

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P.M.
Tuesday, July 18, 1967

Council met in regular session. Present on roll call 7: Bott, Mignan, Haley, Herrmann, Johnson, Price and Mayor Tollefson. Absent 2: Murtland and Murtland. Mr. Murtland arriving at 4:05 P.M.

Dr. Herrmann moved that the minutes of the meeting of July 5, 1967 be approved as submitted. Seconded by Mr. Haley.

Mr. Bott asked that the wording on Page 2, third paragraph after the word "discussion" was too general as he did not agree that the land could not be used for anything but apartments.

The minutes were then amended to reflect the ultimate decision without regard to the theories on which it was reached.

Dr. Herrmann moved that the minutes be approved as amended. Seconded by Mr. Haley. Voice vote taken. Motion carried.

Presentation of a Suggestion Award to Lawrence E. Stahl, Sr.

Mr. Rowlands explained that Mr. Stahl of the Public Works Dept. has won a \$25.00 award for his suggestion of a new technique for the use of grease (with a high melting point) on the spray bar of the oiler, which will increase the efficiency of the operation.

Mayor Tollefson presented Mr. Stahl with his award.

Mr. Stahl was congratulated by Mayor Tollefson, Mr. Rowlands, City Manager, and members of the City Council.

HEARINGS & APPEALS:

This is the date set for reconsideration of the denial for rezoning of the property located on the south side of So. 72nd between 1st and Alaska Sts. submitted by Edwin C. Brenden.

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Mr. Murtland remarked that he wished to modify his first vote after careful study as he felt that a seven story building at this location was too high. If some modification could be made of the plans for the apartment, perhaps an "R-4-L" zoning, he would then go along with the rezone.

Mr. Haley felt this area was planned for single family "R-2" zoning but he later felt this area was destined for apartment dwelling. However, he added, an "R-4-L" zone would be more appropriate than an "R-4" zone.

Mr. Bott thought an apartment at this site was not in keeping with the lovely residential neighborhood surrounding the area.

Mayor Tollefson asked Mr. Buehler, Director of Planning, why an "R-4-L" classification would not be appropriate.

Mr. Buehler remarked that this was discussed by the Planning Commission at its meeting of June 5th as a possibility, but the petitioners felt they had to have 80 or more units to make this a feasible project. He pointed out on a map the directions the units face.

Discussion was held on the merits of an "R-4-L" zoning in this area.

Dr. Herrmann wondered if the homes in the area would have been developed if an apartment had already existed.

Mr. Johnson reminded the Council that all the arguments at the previous hearing were geared to the traffic congestion that an apartment would generate. Today the argument is the height of the structure and he did not feel the height was objectionable and felt it was good zoning for this area.

Mr. Johnson asked if a profit could be made if an "R-4-L" zoning were approved.

Mayor Tollefson asked if the Brendens had obtained a financial feasibility study relative to an "R-4-L" zone.

Mrs. Edwin Brenden stated they had not as the freeway has displaced them at least two times.

Mayor Tollefson remarked that it appears if Mr. Brenden would divide this property into single-family dwellings even at 50 feet height, he could get about 6 units, but with an "R-4-L" zoning it could accommodate 62 units without having to acquire more property.

Mr. John A. Rorew, attorney representing property owners opposing the rezoning, remarked that his clients would not oppose an "R-4-L" rezone. They were not against a buffer zone but against this massive six story fifty foot by 220 foot building.

A number of property owners in the area spoke against the rezone.

Mayor Tollefson stated it appears that an "R-4-L" would be more desirable than an "R-4" zone. Therefore, he felt it might be well to examine the financial feasibility of an "R-4-L" zone.

Mr. Haley then moved that this petition be referred back to the Planning Commission for further study. Seconded by Mr. Bott. Voice vote taken. Motion carried.

PETITIONS:

Petition submitted by Harold Wick requesting rezoning of the property located on the S.W. corner of No. 13th & Stevens St. from an "R-2" to an "R-4-L" District.

