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COUNCIL CHAMBER, 7:30 P. M.

Monday, October 8, 1956.

Council met in regular session. Present 6; Battin, Goering, Humiston, Jensen, Perdue, Tollefson. Absent 3; Bratrud (taking his seat at 8:15 P.M.) Stojack and Mayor Anderson. In the absence of the Mayor, Dr. Battin, Vice Mayor of the City Council, presided.

It was moved by Mr. Jensen, seconded by Mr. Tollefson, that the minutes of the Regular Meeting of October 1, and of the Budget Hearing Meetings of October 2, 3 and 4, copies of which had been mailed by the Clerk to each Council member, be approved and the reading thereof be dispensed with. Motion carried unanimously on roll call: Ayes 6; Nays 0; Absent 3; Bratrud, Stojack, Anderson.

RESOLUTIONS:

Resolution No. 14787.

By BATTIN:

Fixing Monday, November 5th, 1956 at 7:30 P. M. in the Council Chamber as the time and place for hearing on the petition to vacate Starr Street lying between Blocks 74 and 75 of Tacoma Tidelands Addition from the northerly street line of Ruston Way to the Inner Harbor Line. (Petition of Pacific Oerlikon Co.) 62

Adopted on roll call October 8, 1956.

Ayes 6; Nays 0; Absent 3; Bratrud, Stojack, Anderson.

Resolution No. 14788.

By HUMISTON:

Authorizing the proper officers of the City to transfer the sum of \$3,312.00 from Clerk-Typist II item of Salaries and Wages, General Fund, 1956 Budget under Public Works Administrative Budget to Clerk-Typist II item of the same classification and fund as budgeted under the Finance Department Accounting and Auditing Budget.

Adopted on roll call October 8, 1956.

Ayes 6; Nays 0; Absent 3; Bratrud, Stojack, Anderson.

Resolution No. 14789.

By ANDERSON:

Authorizing proper officials of the City to execute and deliver to the Housing Authority of the City of Tacoma a lease-agreement for use of a dwelling for the Well Child Clinic by the Tacoma Public Health Department.

Adopted on roll call October 8, 1956.

Ayes 6; Nays 0; Absent 3; Bratrud, Stojack, Anderson.

Resolution No. 14790.

By BATTIN:

Authorizing the City of Tacoma to enter into an amendment to the Cooperation Agreement, dated October 10, 1950, as amended, with the Housing

Authority of the City of Tacoma substantially in the form attached hereto and approving said amendment.

Adopted on roll call October 8, 1956.  
 Ayes 6; Nays 0; Absent 3; Bratrud, Stojack, Anderson.

FIRST READING OF ORDINANCES:

Ordinance No. 15719.                      L I D 2239.

Approving and confirming assessment roll for L I D 2239--grading and fill mat surface on M Street from South 68th Street to 72nd Street, also on South 70th Street from Sheridan Avenue to L Street, and concrete sidewalks on the east side of M Street from South 68th Street to South 70th Street, also on the south side of South 68th Street from M Street to L Street. Read by title and placed in order of final reading.

Ordinance No. 15720.                      L I D 4570.

Approving and confirming assessment roll for L I D 4570--grading, asphalt paving, concrete curb and gutter on North 7th Street from Alder Street to Lawrence Street. Read by title and placed in order of final reading.

Ordinance No. 15721.                      L I D 5260.

Approving and confirming assessment roll for L I D 5260--6-inch cast iron water main in M Street from South 56th Street to South 58th Street. Read by title and placed in order of final reading.

Ordinance No. 15722.                      L I D 5265.

Approving and confirming assessment roll for L I D 5265-- 8-inch cast iron water main in North Shirley Street from North 27th Street to North 31st Street. Read by title and placed in order of final reading.

Ordinance No. 15723.                      L I D 5268.

