

## COUNCIL CHAMBER, 7:30 P. M.

Wednesday, January 2, 1957

Council met in regular session. Present on roll call 5; Battin, Goering, Humiston, Perdue and Mayor Anderson. Mr. Bratrud, Mr. Jensen and Mr. Stojack taking their seats at 7:35 P. M. and Mr. Tollefson taking his seat at 8:20 P. M. Absent 0.

It was moved by Mr. Perdue, seconded by Dr. Humiston that the minutes of the previous meeting, copies of which had been mailed by the Clerk to each Council member, be approved and the reading thereof be dispensed with. Motion carried on roll call: Ayes 5; Nays 0; Absent 4.

RESOLUTIONS:Resolution No. 14853:By PERDUE:

Authorizing the City Manager to accept for the City of Tacoma certain deeds, easements and construction permits from property owners owning property abutting North Oakes Street between North 19th and North 21st, upon condition that the City will, as a part of said improvements, erect and construct on said earth fill concrete curbs and gutters, cement sidewalks, permanent-type pavement and ornamental lights. (on earth fill which will replace the present wood trestle of the gulch on North Oakes Street). 313

Mrs. Goering advised she had been contacted by one of the interested property owners, who said it was impossible for him to be present at tonight's meeting. This party said he did not have complete information as to what the City planned to do and she had explained it to him as best she could. Mr. Rowlands said Dr. Tudor had called at his office and he had explained the proposition. It was ascertained that Dr. Tudor was the party who had also contacted Mrs. Goering. Mr. Rowlands pointed out that the City has three alternatives that it can follow: (1) replace bridge which is not in good condition, within the next 3 to 5 years (2) construct a fill instead of a bridge; (3) remove the bridge and make no replacement. Nothing is contemplated this coming year, and this resolution merely authorizes the City Manager to negotiate for the deeds and easements in the event they are required, but the matter will be again brought to Council for instructions before any action is taken, Mr. Rowlands said. Roll was then taken on the Resolution, resulting as follows:

Adopted on roll call January 2, 1957

Ayes 8; Nays 0; Absent 1, Tollefson.

Resolution No. 14854:By STOJACK:

Approving recommendation of Board of Contracts and Awards and awarding to the Tacoma Daily Index the contract for the official City printing for the calendar year 1957, and designating the Tacoma Daily Index as the official newspaper for the City of Tacoma for the calendar year 1957.

Adopted on roll call January 2, 1957

Ayes 8; Nays 0; Absent 1, Tollefson

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Resolution No. 14855:

By GOERING:

Approving recommendation of Director of Public Works and Board of Contracts and Awards and awarding to Paine-Gallucci, Inc. the contract for L I D 4592 - asphalt paving, concrete curb and gutter on South L Street. from South 70th Street to South 72nd Street; also storm sewer on South 70th Street from South M to South L Streets.

Adopted on roll call January 2, 1957  
Ayes 8; Nays 0; Absent 1, Tollefson.

Resolution No. 14856:

By GOERING:

Approving recommendation of Director of Public Works and Board of Contracts and Awards and awarding to Paine-Gallucci, Inc. the contract for L I D 4613 - asphalt paving and concrete curb and gutter and storm sewer on South L Street from South 35th Street to South 39th Street; also on Cushman and Ainsworth Avenues from South 37th to South 38th.

Adopted on roll call January 2, 1957  
Ayes 8; Nays 0; Absent 1, Tollefson

Resolution No. 14857:

By HUMISTON:

Authorizing proper officers of City of Tacoma to sell to Tacoma Junk Company approximately 30 tons of junk cast iron consisting of broken pipes, hydrants valves and fittings, on their bid of \$50.01 per ton.

Adopted on roll call January 2, 1957  
Ayes 8; Nays 0; Absent 1, Tollefson

Resolution No. 14843: (Postponed to this date on December 26)

By HUMISTON:

Authorizing the proper officers of the City to enter into an agreement with the Alpine Evergreen Company for the cultivating and harvesting of Christmas Trees. Mr. Rowlands reported that Mr. Barline would like to have this matter postponed for two weeks, as the agreement had not been received by the Utilities Department. Moved by Dr. Humiston, seconded by Dr. Battin to postpone this Resolution to January 14, 1957. Motion carried. Ayes 8; Nays 0; Absent 1, Tollefson.