Referred to the Planning Commission.

RESOLUTIONS:

Resolution No. 19273

Authorizing the proper officers of the City to transfer a sum not to exceed \$65,000.00 from the General Fund to the Fire Dept. Construction Fund.

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

Mr. Rowlands, City Manager, mentioned a letter was received from J. W. Reiser, Fire Chief, explained to the Council that construction costs have risen to the point where the building had to be reduced from 10,000 square feet per floor to 5,472 square feet on each of the two floors and the two basement levels to 3,128 square feet each, but would still leave the Fire Department with an adequate building for growth. Mr. Robert Price, Architect, has requested \$65,000 more to complete the project as costs continue to rise. He noted that any delay or more reduction in space would render it inadequate to suit the present needs.

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

Resolution 19274 No.

Awarding contract to McKasson Brothers Construction Co. on its bid of \$399,593.00, plus sales tax, for the construction of the Headquarters Fire Station and Administration Building.

Mr. Haley moved that the resolution be adopted. Seconded by Mr. Hartland.

Mr. Rowlands noted that in the third paragraph the words Director of Public Works should read "Fire Chief."

Mayor Tollefson instructed the Clerk to make that recommendation, that Fire Chief should be substituted instead of Director of Public Works in the third paragraph.

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

Resolution No. 19275

Awarding contract to Tucci & Sons, Inc. on its bid of \$204,754.81 for LID's 4800 and 4801.

Mr. Finnigan moved that the resolution be adopted. Seconded by Mr. Haley.

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

Resolution No. 19276

Awarding contract to Tucci & Sons, Inc. on its bid of \$55,739.15, including applicable sales tax, for W.O. 91115, Unit "A".

Mr. Finnigan moved that the resolution be adopted. Seconded by Mr. Haley.

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

Resolution No. 19277

Accepting a sealed bid for the purchase of real property situated within the Fawcett Street Urban Renewal Project No. Wash. R-3 located adjacent to the building at 901 Tacoma Ave. So.

Mr. James Wright, Assistant Urban Renewal Director, explained that this property is adjacent to the building at 901 Tacoma Ave. So. and Hesco Inc. also owns the corner building. The building is being re-modeled and the purpose of this particular property for parking is a requirement of the Plan.

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

Resolution No. 19278

Authorizing the proper officers of the City to terminate the lease of Hart Construction Co. for vacant lands at 3536 So. 11th St. effective Aug. 1, 1967, and approve a 5-year lease effective Aug. 1, 1967 to Pacific Crane & Construction Co. for the same property.

Mr. Finnigan moved that the resolution be adopted. Seconded by Mr. Haley.

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

Resolution No. 19279

Authorizing the renewal of a 5-year lease with Nalley's Find Foods relative to parking space in the area lying East of the Water Division's Storage building and South of 35th St. to be effective from Aug. 1, 1967 to July 31, 1972.

Mr. Finnigan moved that the resolution be adopted. Seconded by Mr. Haley.

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

Resolution No. 19280

Authorizing the proper officers of the City to execute an agreement with the Finance Dept. of the State of Wash. Military Dept. for the purchase of electric energy for the Armory premises at 715 So. 11th St.

Mr. Haley moved that the resolution be adopted. Seconded by Dr. Herrmann.

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

FIRST READING OF ORDINANCES:

Ordinance No. 18351

Amending Chapter 13.06 of the official code by adding a new section 13.06.130 (41) to include property located 160 feet east of Pacific Ave. and 300 feet north of So. 96th St. in a "C-2" District. (petition of Glenn Ash)

The ordinance was placed in order of final reading.

Ordinance No. 18352

Amending Chapter 13.06 of the official code by adding a new section 13.06.110 (1) to include property on the N.W. side of Division Ave. between No. "M" St. and the alley lying immediately northerly thereof in an "R-5-T" District. (petition of Douglas Donner)

The ordinance was placed in order of final reading.