Approving and confirming assessment roll for L I D 5268--6-inch cast iron water main in North Highland Street and North Winnifred Street from the north line of Nelson's 2nd Addition to North 30th Street; and an 8-inch cast iron watermain in North 30th Street from Highland Street to Shirley Street. Read by title and placed in order of final reading.

Ordinance No. 15724.                      L I D 5269.

Approving and confirming assessment roll for cost of improvement in L I D 5269-- cast iron water main in Chandler Street from Center Street to South Tacoma Way. Read by title and placed in order of final reading.

Ordinance No. 15725.                      L I D 6748.

Providing for the improvement of the west side of Jackson Avenue from Negra Road, south approximately 570 feet by the installation of three street lighting units; creating L I D 6748. Read by title and placed in order of final reading.

Dr. Humiston asked the reason the ordinance providing for L I D 1955--West End Storm Sewer, which he had asked be placed on tonight's Agenda under First Reading, does not appear. City Manager Rowlands advised that in order to introduce this ordinance, the engineering description must be accurate. It will take at least a month's work in the field to obtain an accurate legal description to furnish the attorney so he will be in a position to draw the ordinance, Mr. Rowlands said. In reply to a question from Dr. Humiston if there was any difficulty about acquiring the right of way, Mr. Rowlands explained the three ways in which this can be obtained: (1) Dona-

tion to City by property owner for benefits received; (2) negotiations to purchase at a reasonable price; and (3) condemnation. Mr. Boyle advised that the right of way can be purchased anytime before the assessment is levied but the City must be sure the exact location is selected before they proceed to acquire same. He advised that since property owners directly abutting the trunk line can connect to the main trunk they are charged more than a person two or three blocks away who has to pay for a lateral. Dr. Humiston said he felt one of the most controversial issues was for the City to say that a lateral will cost approximately so much a front foot. He asked the City Manager to supply Council with the actual cost experience of lateral sewers and curbs and gutters over the past two or three years. Mr. Staman advised that the figure they have been quoting of \$1.75 per front foot was the result of considerable research and is fairly accurate. Dr. Humiston suggested that perhaps L I D participation might be extended to storm sewers if the Council had the information as to the exact cost of laterals. He asked the City Manager to check the ordinance or resolution pertaining to the City's participation in L I D's to ascertain on what basis this participation is given, and report back to the Council. Mr. Jensen pointed out that tonight is the final date to accept the Lige Dickson bid on the storm sewer through Fircrest, and he asked why this was not on the Agenda. Mr. Rowlands advised that the Council has until next Monday to accept this bid. Speaking on L I D 1955, Mr. Tollefson said the Council should not order the drafting of an ordinance requiring a great deal of expensive engineering unless it is pretty certain the ordinance will be passed. He said he would entertain a resolution stating the intent of the Council to pass such an ordinance, so that all the expensive engineering costs will not be for nothing. Mr. Boyle advised that since the hearing was conducted by the L I D Committee, it should be handled by the Committee augmented by the Council. He suggested a joint recommendation of the Committee and Council be made prior to spending money for engineering. In reply to a question as to the amount of engineering costs involved, Mr. Rowlands said it was between \$10,000 and \$12,000. Mr. Rowlands stated that he was going to recommend that the Committee of the Whole meet to discuss this matter. Mr. Tollefson was opposed to holding an extra meeting, stating that he felt the Council could make a decision tonight under unfinished business. This suggestion was discussed and Mr. Tollefson said that he would bring L I D 1955 up under Unfinished Business, and Chairman Battin ruled that this procedure was proper.

#### FINAL READING OF ORDINANCES:

##### Ordinance No. 15717.

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Amending Ordinance No. 14793- ZONING ORDINANCE- by adding thereto two new sections to be known as Section 9K and Section 9L. (Section 9K- C-2 district, property on east side of South M Street from South 39th 250 feet north and Section 9L- C-2 District an 80' strip of land running north and south through the center of the North 26th and Proctor Business District). Read by title. (See petition of Jack D. Simmons, et al (7-30-56). After a brief explanation by Hugh Faville of the Planning Staff, roll was called on the passage of the ordinance, resulting as follows:

Roll call: Ayes 7; Nays 0; Absent 2; Stojack, Anderson.