FIRST READING OF ORDINANCES:

Ordinance No. 15770:

Amending Ordinance No. 14793 - Zoning Ordinance - by adding thereto

two new sections to be known as Sections 18A and 18 A-1. (Section 18A - Regulations of "R-4-L" Multiple-Family Dwelling Districts.) (Section 18A-1 - Setting forth boundaries of "R-4-L" Multiple Family Dwelling District) (Along Pacific Avenue from South 68th to South 76th Streets). Read by title and placed in order of final reading.

Ordinance No. 15771:

Amending Ordinance No. 14793 - Zoning Ordinance - by adding a new Section to be known as Section 9M - C-2 Commercial District - West side of Sheridan Avenue from South 12th Street, 225 feet north. Read by title and placed in order of final reading.

Ordinance No. 15772:

Establishing the procedure to be followed upon applications of abutting property owners for the vacation of streets and alleys in the City of Tacoma; providing for the payment or waiver of expenses and costs in connection therewith; and repealing Ordinance No. 15370. Read by title and placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 15763:      L I D 4603:

Providing for improvement of North 39th Street from Monroe Street to Tyler Street, North Shirley Street from North 26th Street to the north line of Nelsons 2nd Addition, and Cedar Street from North 29th Street to North 30th, by grading, asphaltic concrete surfacing, curbs and gutters, and storm water catch basins, also driveways, concrete sidewalks and sanitary sewer connections, creating L I D 4603. Read by title and passed.

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Roll call: Ayes 8; Nays 0; Absent 1, Tollefson.

Ordinance No. 15764:      L I D 4608:

Providing for the improvement of North 8th Street from Junett to Pine, North 8th from Union to Warner, North 10th from Fife to Steele, North 11th from Oakes to Steele and from Stevens to Madison, and North 14th from Fife to Steele by grading, paving and constructing curbs and gutters and storm water catch basins; also paving, with curbs and gutters and storm water catch basins on Monroe Street from North 11th to North 13th; also local storm Sewers on North 10th from Prospect to Fife, and on North 8th from Union Avenue to Puget Sound Avenue; creating L I D 4608. Read by title and passed.

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Roll call: Ayes 8; Nays 0; Absent 1, Tollefson.

Ordinance No. 15765:      L I D No. 4614:

Providing for improvement of Cedar Street from North 7th Street to North 8th, North 8th from Warner to Lawrence, North Adams from North 9th to North 12th, by grading, asphaltic concrete surfacing, including curbs and gutters and storm water catch basins, also driveways, concrete sidewalks and sanitary sewer connections; creating L I D No. 4614. Read by title and passed.

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Roll call: Ayes 8; Nays 0; Absent 1, Tollefson

10-1 JAN 2 1957  
48:90  
**Ordinance No. 15766:**

Repealing Ordinance No. 15600 entitled "An ordinance declaring certain slot machines, pinball machines, vending machines and devices to be a nuisance, etc." Read by title. Before voting on this Ordinance, Dr. Humiston asked the City Manager to brief the Council on what has transpired on the pinball situation since last Council meeting. Mr. Rowlands advised that Chief of Police Kerr and the City Manager had been served with a temporary restraining order, and that a hearing on this had been set for January 10th at which time it will be decided by the Courts whether or not a permanent injunction should be put into effect. City Attorney Marshall McCormick explained the legal action more fully and stated his office is going to try to have the action "quashed" at the hearing on January 10th. Mr. McCormick further stated that the operators will still have to pay the license fees required if they operate the machines after January 1st, if not, they will be operating in violation of the Ordinance. Roll was then called on the ordinance resulting as follows:

Roll call: Ayes 0; Nays 8; Absent 1; Tollefson. The ordinance was declared lost.

**Ordinance No. 15767:**

Declaring certain slot or vending machines or devices to be a nuisance; prohibiting the keeping or maintaining for use thereof or permitting the use thereof; and providing penalties for the violation hereof. Read by title.

Roll call: Ayes 0; Nays 8; Absent 1, Tollefson. The ordinance was declared lost.

**Ordinance No. 15768:**

48:90  
Amending Sections 17, 17a, 17b, 17c, 17g, and 17i of Ordinance No. 14892 - General License Ordinance as amended by Sections 1, 2, 3, 4, 5, and 6 of Ord. No. 15601 and repealing Ordinance No. 15601. (relative to pin ball machines). Read by title.

Roll call: Ayes 0; Nays 8; Absent 1, Tollefson. The ordinance was declared lost.

**Ordinance No. 15769:**

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Amending Section 1 of Ordinance No. 15754 entitled: "An ordinance vacating the alleys in Acme Addition located between Hosmer Street and Alaska Street from South 48th Street to Thurston Street." Read by title and passed.

Roll call: Ayes 8; Nays 0; Absent 1, Tollefson.