Ordinance No. 18353

Amending Chapter 1.12 of the official code of the City by adding thereto a new section 1.12.545 increasing the annual salary of the Mayor.

Mr. Haley said he wanted the records to show that he had asked that this ordinance be drafted.

Mr. Haley explained that Tacoma has been operating on the premise that the mayor's job is a part-time duty. The people of Tacoma, the staff, the Director of Utilities, the City Manager all consult with the Mayor. The office of the Mayor is the leadership of the Legislative body of the City of Tacoma.

The City of Tacoma has grown until now the operating budget is between 40 and 50 million dollars per year. He added he thought it is the time that consideration should be given to what kind of a person the City has to fill the office of Mayor, not in terms of the individual but what should be expected of the man who fills the office of Mayor. Some people say it's a ribbon-cutting, baby-kissing, grand-opening office, but it is not that type of job. He said it is shameful and ridiculous when the mayor receives less annual salary than his secretary. He felt that the Mayor's salary should be raised somewhere in proper perspective. Perhaps some might say this salary increase is too much, too soon, or fast, but the people of the City of Tacoma expect competent, dedicated leadership from the office of the Mayor.

Mr. Haley said his proposed ordinance was merely recognizing the increased duties of the office of the Mayor. Some of the members of the Council have said that while they concur in a raise of the mayor's salary, they have doubts about the \$24,000 figure. He said any compromises can be worked out before the final passage of the ordinance at next week's meeting.

Mr. Finnigan said he certainly concurs with Mr. Haley's views on the matter. He said we all know what the office of the Mayor entails and what the responsibilities are to the citizens. However, he thought a good many people of the city do not know and probably are misled in this regard.

Mr. Finnigan said the last change in the charter was in 1958, and is certainly inadequate now and should be changed.

Mr. Johnson said he has felt for some time that anyone who holds the office of Mayor of the City of Tacoma must have some other source of income totally independent of his office that would require no effort whatsoever to maintain.

Mr. Bott said he also agreed with Mr. Haley that the Mayor's salary should be increased whether it should be the same as a department head or less than his secretary. He felt the salary or compensation should not be associated to an individual.

Mr. McCormick, City Attorney, said the Constitution provides that the compensation of municipal officers cannot be increased prior to an election and that the Attorney General rendered an opinion that any contemplated raise in compensation should be passed prior to the filing of the candidates.

Mayor Tollefson said he did not think it necessary for the entire council to speak on this matter now as they would probably want to discuss this individually. He said when the Ordinance comes up for final vote next week, he will not be present as he will be out of the city on city business.

The ordinance was placed in order of final reading.

Ordinance No. 18354

Amending Sections 1.28.020 & 1.28.070 of the official code of the City by providing that membership of the Civic Arts Commission be increased to 14 voting members and creating the office of Vice President.

Mr. Bond, Public Relations Officer, explained that the commission had requested increased membership so that a quorum could be had at each meeting.

The ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 18344 (postponed from the meeting of July 5, 1967)

Approving & confirming the Assessment Roll for LID 5412 for water mains in Pearl St. from 6th Ave. to Westgate Blvd. & in no. 14th from Woodlawn to Pearl St.

Mr. Erdahl, Director of Utilities, explained that a meeting was held with Mr. Syford of R.E. Anderson Co. He felt that Mr. Nolan, Asst. Chief City Attorney for the Utility Dept., convinced them of the proper legal position that the department took on the matter, and that the department has done as much as they could to be fair on this L I D assessment.

Roll call was taken on the ordinance, resulting as follows:

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

Ordinance 18348 No.

Providing for the improvement of LID 3657 for sanitary sewers on Ea. "D" from Ea. 92nd to Ea. 96th and other nearby locations.

Roll call was taken on the ordinance, resulting as follows:

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

Ordinance No. 18349

Approving & confirming the Assessment Roll for LID 6861 for street lights on So. 48th from Orchard to Mullen St. and other nearby streets.