##### Ordinance No. 15718.

Appropriating sum of \$30,000.00, or so much thereof as may be necessary, from General Fund, to be transferred to Police Relief & Pension Fund; authorizing the expenditure thereof, or so much thereof as may be needed, for the purpose of paying claims for back pensions to retired police personnel; and declaring an emergency. Read by title and passed.

Roll call: Ayes 7; Nays 0; Absent 2; Stojack, Anderson.

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Ordinance No. 15726.

Adopting the annual budget of the City of Tacoma for the fiscal year 1957; and declaring a public emergency making necessary the immediate passage of this ordinance and the immediate taking effect thereof. Read by title. Mr. Tollefson asked Attorney Hamilton if any changes can be made in the Budget at this time. Mr. Hamilton advised that no changes could be made now, as the motion passed Friday night to adopt the budget was binding on the Council and the ordinance which the Council passed tonight merely ratifies this motion. Mr. Boyle agreed with the opinion rendered by Mr. Hamilton. Mr. Boyle added that the Statute gives Council five days to hold hearings, at the expiration of which they must adopt the budget by ordinance. It has been a practice over the years to adopt the budget by motion, and then pass the necessary ordinance at the next meeting of the Council Mr. Boyle advised. Mr. Tollefson, who was not present at Friday's Budget Hearing, stated he would like to increase the L I D Participation Fund to \$120,000 in view of the increase in revenue estimates. Mr. Boyle advised him that it would be possible to accomplish this by the passage of an emergency appropriation at a later date. Mr. Bratrud said he was going to vote "No" on the Budget Ordinance because in his opinion the Cowlitz Dam, which is a part of the Utilities Budget, is not legal until it is proven by the Supreme Court. Roll was called on the ordinance, resulting as follows:

Roll call: Ayes 6; Nays 1; Bratrud, Absent 2; Stojack, Anderson.

Ordinance No. 15727.

Fixing the amount of tax levies necessary to raise the amount of estimated expenditures, less the estimated revenues from sources other than taxation, for the General Fund, for the Firemen's Relief and Pension Fund, and for the payment of principal and interest upon the general bonded indebtedness of the City of Tacoma for the fiscal year 1957; and declaring an emergency making necessary the immediate passage and taking effect thereof immediately after publication. Read by title and passed.

Roll call: Ayes 7; Nays 0; Absent 2, Stojack, Anderson.

UNFINISHED BUSINESS:

This being the date fixed by Resolution No. 14764, adopted by the Council on September 4, 1956, for hearing on petition of Earl A. Olson (6-6-56) requesting the City to vacate the alley between South 18th Street and South 19th Street from South Union Avenue to West Union Avenue, the Clerk reported the posting of the notices required by law and the filing of an affidavit of such posting. Also reported that a fee of \$50.00 had been paid by the petitioners and that no remonstrances had been filed against the proposed vacation. The Clerk also reported that the Department of Public Utilities and the Department of Public Works have no objections to the vacation of this alley. Hugh Faville of the Planning Department, advised that the Commission recommends approval of the vacation, provided Mr. Olson would agree to front the new houses he plans to construct on West Union, the residential street, rather than on Union Avenue, a major traffic arterial. Mr. Olson, who was present, said he was agreeable to this plan. It was moved by Mr. Bratrud, seconded by Mr. Tollefson, that the petition be granted and the City Attorney directed to prepare the necessary ordinance to vacate the alley. Motion carried on roll call: Ayes 7; Nays 0; Absent 2; Stojack, Anderson.