**Ordinance No. 15773:**

Making certain corrections in the annual budget for the year 1957, adopted by Ordinance No. 15726, due to clerical errors and computations of certain salaries in accordance with Compensation Plan adopted by the City; authorizing Director of Finance to transfer \$225.00 from Capital Outlay, Department of Public Works, Sewer Utilities to salaries and wages, Department of Public Works, Sewer Utilities; and declaring public emergency making necessary the immediate passage of this ordinance. Read by title and passed.

Roll call: Ayes 8; Nays 0; Absent 1, Tollefson.

UNFINISHED BUSINESS:

This being the date fixed by the City Council for hearing on the approval of the assessment rolls for the following Local Improvement Districts, the hearings were held at this time:

L I D 1952: Sanitary sewers on Villard Street from North 9th Street to Dahl Drive and on Orchard Street from North 9th Street to North 19th Street. The Clerk reported the post card notices had been mailed to property owners on November 28th, 1956 and no remonstrances had been filed against the assessment roll. Mr. Paul Meves, 1620 North Huson, was present for information as to when he would have to pay his assessment amounting to \$789.40, and this was given to him. No remonstrators appearing, it was moved by Dr. Humiston, seconded by Dr. Battin that the assessment roll be approved and confirmed. Motion carried on roll call: Ayes 8; Nays 0; Absent 1, Tollefson. 66 118

L I D 1954: Sanitary sewers on Highland and Winnifred from North 27th to North 30th. The Clerk reported that post card notices had been mailed to property owners on November 28, 1956 and no remonstrances had been filed against the assessment roll. No remonstrators appearing, it was moved by Dr. Humiston, seconded by Mr. Perdue that the assessment roll be approved and confirmed. Motion carried on roll call: Ayes 8; Nays 0; Absent 1, Tollefson. 66 118

L I D 2221: Crushed rock oil mat on South C Street from South 76th Street south for approximately 600 feet. The Clerk reported that post card notices had been mailed to property owners on November 28th, 1956 and no remonstrances had been filed against the assessment roll. No remonstrators appearing, it was moved by Dr. Humiston, seconded by Mr. Bratrud that the assessment roll be approved and confirmed. Motion carried on roll call: Ayes 9; Nays 0; Absent 0. 71 118

L I D 5250: Cast iron water mains in Frace Avenue from North 38th Street to North 46th and in North 43rd from Lexington Street to Frace Avenue. The Clerk reported that post card notices had been mailed to property owners on November 28, 1956 and no remonstrances had been filed against the assessment roll. No remonstrators appearing, it was moved by Dr. Humiston, seconded by Mr. Tollefson that the assessment roll be approved and confirmed. Motion carried on roll call: Ayes 9; Nays 0; Absent 0. 71 119

L I D 4569: Grading, asphalt paving, concrete curb and gutter on North 28th Street from Stevens to Cheyenne. The Clerk reported that notices had been mailed to property owners on November 28th, 1956 also that one remonstrance amounting to 12.5% has been filed against the roll by Mabel H. Jones, residing in Hollywood, Calif. stating as her reason that she could not afford an assessment at this time, and that she felt the assessment of \$900.00 was exorbitant for 6 lots. No other remonstrators appearing, it was moved by Dr. Humiston, seconded by Mr. Tollefson that the remonstrance be overruled and the assessment roll approved and confirmed. Motion carried on roll call: Ayes 9; Nays 0; Absent 0. 71 118

L I D 4576: Grading, asphalt paving, concrete curb and gutter on North 12th Street from Proctor Street to Mason Avenue. The Clerk reported that postcard notices had been mailed to property owners on November 28, 1956. Also reported that one 67 118

remonstrance amounting to 1.47% had been filed against the roll by Mrs. Urma Fisher, which was filed for the reason that she felt there was an inequality in the assessment of her property and her next door neighbor, as she was being charged over \$150.00 more. Several members of the Council attempted to explain the method of assessing, which is set forth in State Statutes, but Mrs. Fisher was still not convinced. Dr. Battin suggested that possibly if Mrs. Fisher could come down and talk to someone in the Public Works Department she would receive an explanation that would satisfy her, and Mayor Anderson suggested that Mrs. Fisher confer with the Public Works Engineers after tonight's meeting for this explanation, which was agreeable to Mrs. Fisher. No other remonstrators appearing, it was moved by Dr. Humiston, seconded by Mr. Jensen that the remonstrance be overruled and the assessment roll approved and confirmed. Motion carried on roll call: Ayes 9; Nays 0; Absent 0.