Roll call was taken on the ordinance, resulting as follows:

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

Ordinance No. 18350

Approving & confirming the Assessment Roll for LID 6869 for street lights on ornamental standards along Sprague Ave. from So. 66th to vicinity of So. 72nd St.

Roll call was taken on the ordinance, resulting as follows:

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

FINISHED BUSINESS:

a. Discussion concerning K-Mart application for connection City sewers, continued from July 11, 1967.

A letter was submitted to the City Council on July 11th requesting connection to the city sewers in accordance with five provisions.

Mr. Bott wanted to be sure that the petitioners understood that item I in their letter was changed to "that the K-Mart Development proceed to conclusion."

Mr. Adams, attorney representing the petitioners, stated it was understood by his clients. ✓

Dr. Herrmann felt the Council was creating a problem if they approved this request. Under the annexation petition, if it had been favorably approved, it is perfectly obvious it would be the city's obligation to provide the necessary city services to serve that annexed area. He felt this was stretching the City's policy a point. 367

After some discussion, Mrs. Price moved that the Council provide sewer service to the development at 72nd and Portland Ave. with the provisions of Mr. Lyon's letter as amended. Seconded by Mr. Murtland. Voice vote was taken. Motion carried.

b. The Director of Public Works presents the following Assessment bills for hearing:

LID 4787 for alley paving between No. 14th & 15th from Junett Pine and between Cushman & Sheridan Ave. from Division to So. 5th St.

LID 6863 for intersection lights in the vicinity of No. 46th to 49th from Huson to Pearl St.

Dr. Herrmann moved that Monday, Aug. 28, 1967 at 4:00 P.M. be set as the date for hearing. Seconded by Mr. Murtland. Voice vote taken. Motion carried.

REPORTS:

a. MC-490 - Local Share Breakdown of Federally Assisted City projects.

Mr. Rowlands remarked the amount of the local share is 33 and 66% and 23% by the Federal or State. The local share is by appropriation, service and staff.

Mayor Tollefson stated that the City has federal assistance for the purpose of improving Tacoma in the amount of approximately \$12,000,000.

b. MC-491 - 1967 Youth Opportunity Campaign.

Mr. Rowlands stated the staff is trying this summer to utilize constructive as many young people as possible.

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ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Report from the Planning Commission for the month of June, 1967
- b. Report from the Municipal Court for the month of June, 1966 and 1967.

COMMENTS:

Mr. Rowlands asked Mr. Schuster to review the change in an access area around East 38th St.

Mr. Schuster explained that the Council met with the Highway Dept. officials last winter and they perused the access report. At the time the report was made to the Council, it was anticipated that a road would connect East "F" St. to East "D" St. By doing this it would not be necessary to take the long road at 3737 East "F" and another one at 3744 East "C" St. After further analyses, it appears by coming down an alley and cutting across a point to East "D" St. to the cul-de-sac, it would eliminate the necessity of removing two homes. 61.25 ✓

A hearing is scheduled by the State Thursday, July 20, 1967, to discuss access so it was felt it should be brought to the attention of the Council.

Mr. Rowlands reported that the workmen from the Public Works Dept. are painting crosswalks, and automobiles should be parked far enough away so that pedestrians are able to be seen. The Police Dept. has been instructed to enforce this law as complaints have been coming in that cars are parking too close to the crosswalks. ✓

Mr. Rowlands reported on a meeting which he attended in Washington, D.C. which was called by the Dept. of Health, Education and Welfare. They are trying to develop a central clearing house whereby the Departments of HUD, HEW, OEO, Labor and others can try to compile their research in a manner to help each other on the problems affecting cities. ✓