This being the date fixed by Resolution No. 14767, adopted by the Council on September 10, 1956, for hearing on petition of Port of Tacoma (6-25-56) requesting the City to vacate the portion of the plat of Reuter's First Tideland Addition to the City of Tacoma lying southeasterly of Lincoln Avenue and all streets, alleys and public ways located therein, the Clerk reported the posting of the notices required by law and the filing of an affidavit of such posting. Also re-

reported that the filing fee had been waived as per Ordinance No. 15370 and that no remonstrances had been filed against the proposed vacation. The Clerk also reported that the Department of Public Utilities and the Department of Public Works have no objection to the vacation providing Milwaukee Way is not included. Mr. Hugh Deville of the Planning Department, advised that the Planning Commission has recommended approval of the petition. Mr. Marc Anderson was present to represent the Port Commission. It was moved by Mr. Tollefson, seconded by Mr. Bratrud that the petition be granted with the provision that Milwaukee Way is not included and the City Attorney directed to prepare the necessary ordinance to vacate the streets, alleys and plat. Motion carried on roll call: Ayes 7; Nays 0; Absent 2; Stojack, Anderson.

The City Manager stated that they would like to have Council's authorization before calling for bids on another street sweeper. He advised that there is \$12,000 now available for this purpose, and if authorization is given, they will take bids on 3 yard and 4 yard sweepers to ascertain if the price differential is enough to warrant purchasing the smaller machine. It was moved by Mr. Tollefson, seconded by Mr. Perdue that the City Manager be authorized to advertise for bids for the purchase of a street sweeper. Motion carried unanimously.

Mr. Tollefson brought up L I D 1955- the West End Storm sewer--for further discussion. Mr. Tollefson said he felt the Council should award the contract for building the trunk through Fircrest, as according to engineers and consultants there is not a more feasible route, and this trunk will have to be built sooner or later. 38  
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In reply to a question from Mr. Tollefson as to whether a storm trunk smaller than 5 feet can be used, Mr. Staman said according to data they have obtained a smaller trunk would not be advisable.

Mr. Tollefson said he would be in favor of constructing the trunk through Fircrest now, but in view of the 39% remonstrance and the large amount of Public Lands involved, he did not think the Council could go ahead with the L I D at the present time.

Mrs. Goering said she would like a report on the general practice in other cities relative to construction of storm sewers. She felt the Council should establish some kind of policy similar to the one in which the City bears the cost beyond 12" watermain.

Mr. Jensen referred to the report furnished by the City Manager at tonight's meeting on Method of Financing Major Trunk Sewers in Tacoma, and said from this report it would seem a policy had been established, which is to put these sewers in by Bond Issue.

Dr. Humiston said he was in favor of setting a policy of percentage contribution by the City for L I D storm sewer trunks. Mr. Rowlands reported that they could not obtain a definite estimate of the cost of the storm sewers required from Brown and Caldwell at this time. Mr. Bratrud said he did not object to putting the Fircrest sewer through now, but he did not feel the City should go ahead with anything more until the report from Brown and Caldwell is received.

Mr. Tollefson suggested that, if the City builds the storm drain through Fircrest, it might be instrumental in causing the F H A to permit some financing on this area on the basis that Tacoma is showing good faith and has a plan for storm sewers in the area.

After further discussion, Mr. Tollefson requested that a resolution be 43.

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placed on Monday's Agenda to accept the bids for the storm trunk through Fircrest and also a resolution or ordinance instructing the Public Works Department to proceed with the engineering to define lines and also the acquisition of land and easements in L I D 1955.

Richard L. Rose, Carson May and Captain E. L. Bennett, representing the West End property owners, thanked Council for the consideration that is being given to the financial burden which L I D 1955 will place on property owners.

Mr. Rowlands advised Council that the Board of Contracts and Awards has rejected all the bids received on tires and tubes, opened September 17, 1956, for the reason that the specifications called for a special service tire that can be supplied by only one company, and it is believed these specifications should be rewritten to give all bidders an equal opportunity.

Upon motion, duly seconded and carried, Council then adjourned at 10:10 P. M.

Charles O. Batten  
Vice Mayor

Attest: Josephine Melton  
City Clerk.