**L I D 4586:** Grading, asphalt paving, concrete curb and gutter on No. 8th Street from Cedar to Alder. The Clerk reported that postcard notices had been mailed to property owners on November 28, 1956. Also reported that no remonstrances had been filed. J. W. Anderson, filed a small remonstrance amounting to \$50.00 against the improvement. No other remonstrators appearing, it was moved by Mr. Tollefson, seconded by Mr. Jensen, that the remonstrance be overruled and the assessment roll be approved and confirmed. Motion carried on roll call: Ayes 9; Nays 0; Absent 0.

**L I D 5263:** Water mains in North Orchard from North 9th to North 11th; in Villard from North 9th to Dahl Drive; in Bennett, North 10th, Dahl Drive, North 8th, North 9th and North 11th. The Clerk reported that postcard notices had been mailed to property owners on November 28, 1956 and that no remonstrances had been filed. Mr. H. E. Weed, owner of property on the corner of North 9th and Orchard, inquired why his assessment was so high, and was informed by Mr. Bennedetti of the Water Division that it was located in the first zone, which according to State Statutes is assessed for 45% of the cost of the improvement. Mr. Bennedetti pointed out that in this particular L I D the actual assessments are considerably lower than the original estimate. No remonstrators appearing, it was moved by Dr. Humiston, seconded by Mr. Bratrud that the assessment roll be approved and confirmed. Motion carried on roll call: Ayes 9; Nays 0; Absent 0.

**L I D 2237:** Concrete sidewalks on East 57th Street and East 58th Street from East I to East K; also on North side of East 57th and south side of East 58th from McKinley to East I. The Clerk reported that postcard notices had been mailed to property owners on November 28th, 1956 and that three remonstrances had been filed amounting to 3.34%. Mayor Anderson read remonstrances from Roy J. Marchesini, who stated that the sidewalk on East 58th Street between East I and East K are useless as the street is higher than the sidewalks, resulting in a flooded condition; from W. L. Fairchild, who complained that the north side of the corner of East 58th Street and J Street is always under water, that the contractor broke the corner of the sidewalk when installing it, and that East J Street was left in such a condition by the contractor that no one can use it, as it is nothing but a mud hole due to gravel being graded off the street into a swamp on East 57th Street; and from Donald R. Wilhelm, who alleged the workman was poor as the walks were not laid at the correct level, resulting in yards and sidewalks being flooded after every rain, that the contractor did not trim expansion joints, which were protruding from one inch to as much as two inches, and that the contractor left the area in a dirty condition. Mr. Staman explained the problem confronting the Department in laying sidewalks where the street has not been permanently graded as

the sidewalks are laid to meet future grades and often times are lower than the existing street, as in this case. Mrs. Goering asked if there wasn't any provision requiring a contractor to clean up after the work is completed. Robert Anderson, Construction Engineer advised that jobs are inspected very carefully before he signs the acceptance sheet, and this procedure was followed in this improvement and the Contractor cleaned up the area to his satisfaction. Mr. Joe Buchko complained that the street is 4 inches above the sidewalk and that the City removed the tile he had placed under his driveway as well as his neighbor's and they had to replace it.

Dr. Humiston asked whether the property owners had been informed that the sidewalks would be lower than the street prior to the time the contractor started the improvement. Mr. Wilhelm said to the best of his knowledge no such information had been given property owners. This point was discussed at length by Council members and several felt better public relations would result if property owners were given information concerning the existing conditions and possibly of water draining on the sidewalks before the work is done. Mrs. Goering also suggested that consideration should be given to closer cooperation between the Public Works Department and Utilities Department and the problems in the area should be studied and the property owners informed what improvement is most needed, before the Local Improvement they petition for is started. Dr. Humiston pointed out that the complaints made in this L I D do not constitute a remonstrance as the equality of the assessments has not been questioned. When cases like this came before the L I D Committee, action was postponed until the next meeting and the department involved was requested to see what could be done to straighten out the difficulties. Dr. Humiston stated, and he would like to see this procedure followed in this instance.

It was moved by Dr. Humiston, seconded by Mr. Stojack that the hearing be continued to January 14th, and the Public Works Department be instructed to see what can be done to straighten out the complaints and make a report to the Council. Motion carried on roll call: Ayes 9; Nays 0; Absent 0.