Mrs. Virginia Shackelford said she is starting a taxpayers move to help the war on poverty. She said she had submitted a letter to Mayor Rollefson on July 8th concerning the involvement of two men who are quite prominent in the local war on poverty, Rev. Ernest S. Brazill, Vice President of the Hilltop Improvement Council and Rev. O. R. Pigford. Mrs. Shackelford said she understood that Rev. Brazill was being seriously considered for the position as head of the Hilltop group now being created, and Rev. Pigford is being seriously considered to head or at least be on the Human Rights Commission. 376 ✓

Mrs. Shackelford submitted an article entitled "Memorial Tribute to Mary Sutherland" which she said was taken from "Peoples World" which is a communist press. The article stated that Rev. Bob Pigford, Baptist Minister and program coordinator for the Tacoma Hilltop Multi-service Center, paid tribute to Mary Sutherland; also Rev. Ernest Brazill, pastor of Shiloh Baptist Church and president of the North Pacific Baptist Convention, extolled the work of Mrs. Sutherland. 397 ✓

Mayor Tollefson said he understood, relative to the communication Mrs. Shackelford submitted to him, there was some challenge that he had not disseminated this information to the Council. Mayor Tollefson said the Council had this information in their possession almost immediately after it was submitted to him. He asked Mrs. Shackelford if she feels these two named people are dangerous characters and Communism is involved.

Mrs. Shackelford said she wanted to make it clear that she had not called these two men Communists but she stated they do not have to be Communists to be involved with Communism. She said a person who does not belong to the Communist party but aids and abets the Communist cause does far more harm than a hard-core Communist. Mrs. Shackelford said she did not feel these two men were completely innocent as to where they were when they attended the Memorial for Mary Sutherland and with whom they were involved.

Mayor Tollefson said he felt that would be something of a trial. He said you cannot pre-judge a person because of something that was in a paper and that he happened to be at a particular place at a particular time.

Mrs. Shackelford said she could not believe these men did not know with whom they were involved when they were particularly invited to this memorial and paid great tribute to Mary Sutherland. However, she said if these men are innocent of knowing where they were and with whom they were involved, then she felt they should stand up and clear themselves.

Mr. Finnigan said perhaps he did not know Mrs. Shackelford as well as some of the other Council members, but if Mrs. Shackelford feels it is her duty as a citizen to inform the public of such situations, he would accept it. All citizens of the city are welcome to offer any comments that would be profitable information for the City. He could see no need to prolong this discussion any longer.

Mr. Floyd Shaw said he thought Mrs. Shackelford should be commended for making this report. He stated her information was from a Communist paper and it stated these two men were there.

Rev. Pigford said he had heard that Mrs. Shackelford had submitted this letter and would be at the Council meeting so he came personally to hear what she had to say. He said he had no knowledge that there were to be Communists present at that meeting. He said he was at that meeting by invitation of a young lady who worked with him back in 1964, along with Mrs. Sutherland, to raise funds for students working in a Mississippian summer program. He said he was asked by this young lady to come and say a few words at the memorial service and he assumed that his colleague, Rev. Brazill, had been asked for the same reason.

Rev. Pigford said he arrived late at the meeting, left right after he said what he had to say, and had no knowledge of who was there until he received a copy of the "People's World" that Mrs. Shackelford was been circulating.

Dr. Herrmann said he did not think it should be up to the Council to find out for Mrs. Shackelford why Rev. Pigford and Rev. Brazill were at a particular occasion at a particular time. He said the best way to get the answer is to ask them directly.

Mrs. Shackelford said she thought the people of Tacoma have a right to be assured that the people involved in the Office of Economic Opportunity and the Human Rights Commission are not involved with Communists. She also said she would like to know how many people are involved in each of these programs, what their salaries are, how many people have been helped etc.

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Mayor Tollefson said every interested citizen would be entitled to such a report.

Mr. Bott said one thing Mrs. Shackelford brought up which might bear consideration on the part of the Council is the people they are considering appointing to this Commission -- maybe they should do a little investigating of the membership, interview them and ask a few questions.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 7:45 P.M.

J.M. Tollefson
Mayor of the City Council

Attest Josephine Melton
City Clerk