commended the Fire Department for their efficiency in combating the fire.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 5:40 P. M.

W. M. Tollefson

Mayor of the City Council

Attest: *Josephine Nelson*