At the conclusion of the hearings on the assessment rolls, Dr. Humiston moved that future assessment roll hearings be scheduled before the L I D Committee. Motion seconded by Mrs. Goering. Speaking on the motion, Dr. Humiston said that in most instances the biggest problem in assessment roll hearings is clearing up misunderstandings and he felt this could be handled better by a small committee. Mrs. Goering pointed out that holding these hearings before the Council means that experts, such as engineers, must give up a whole evening just on the chance they might be needed to impart information, and she felt this was unfair to them. Mr. Rowlands pointed out that this had been an experiment and although it had not proved feasible, the discussion had enlightened the Council on many problems. Roll was called on the motion, which carried. Ayes 9; Nays 0; Absent 0.

The City Planning Commission reported back on the petition of Frank A. Brittain, et al (9-4-56) requesting that property at 7609 Pacific Avenue be rezoned from an R-2 to R-4 District, and recommended denial of the petition as a routine matter since this property is being included in the "R-4-L" low density, multiple family dwelling district, as provided for in proposed Ordinance No. 15770, which is being given first reading this date. It was moved by Mr. Stojack to concur in the recommendation of the City Planning Commission to deny this petition. Motion seconded by Mr. Jensen and carried on roll call: Ayes 9; Nays 0; Absent 0.

ITEMS RECEIVED FOR FILING IN THE OFFICE OF THE CITY CLERK:

X City of Tacoma - Tacoma Transit System - report for November and seven months in 1956.

47:469

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X City of Tacoma, Belt Line Division, Department of Public Utilities, monthly financial report for November, 1956.

X City of Tacoma, Water Division, Department of Public Utilities, monthly financial report for November, 1956.

Mr. Bratrud brought up the statements attributed in the minutes to Mr. Perdue during the discussion on Resolution No. 14850 which proposed the appointment of a Committee to investigate facts in connection with regulation or elimination of pinball machines. He stated he had intended to bring this up at the time the minutes were approved, but he was a little late in arriving. The statement relative to the selection of the Committee was a direct slap at Mayor Anderson, and the one that any Council member favoring such a resolution should resign was likewise a slap against Mr. Stojack, he alleged. Mr. Perdue owed both of these gentlemen an apology, Mr. Bratrud contended. Mr. Perdue defended his statements and said he had not intended to take any slap at the Mayor. He pointed out that several Council members reiterated his statement relative to resigning from the Council. Mr. Tollefson said he felt no further comments should be made and that this matter should be settled between Mr. Bratrud and Mr. Perdue privately. Mayor Anderson ruled that Mr. Bratrud was out of order since the minutes had already been approved by the Council.

Mr. Tollefson said, as Mayor of Tacoma during the period when the All American City award was earned, and as President of the Association of Washington Cities, he was extremely proud of Tacoma's recent achievement; and he wished to congratulate the City of Tacoma, its citizens, the many civic groups, and particularly the City Council, all of whom participated and contributed to the earning and winning of this great honor. He would like to have this award presented to the City Council at a regular Council meeting and have pictures taken of the Council receiving this award, so that each member might have a copy. Mayor Anderson reported that the Flag will be presented at next Monday's Council meeting and he asked City Manager Rowlands to have a photographer at the Council Chamber 15 or 20 minutes before the Council convenes, to take the pictures requested by Mr. Tollefson.

Mr. Rowlands briefed the Council on the plans that are being formulated by a small committee to celebrate the All American City Award, Tuesday, January 15th has been fixed as the date for this celebration and a program is being arranged. The place has not been decided as yet, Mr. Rowlands said. He showed Council members a decal that they would like to have displayed in windows in various business places, and said he hoped some organization would underwrite the expense involved in obtaining 25,000 of these which will cost approximately Seven Hundred Dollars. Mayor Anderson offered to see what he could do on this matter in providing funds.

Mr. Rowlands reported that he had made a tour with the Director of Public Works of the waterfront property owned by the City of Tacoma. There are three alternatives which are being considered Mr. Rowlands advised: (1) to increase rentals; (2) to rehabilitate the buildings, some of which are in poor condition; (3) to make a lease agreement with renters to improve the buildings. Mr. Bratrud pointed out that there had been some talk of changing the Charter to allow the City to sell its waterfront property and suggested this be considered.



. X Mr. Rowlands advised Council that they plan to try a six inch remote controlled fire Monitor gun, manufactured by the Chiksan Company on the City Fire Boat for a twelve month trial period on a no-charge basis. The price of this equipment is less than \$1,000, Mr. Rowlands said.

X Mr. Rowlands advised that parking spaces have been provided for Council members in the parking lot across the street. He asked Council members to use this space rather than the garage across the street and said that keys to the gate will be supplied them.

Upon motion, duly seconded and carried, Council adjourned at 10:08 P. M.

John Anderson  
President of City Council

Attest: Josephine Melton  
City Clerk